
LOLER in Residential Care Homes

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Relevant Regulations



- Lifting Equipment and Lifting Operations Regulations 1998 (LOLER)
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Management of Health and Safety Regulations 1999

Links to Guidance and ACOP's

- Thorough examination and testing of lifts
Simple guidance for lift owners
 - <http://www.hse.gov.uk/pubns/indg339.htm>
- Thorough examination of lifting equipment. A simple guide for employers.
 - <http://www.hse.gov.uk/pubns/indg422.pdf>
- Lifting Operations and Lifting Equipment Regulations 1998. Approved Code of Practice and guidance
 - <http://www.hse.gov.uk/pubns/books/l1113.htm>

Links to Guidance and ACOP's Cont.



- **How the Lifting Operations and Lifting Equipment Regulations apply to health and social care**

<http://www.hse.gov.uk/pubns/hsis4.pdf>

Passenger Lifts or Platform Lift

- Passenger lift has a lift car.
- Platform lift does does not.
- Passenger Lifts will serve several floors.
- Platform lifts generally will do two or three, but they are getting bigger.
- Platform lifts are slower and hold to run.

Passenger Lifts or Platform Lift



Passenger
Lift



Platform
Lifts



Thorough Examination (TE)

- Report of Thorough Examination, not a Service Inspection. Think MoT not a service.
- Is it for 6 or 12 months? Rule of thumb 6 months as lifting people. Can be under a written scheme however, which can be more or less frequent.
- Insurance Cat A defect = Do not Use = Immediately Stop Using etc. Schedule 1 8. a & b

Thorough Examination (TE) Cont.

- Cat B is a time to be done by, e.g. 3 months. Schedule 1. 8. c
- Cat C is advisory and may remain over several TE's as it isn't A or B.
- Terminology isn't set out in LOLER, hence variation on TE's by various different Co.s
- Most importantly is it safe to use subject to repairing A and or B.

Need to Know

- Do you have a Report of Thorough Examination less than 6 months? If yes then complying with LOLER
- Do you have an in-service Inspection report? If yes not complying with LOLER, but could be with PUWER
- There should be a procedure for releasing trapped people in an emergency
- If it involves using an emergency key, it must be controlled and only carried out by personnel trained in its use, for emergencies

Inspection vs Thorough Examination

- Inspection, under PUWER, normally a service with a tick sheet.
- Thorough examination, under LOLER reg. 9, should look similar to schedule 1.
 - Does it say Report of Thorough Examination under Reg. 9 of LOLER at the top?
 - Does it say date of next thorough examination?
 - Does it show defects?
- Inspection – This should be done by the user and or its service provider. Simple checks like operational ones by the user and more complex checks by the service provider. They should be carried out by competent people.
- Thorough examinations should only be carried out by competent people who understand what a thorough examination is. They state that the machine is safe to use or will be once the defects they have identified have been dealt with.

Schedule 1 - LOLER

- (1) The name and address of the employer for whom the thorough examination was made.
- (2) The address of the premises at which the thorough examination was made.
- (3) Particulars sufficient to identify the equipment including where known its date of manufacture.
- (4) The date of the last thorough examination.
- (5) The safe working load of the lifting equipment or (where its safe working load depends on the configuration of the lifting equipment) its safe working load for the last configuration in which it was thoroughly examined.
- (6) In relation to the first thorough examination of lifting equipment after installation or after assembly at a new site or in a new location —
 - (a) that it is such thorough examination;
 - (b) (if such be the case) that it has been installed correctly and would be safe to operate.

Schedule 1 – LOLER Cont.

- (7) In relation to a thorough examination of lifting equipment other than a thorough examination to which paragraph 6 relates —
- (a) whether it is a thorough examination —
 - (i) within an interval of 6 months under regulation 9(3)(a)(i);
 - (ii) within an interval of 12 months under regulation 9(3)(a)(ii);
 - (iii) in accordance with an examination scheme under regulation 9(3)(a)(iii); or
 - (iv) after the occurrence of exceptional circumstances under regulation 9(3)(a)(iv);
 - (b) (if such be the case) that the lifting equipment would be safe to operate.

Schedule 1 - LOLER Cont.

- (8) In relation to every thorough examination of lifting equipment —
- (a) identification of any part found to have a defect which is or could become a danger to persons, and a description of the defect;
- (b) particulars of any repair, renewal or alteration required to remedy a defect found to be a danger to persons;
- (c) in the case of a defect which is not yet but could become a danger to persons —
 - (i) the time by which it could become such a danger;
 - (ii) particulars of any repair, renewal or alteration required to remedy it;
- (d) the latest date by which the next thorough examination must be carried out;
- (e) where the thorough examination included testing, particulars of any test;
- (f) the date of the thorough examination.
- (9) The name, address and qualifications of the person making the report; that he is self-employed or, if employed, the name and address of his employer.
- (10) The name and address of a person signing or authenticating the report on behalf of its author.
- (11) The date of the report.

LOLER/PUWER which do I need?

- Both are needed, it isn't either or.
- LOLER is often done by insurance companies, but it can be done by a service company (MoT).
- If a service company does the Thorough Examination they can be checking their own work and or not documenting issues seen/ repaired at service on a TE.
- If a service company states do not use, it isn't the same as a TE with an immediate, cat A or do not use note. No TE issued and won't be sent to HSE/LA.

Can the Care Home do the Work?

- PUWER covers a service inspection and possibly some maintenance. This maybe within the capability of the care home. More often fulfilled by a 3rd party maintenance company.
- LOLER TE Rarely available within care home staff, but can be provided by the insurance company or a maintenance company.

Current Issues

- Thorough Examinations-Lack of
- Installation and Maintenance-Lack of or poor
- Allowing use when Unsafe-accessing lift with the emergency key routinely

When Enforcement can happen

- A TE is needed for the lift to be used safely at work (<6 months). This could attract an Improvement Notice (IN) or Prohibition Notice (PN).
- Servicing must be done by the home, or a contractor, to ensure continued safe use during use. IN if not and in use.
- If the equipment is in use and has obvious defects and no TE - PN.
- No maintenance, or TE, equipment looks in a poor condition and in use – PN.
- TE overdue by 1 month IN.
- If the equipment is not in use then this will not attract enforcement.

Enforcement Cont.

- TE present with repair of, within 3 months, not repaired/replaced at 4-6 months. IN/PN.
- A floor has a defective door lock it has been locked and signed not for use, but other floors are being used. No action necessary unless defective floor being opened routinely, then a PN on the procedure.

Other LOLER Items

- Stairlifts under LOLER 6 month or written scheme
- Patient Hoists and Bath Hoists Under LOLER – 6 Months or WS
- Patient Slings Under LOLER – 6 Months
- If it doesn't leave the ground LOLER unlikely to apply, but exceptions are present like stairlifts for e.g.

Standards

- BS EN 81 series:
 - BS EN 81-1 Electric Lifts
 - BS EN 81-2 Hydraulic Lifts
 - Replaced by BS EN 81-20/50 for both 2014
 - BS EN 81-41 Platform Lifts, under revision

LOLER, Yes/No

- Stairlift

Yes

- Platform Lift

Yes

- Passenger Lift

Yes

- Bath Hoist

Yes

LOLER, Yes/No

- Patient Hoist

Yes

- Patient Sling

Yes

- Standing Aid

Yes

LOLER, Yes/No

- Lifting Cushion

No

- Profiling Bed

No

- Riser Chair

No

- Riser to Sitting position

No

Questions?

