

Guidance

Dropped Objects Awareness, Legal Duty and Responsibility

Working at height is risky for both your employees and those who might be standing or walking below. To ensure the safety of everyone involved regulations have been put in place to govern the way work at height is done. These regulations cover everything from how workers access working at height to how they and their tools are prevented from falling to the ground. And as you may or may not know, the legal responsibility for dropped object awareness lies squarely with the entity contracted to do the work.

The legal duty and ethical responsibility for job safety needs to be fully understood by any company engaging in working at height for the first time. Rest assured that ignorance will not be a sufficient excuse should there be an on-site accident directly attributed to the fact that the contracting trust was not aware of the law. It is the responsibility of all companies involved in working at height to know the law surrounding worker safety and dropped objects, and to follow it accordingly.

Working at Height Applications Affected

In the agricultural, aviation, and construction industries, dropped object and worker safety responsibility is common enough in this day and age that most companies have no trouble taking care of business. But in other applications where working at height is not necessarily the norm, safety often goes ignored. Whether it is through ignorance or deliberate refusal to abide by the law, many an accident has happened at height because safety policies were not followed.

The law requires that all working at height is done according to specific guidelines, no matter how minor the work is. Guidelines include setting up an appropriate elevation system; setting up protection schemes to prevent injuries to people below, securing all tools from falling, and maintaining regular inspections and the accompanying paperwork. While working safely might be a bit more time-consuming, it is better than working unsafely.

Access Assessments

According to UK law, working at height requires that companies use elevated platform that are enclosed if at all possible. That means MEWPS (cherry pickers) and close-sided scaffolding should always be preferred over open platforms, ladders, or PPE. In addition to ensuring platforms are enclosed, companies are also expected to use mesh netting, covered walkways, toe plates, and any other means available to ensure that dropped tools will never reach the ground.

When PPE or ladders are unavoidable they are also to be planned in accordance with certain legal requirements. Tools still need to be secured and every precaution must be taken underneath workers to prevent dropped objects from falling on those standing below. This often means keeping the entire work area clear of all individuals while work is ongoing. Planning for this type of scenario will be part of the initial risk assessment prepared by companies conducting working at height activities.

LEADING EDGE

Tool Safety Solutions Ltd
Unit 5
Glenmore Business Park
Aerodrome Road
Gosport
Hampshire
United Kingdom

Tel +44 (0) 1329 550 121
Fax +44 (0) 1329 550 470
Email sales@leadingedgesafety.co.uk
Web toollanyardsbagsandbelts.com

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Specific Tool Requirements

The legal requirement for preventing dropped objects, specifically when it relates to hand tools, falls squarely on the entity doing the work. In other words, while an individual employee may find himself in trouble for allowing an unsecured tool to drop to the ground, ultimately the legal responsibility is borne by his employer. Any monetary damages as a result of an accident will be paid for by the employer, including medical bills for those who are injured. Therefore, it is not enough for companies to simply say an accident is a worker's fault. In the end a court will hold the company itself liable.

This means it is incumbent upon companies to protect themselves by making sure all workers are properly trained and monitored. Any worker unwilling to abide by safety procedures must be dealt with in a way that accomplishes either compliance or replacement.

The law also requires companies to exercise all means possible in order to secure individual tools. That means tools left on an elevated platform must be secured inside tool bags or boxes which are themselves secured to the platform. Any tools being kept on the person of individual workers must be tethered to a safety harness, tool belt or their person. When tools are transferred from an individual worker to tool bag or box, proper transfer procedures must also be followed to ensure that tools are secure at all times. Failure to abide by such principles could mean legal trouble for employers.

Legal Responsibility for Paperwork

Before any work at height commences contracting companies are required by law to conduct safety risk assessments. Those assessments must be as thorough and detailed as possible to the extent that all common risks are accounted for. Assessments should be recorded on paper and kept by the contracting company for future reference. Any future updates to the risk assessment surveys must also be documented and kept with original records.

In addition, annual site inspections are required on any long-term or ongoing sites. The inspection should result in a list of procedures, tools, and equipment that has passed inspection, along with an additional list of those that did not pass. All of those safety inspection lists need to be documented and kept with site records. Furthermore, job supervisors responsible for correcting non-compliant tools and equipment need to document those corrections and file the paperwork with the rest of the site documents.

In a nutshell, it is the legal responsibility of a contracting company to produce adequate paperwork and to then maintain it throughout the life of a job. Failure to abide by paperwork regulations could mean stiff penalties. If you are a company owner or site supervisor who is not familiar with the legal requirement for keeping accurate records, you need to familiarise yourself as soon as possible.

The UK takes dropped object and worker safety responsibilities very seriously. The regulations exist to protect workers and the general public from the potential of workplace accidents. Therefore, companies that refuse to abide by the law are unnecessarily jeopardising the health and safety of everyone involved. You need to make sure your company is not one of them.

Author: N. S. Beardmore October 2011

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Gosport
Hampshire
United Kingdom

Tel +44 (0) 1329 550 121
Fax +44 (0) 1329 550 470
Email sales@leadingedgesafety.co.uk
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