

SAFETY INFORMATION SHEET

CONSTRUCTION (HEALTH, SAFETY AND WELFARE) REGULATIONS 1996

This Information Sheet is one of a series produced by the LEIA Safety Committee on topics relevant to the Lift and Escalator Industry. Whilst every effort has been taken in the production of these sheets, it must be acknowledged that they should be read in conjunction with the relevant legislation, codes of practice etc. They should not be taken as an authoritative interpretation of the law but guidance to it.

INTRODUCTION

Several of the regulations have been revoked by the introduction of The Work at Height Regulations 2005. At the time of writing it is expected that the remaining regulations will, in time, be revoked with their requirements being covered in other Health and Safety legislation.

Regulation 1 - Citation and Commencement

Regulation 2 – Interpretation

Construction Site	Is defined as any place where the principal work activity being carried out is construction work. This is the same definition as in the Construction (Design and Management) Regulations 1994.
Loading Bay	This is any facility for loading or unloading equipment or materials for use in construction work.
Plant and Equipment	This covers any machinery, apparatus, appliance or other similar device or any part of it used for the purpose of construction work.
Traffic Route	This is a new term that covers the access or egress of a construction site by any pedestrian or vehicle

Regulation 3 - Application

The Regulations apply only to those persons at work carrying out construction work, they do not extend to workplaces on a construction site used for non-construction purposes, ie site offices, equipment storage areas.

Regulation 4 - Persons upon whom Duties are Imposed by these Regulations

There is a general duty for employers and the self-employed to comply with the Regulations as far as they affect them or persons under their control insofar as they relate to matters under their control. Those who control the way in which construction work is carried out by those at work must comply with the Regulations as far as they relate to the matters which are within their control. This is where the Principal Contractor would be responsible for the control of construction work. Employees must also comply with the Regulations and they must co-operate with the duty holders and, when working under the control of another person, report any defect that may endanger anyone.

Regulation 5 - Safe Places of Work

This requirement for a safe place of work covers 'every place of work' and 'every other place provided for use of any person at work'. This Regulation includes that every place of work shall, so far as is reasonably practicable, be made and kept safe, without risks to health to any person at work there. If that place does not comply with the requirements of the Regulations steps should be taken to prevent access.

Regulations 6, 7 and 8

These regulations have been revoked

Regulation 9 - Stability of Structures

Practical steps shall be taken to prevent danger to persons in ensuring that any new or existing structure or any part of that structure does not collapse accidentally. It also prevents the loading of any part of a structure so as to render it unsafe to any person. Any removal of support or temporary structure used to support a permanent structure shall only be undertaken under the supervision of a competent person.

Regulation 10 - Demolition or Dismantling

Practicable steps shall be taken to ensure that any demolition or dismantling of any structure, or any part of any structure, is done so as to prevent danger as far as practicable.

Regulation 11 - Explosives

Explosive charges shall only be used when suitable and sufficient steps have been taken to ensure that no persons are exposed to the risk of injury from projected or flying materials.

Regulation 12 - Excavations

Practical steps shall be taken to prevent danger to any persons to ensure that any excavation which may be in a temporary state of weakness does not collapse accidentally. Suitable and sufficient steps must be taken to prevent, so far as is reasonably practicable anyone from being buried or trapped by a fall or dislodgment of any material. Where there is a danger to any person from a fall or dislodgment of material that excavation shall, as early as practicable, be sufficiently supported to prevent, so far as is reasonably practicable, the fall or dislodgment of the material.

Regulation 13 - Cofferdams and Caissons

The requirement is for every cofferdam or caisson be of suitable design and construction, of sound material and of sufficient strength and capacity for the purpose for which it is used and be properly maintained.

Regulation 14 - Prevention of Drowning

The main requirement of this Regulation is where during the course of construction work if any person is liable to fall into water or other liquid with a risk of drowning steps should be taken to minimise the risk. Suitable equipment is to be provided and kept maintained for prompt rescue.

