

Health and Safety Executive Senior Management Team Paper		HSE/SMT/09/115	
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Exemptions:			

HEALTH AND SAFETY EXECUTIVE

Senior Management Team

The Future of L117 - Rider-operated lift trucks: Operator Training- Approved Code of Practice and Guidance

A Paper by Carol Grainger

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Cleared by Jane Willis on 22 October 2009

Issue

1. The attached paper seeks the Board's agreement to the approach proposed to take forward work on one aspect of workplace transport safety. Given continuing numbers of reportable injury incidents involving fork lift trucks we would like to seek the views of stakeholders, particularly SMEs, as to what help they need to meet their duties with regard to training and competence of fork lift truck operators and to seek their views on the future of L117 – the relevant Approved Code of Practice and guidance . All forms of workplace transport are a major source of accidents across all sectors but fork lift trucks in particular are ubiquitous and are a high risk for SMEs. We believe that some SMEs have difficulty understanding their responsibilities and how best to comply with them. We want to start to explore this issue with a stakeholder consultative event, which would include discussions around how well the existing guidance and ACOP (L117) work, and what more help in this area small businesses would like.

Timing

2. Routine. For clearance by SMT on 4 November to enable the paper to go to the HSE Board on 25 November 2009.

Recommendation

3. That the SMT agrees the attached paper for submission to the HSE Board.

Background

4. See attached draft Board paper.

Argument

5. See attached draft Board paper.

Consultation

6. FOD, STSU, Better Regulation Unit, PFPD, Construction, Agriculture and Transportation Sectors. All comments were noted and taken on board.

Presentation

7. We will be seeking interest from all sectors, all users of mobile plant, consultants, training providers, Trades Unions and safety representatives. Communications

routes already exist to most of these. Work is going on to improve our contact with SMEs - eg by e-bulletin and via Business Link.

Costs and Benefits

8. Much of this work is in our business plan and within current resource allocations. The significant additional cost for HSE arising from the proposals will be the cost of the event, which is expected to be £5k - £10k, and resource costs to develop the material for consultation. This will include some CSAG resource to help develop the web base questionnaire.

Environmental implications

9. None

Action

10. That SMT clears the attached Board paper.

Health and Safety Executive Board		Paper No: HSE/09/	
Meeting Date:	25 November 2009	FOI Status:	Fully open
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Keywords:			
THE FUTURE OF L117 RIDER-OPERATED LIFT TRUCKS: OPERATOR TRAINING - APPROVED CODE OF PRACTICE AND GUIDANCE			

Purpose of the paper

11. Forklift trucks continue to be the most common form of vehicle involved in workplace transport injuries to workers. Many small businesses use them. The current Approved Code of Practice and guidance relating to operator training was developed in 1988 and updated in 1999.

12. To support the Strategy goals of creating healthier safer workplaces and providing better support for SMEs we are considering how we can help businesses improve their management of the risks relating to workplace transport and in particular the use of forklift trucks in the workplace. As a first step, we would like to consult and engage those involved.

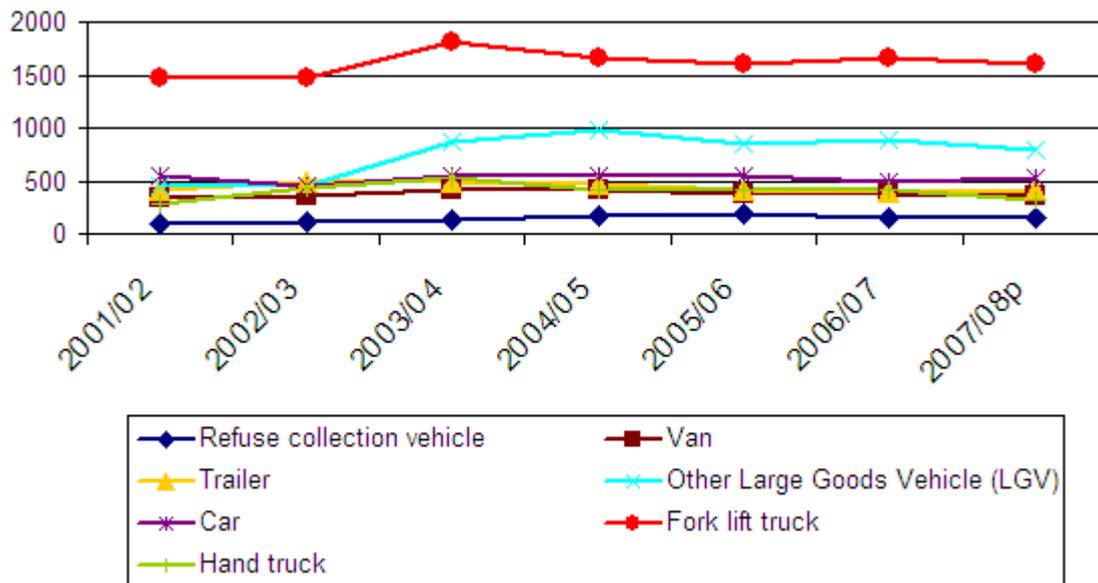
3. The Board is invited to consider the case for taking forward work in this area and to agree the proposals for involving stakeholders early in the policy development process.

