

Ladders and the Work at Height Regulations (WAHR)

**New legislation (WAHR) is due
to come into force during 2004**



**Produced by the BLMA in
consultation with the Health and
Safety Executive, The Department
of Trade and Industry and British
Standards Institution**

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New legislation (WAHR) is due to come into force during 2004.

The **BLMA** (British Ladder Manufacturers Association) has produced this document in consultation with the **HSE** (Health and Safety Executive), the **DTI** (Department of Trade and Industry) and **BSI** (British Standards Institution) to assist in the understanding of how the new legislation will affect the use of ladders. Further, the **HSE** will be producing more guidance on ladders later this year as part of the general guidance on the Work at Height Regulations.

UNDER THE NEW REGULATIONS

LADDERS CAN BE USED FOR ACCESS AND EGRESS

LADDERS CAN BE USED TO WORK FROM

LADDERS ARE LEGAL

The use of portable ladders in industry in UK is currently controlled under a number of legal items including:

- **Health and Safety at Work etc Act 1974**
- **Construction (Health, Safety and Welfare) Regulations 1996 (CHSWR)**
- **Management of Health and Safety at Work Regulations 1999**
- **Manual Handling Regulations 1992**
- **Personal Protective Equipment (PPE) Regulations 1992***
- **Provision and Use of Work Equipment Regulations (PUWER) 1998**
- **Workplace (Health, Safety and Welfare) Regulations 1992**

Notes: Other more industry-specific related regulations might apply

* e.g., when FAS (Fall Arrest Systems) are used in conjunction with a ladder.

The primary objective of the new legislation **is to eliminate work at height where possible and where it is not possible** to ensure that **ALL** work at height is performed safely and that equipment has been appropriately selected, whether it is from a mobile access tower, scaffold or a ladder.

Many of the requirements contained in the new legislation already feature in existing legislation specific to the construction industry and under the new legislation these will be applied to all sectors of the economy. All work at height will be covered and not limited to any specific height or work equipment used.

As under existing legislation, duties are placed on employers, the self-employed and employees.

The WAHR require employers and the self-employed to put in place arrangements for:

- ***Eliminating or minimising risks from work at height***
- ***Organising and planning work at height***
- ***Selecting suitable work equipment to perform work at height***

When selecting suitable work equipment account must be taken of the principles of Risk Assessment as required by the Regulation 3 of the Management of Health and Safety at Work Regulations 1999. The Risk Assessment and the action taken should be proportionate to the harm that could occur if no action was taken.

Where work at height cannot be eliminated/avoided, safe means of access/working should be considered. As far as ladders in particular are concerned the following should be considered:

- ***What is it to be used for***
- ***Type of ladder***
- ***Loads to be carried***
- ***Short duration of the work***
- ***Prevention of and consequences of falls***
- ***Wear and tear of the equipment***
- ***Other suitable access equipment***
- ***Frequency of access***
- ***Training and abilities of users***
- ***Workplace, ground and site conditions including, access and egress and external factors e.g. weather and vandalism as well as safety from electrical shocks***

Ladders are Work Equipment as defined by PUWER 98 and must be suitable for the task to be undertaken.

Ladders can be used as workplaces when it is not reasonably practicable to use other potentially safer means and the Risk Assessment shows that risks are low.

Ladders can be used for access when the installation of a permanent staircase is not reasonably practicable.

Ladders should be used in accordance with manufacturer's instructions, and:

- ***Leaning ladders should be placed at the correct angle***
- ***Leaning ladders should be secured to prevent slippage***
- ***Ladders should be placed on firm level surfaces with rungs horizontal***
- ***Users should face the ladder at all times whilst climbing or dismounting***
- ***Stepladders should not be used sideways-on where sideways loads are applied***
- ***Only one person should climb or work from a ladder or a stepladder***
- ***Do not overreach***
- ***Ladders should be stored correctly***
- ***Ladders should be checked before setting up and inspected regularly***

Note: WAHR spells out the need to check and maintain ladders. WAHR are not requiring anything new, but they are clearly stating the general requirements of PUWER to maintain and inspect work equipment (Regulations 5 and 6(2)).

Many of these points do not change from current legislation however the BLMA have produced Risk Assessment Guideline forms for stepladders and leaning ladders to aid those responsible for ladder use, and these are available from the Association and as a free download from the BLMA website.

Employees should report any activity or defect relating to work at height which **is known to be likely to endanger** the safety of themselves or others and employees should use work equipment or safety devices provided for work at height in accordance with training and instructions that have been given.



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