Regulation 15 - Traffic Routes

This is a new Regulation to construction and is similar to Regulation 17 (Organisation of Traffic Routes) of the Workplace Regulations. One aspect that has been included is the term loading bay and a requirement that there be at least one exit point for the exclusive use of pedestrians and criteria covering layout when pedestrians are in the immediate vicinity.

Regulation 16 - Doors and Gates

This Regulation does not apply to any door, gate or hatch forming part of any mobile plant and equipment. However it does provide that where doors are used on a construction site they shall incorporate a suitable safety device.

Regulation 17 - Vehicles

Suitable and sufficient steps shall be taken to prevent or control the unintended movement of any vehicle. This in its simplest form may mean parking a vehicle on level ground and applying its brakes assuming they are in good working order.

Any vehicle being used for construction work shall be driven, operated or towed in a safe manner whether loaded or not. There is a requirement that no person shall remain in or on any vehicle during the loading or unloading of any loose materials unless a safe place of work is provided. Suitable and sufficient measures shall be taken to prevent vehicles used for excavating or handling materials from falling into any excavation or pit or into water etc.

Regulation 18 - Prevention of Risk from Fire

Measures shall be taken to prevent so far as is reasonably practicable, risk of injury to those carrying out construction work from fire or explosion; flooding; or any substance liable to cause asphyxiation.

Regulation 19 - Emergency Routes and Exits

The requirements are that on a construction site, a sufficient number of suitable emergency routes and exits shall be provided to enable any person to reach a place of safety quickly in the event of danger. The route or exit shall lead as directly as possible to an identified safe area. Emergency routes and exits shall be kept clear and free from obstruction and where necessary provided with emergency lighting so that they can be used at any time. Provision of emergency routes and exits must have regard for the type of work, size of the construction site, plant and equipment being used, number of persons, and any physical or chemical properties of any substances likely to be used on the site. All emergency routes and exits shall be indicated by suitable signs.

Regulation 20 - Emergency Procedures

Preparations shall be made where necessary for dealing with any foreseeable emergency. These arrangements shall be suitable and sufficient and steps shall be taken to ensure that all persons are familiar with the arrangements and that they are tested by being put into effect at suitable intervals.

Regulation 21 - Fire Detection and Fire Fighting

There is a requirement for the provision of suitable firefighting equipment and fire detector alarm systems which must be suitably located. Any firefighting equipment, fire detectors or alarm systems must be properly maintained and subject to examination and testing. Every person at work on a construction site shall, so far as reasonably practicable, be instructed in the correct use of any

firefighting equipment he/she may be required to use. If there is a work activity which may give rise to a particular risk of fire, work will not commence until suitable instruction has been given. Firefighting equipment shall be indicated by suitable signs.

Regulation 22 - Welfare Facilities

Any person in charge of a construction site now has the duty to ensure, so far as is reasonably practicable, that the requirements of this Regulation are complied with, in relation to that site. Employers and self-employed are to ensure that the requirements are complied with in respect to any person at work who is under their control. Sanitary conveniences shall be provided or made available at readily accessible places and will comply with the provisions of Schedule 6 of the Regulations. Suitable and sufficient washing facilities, including showers if required by the nature of the work or for health reasons, shall be provided or made available in accordance with Schedule 6 of the Regulations. An adequate supply of wholesome drinking water must also be provided or made available in accordance with the Schedule 6. This includes suitable and sufficient accommodation for clothing of persons at work on a construction site which is not worn during working hours and for special clothing which is worn at work on a construction site but not taken home.