Background

4. All forms of workplace transport are a major source of reported incidents across all sectors, but forklift trucks in particular are ubiquitous, and are frequently used by SMEs. We believe that some SMEs may have difficulty understanding their duties with regard to training and competence of forklift truck operators. We would like to hold a stakeholder event to get more clarity on the issues involved. This would include discussion of how well the existing guidance and ACOP (L117) work, and what more small businesses would like to help them meet the legal requirements and manage the risks .

5. HSE produced the predecessor of L117, COP 26 in 1988 as part of an effort to reduce the number of accidents involving industrial lift trucks. It was revised and reissued as L117 in 1999 to take account of the Provision and Use of Work Equipment Regulations 1998 (PUWER). Analysis of the data suggests that the introduction of COP 26 and subsequently L117 may have helped to reduce incident numbers, though because of confounding factors and the lack of a baseline prior to 1988, it is not possible to say this for certain. Undoubtedly, figures fell substantially in the early 1990s but this cannot be directly attributed to any specific intervention. Information about sales suggests that the number of industrial lift trucks in operation has grown since 2000, but injury numbers have not increased and hence injuries per truck have reduced, which could be an effect of L117.

Workplace transport injuries to workers reported under the RIDDOR regulations, 2001/02 to 2007/08p



[15]

Argument

6. The number of fork lift truck injury incidents remains a concern. We recognise that the language of L117 now appears outdated and the guidance contains little clear reference to the need for operators to maintain competence or to undertake any continuing professional development. The scope of L117 is limited to industrial lift trucks and does not include other types of rider-operated plant although the risks are similar and the principles by which training needs to be delivered are the same. It is not now clear why originally a distinction was made between industrial lift trucks and other plant. Many employers and trainers currently use the principles set out in L117 as a guide for training on other types of mobile plant such as mini road sweepers (for use off the highway), works trucks of various types, mini diggers and mini dumpers as well as full sized plant and road vehicles in situations where they are being shunted on a worksite. L117 is the only HSE guidance that helps employers understand how to meet the requirements of Regulation 9 of PUWER.

7. Following consultation via Machex (the Committee of machinery experts) to establish practice in other Member States we know that there is interest in Europe in developing systems similar to that provided by the Accrediting Bodies (discussed in Below the line paper xxx on this agenda) to provide employers with help to meet their duties under PUWER. Clearly, we would want to be part of any such discussions in Europe and need to ensure that our contribution reflects the views of UK businesses and workers.

8. Mindful of the need to ensure that any action we propose meets the needs of those affected, is proportionate, and does not create any unnecessary burdens on business, we think the most appropriate first step would be to stimulate debate and discussion of the issues with stakeholders.

9. We are proposing therefore to hold a consultative event early in 2010 to explore the issues of

- How best to help SMEs meet their duties under PUWER.
- How to provide guidance on other sorts of workplace vehicles
- How we might respond to European interest in developing similar schemes for workplace transport along the lines of UK's existing lift truck scheme.

We would aim to invite external stakeholders to lead some syndicate groups to debate the issues surrounding duties with regard to training and competence and the future of L117. A particular question could be about the scope of L117 and whether there is a case for extending the guidance to cover all rider operated mobile plant.

10. Recognising that the event will only be able to involve a very small proportion of the total stakeholder group we are also considering how we might gather views from others. One option might be to run a web/paper based discussion exercise. This could help provide us with up to date knowledge of what stakeholders, including SMEs, believe would help them fulfil their duties with regard to ongoing training and competence of mobile plant operators.

Action

11. The Board is asked to:

(i) endorse a proposal for HSE to hold a consultative event in February 2010 to seek the views of stakeholders, including particularly SMEs, as to what help they need to meet their duties with regard to training and competence of workplace vehicle operators and to seek their views on the effectiveness of the current Code of Practice L117;

(ii) consider whether we should solicit views more widely – eg by means of a short web/paper based exercise for those unable to attend the event, through the SBTA network, and working with sector team colleagues, including Construction Division.

Costs

12. This work is in the current CCID business plan and resourced accordingly. The costs of planning and running the proposed consultative event and other stakeholder engagement activities would be of the order of £5k - £10k.

Paper clearance

13. The Senior Management Team cleared this paper on xxxx 2009.

Contact

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