Schedule 6 - Welfare Facilities

This lays out the requirements of Regulation 22 and includes the following:-

sanitary conveniences - ventilated and lit, kept clean and in an orderly condition, separate rooms containing conveniences provided for men and women except where the door is capable of being secured from the inside

washing facilities - in the immediate vicinity of the convenience and in the vicinity of the changing rooms. Including supply of clean hot and cold or warm water, soap or other suitable cleanser and towels or other suitable means of drying. These rooms shall be ventilated and lit and kept in a clean and orderly condition.

drinking water - provided and conspicuously marked with a quantity of suitable cups unless the water is in a jet form which a person can drink easily.

accommodation for clothing - this will include or allow full facilities for drying clothing.

facilities for changing clothing - separate facilities for, or separate use of facilities by, men and women where necessary for reasons of propriety.

facilities for rest - this includes rest rooms or areas with suitable arrangements to protect nonsmokers from discomfort caused by tobacco smoke and where necessary include facilities for a person at work who is pregnant or a nursing mother.

Regulation 23 - Fresh Air

Suitable and sufficient steps are to be taken, so far as is reasonably practicable, to ensure that every work place or approach to it has sufficient fresh or purified air so that it is safe and without risks to health. Any plant used for the purpose of supplying fresh or purified air must include a device to give visible or audible warnings of any failure.

Regulation 24 - Temperature and Weather Protection

Suitable and sufficient steps shall be taken to ensure, so far as is reasonably practicable, that during working hours the temperature of any indoor place to which these Regulations apply is reasonable having regard for the purpose for which the place is used.

Protective clothing or equipment provided for the use of any person working outdoors shall provide protection from adverse weather.

Regulation 25 - Lighting

There shall be suitable and sufficient lighting for every place of work and approaches, so far as is reasonably practicable, by natural light. Where artificial lighting is provided it shall not affect or change the perception of any sign or signal provided for the purpose of health and safety. Secondary lighting shall be provided where there could be a risk to the health and safety of any person in the event of failure of the primary artificial lighting.

Regulation 26 - Good Order

Every part of a construction site shall, so far as is reasonably practicable, be kept in good order and every place of work be kept in a reasonable state of cleanliness. The perimeter of a construction site shall, so far as is reasonably practicable, be identified by suitable signs. No timber or other materials with projecting nails shall be used in any work where the nails may be a source of danger.

Regulation 27 - Plant and Equipment

All plant and equipment is to be safe, without risk to health, of good construction, of suitable and sound material, of adequate strength and suitable for the purpose for which it is to be used. It must be used in a manner and maintained in a condition so that it remains safe and without risk to health and safety at all times.

Regulation 28 - Training

Any person carrying out construction work where training, technical knowledge or experience is necessary to reduce the risk of injury to anyone shall possess such training, knowledge and experience or must be supervised by such a person having regard to the nature of the activity.

Regulation 29 - Inspection

A place shall be used to carry out construction work only if it has been inspected by a competent person at the times set out in Schedule 7 and provided the competent person is satisfied work can be carried out safely.

SCHEDULE 7
Places of Work Requiring Inspection

<i>Column 1</i> <i>Place or Work</i>	<i>Column 2</i> <i>Time of Inspection</i>
1. This section of the schedule has been revoked.	
2. Any excavation which is supported pursuant to paragraphs (1), (2) or (3) of Regulation 12.	2. (i) Before any person carries out work at the start of every shift; and (ii) after any event likely to have affected the strength or stability of the excavation or any part thereof; and (iii) after any accidental fall of rock or earth or other material.
3. Cofferdams and caissons	3. (i) Before any person carries out work at the start of every shift; and (ii) after any event likely to have affected the strength or stability of the cofferdam or caisson or any part thereof.

Regulation 30 - Reports

Where an inspection is required under Regulation 29 the person shall prepare a report which shall include particulars set out in Schedule 8. The report shall be retained for a period of 3 months from the date of completion.

SCHEDULE 8
Particulars to be Included in a Report of Inspection

1. Name and address of the person on whose behalf the inspection was carried out.
2. Location of the place of work inspected.
3. Description of the place of work or part of that place inspected (including any plant and equipment and materials, if any).
4. Date and time of the inspection.
5. Details of any matter identified that could give rise to a risk to the health or safety of any person.
6. Details of any action taken as a result of any matter identified in paragraph 5 above.
7. Details of any further action considered necessary.
8. Name and position of the person making report.