



# Provision and Use of Work Equipment (PUWER) Policy

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2.1	Dec 2012	Shelley Jackson	A	Extension of review date by SMG - approved
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3.1	Jan 2017	Shelley Jackson- Health and Safety Manager	D	2 yearly review. Inclusion of reference to new documentation developed by the Trust Medical Devices Management Department, Estates Department and Fleet Department.
4.0	March 2017	Shelley Jackson- Health and Safety Manager	A	Approved at TMG
4.1	Feb 2018	Risk Team	A	Document formatted – New visual identity
4.2	April 19	Shelley Jackson	A	TMG approved extension until June 19
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**Associated Documentation:**

To support this policy, there are a number of related documents that underpin the risk management arrangements:

- Health & Safety Policy
- Risk Assessment Procedure
- Risk Management Policy
- Incident and Serious Incident Management Policy
- Investigations and Learning Policy
- Process for Inspection for Improvement – SOP
- Statutory and Mandatory Training Policy and Procedure

In addition there are a number of specific process / guidance documents relating to the safe selection, maintenance and use of work equipment:

- Trust Procurement Group Terms of Reference
- Managing Medical Devices Policy
- Medical Devices Management Department – Standard Operating Procedures
- Trust Equipment Evaluation Form
- CAS Alert / Field Safety Notice and CareCERT Process
- YAS Fleet Maintenance Schedules (including lifting equipment and pressurised equipment)
- Fleet and Equipment Department Maintenance Policy
- Employee Operations Manual – Fleet Department
- YAS Estates Maintenance Schedules
- Electrical Safety Policy
- Maintenance and Management of Passenger Lifts Policy
- Health and Safety Rules for Trades Staff – Estates Department

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## Staff Summary

YAS is committed to ensuring compliance with the Provision and Use of Work Equipment Regulations (PUWER)
All work equipment is covered by PUWER including an employee's own if used at work
Some work equipment is subject to the requirements of other specific legislation such as Lifting Operations and Lifting Equipment Regulations (LOLER) and the Pressure Systems Safety Regulations
YAS will select safe work equipment through the process set out in the Trust Procurement Group (TPG) Terms of Reference
YAS will ensure the safe use of work equipment through planned preventive maintenance
YAS will ensure the safe use of work equipment through the actioning of relevant CAS Alerts and Field Safety Notices
Work equipment training will be delivered as specified within the Trust's Training needs Analysis (TNA) and as assessed by departmental managers
YAS will monitor compliance with this policy through a combination of incident review, maintenance schedule review, the effectiveness of the TPG equipment selection process and the implementation of the CAS alert / FSN standard operating procedure

### 1.0 Introduction

1.1 The Provision and Use of Work Equipment Regulations (PUWER) 1998 place duties on people and companies who own, operate or have control over work equipment.

The Regulations require risks to people's health and safety, from equipment that they use at work, to be eliminated or controlled.

## 2.0 Purpose / Scope

2.1 Any equipment which is used by an employee at work is covered by PUWER. Similarly, if employees provide their own equipment, as is common practice in the motor vehicle trade, this is also covered by PUWER and YAS is required to ensure it complies.

This policy and related processes aim to ensure that YAS operates within PUWER, minimizing risks to staff as they carry out their work activities.

In addition to PUWER requirements, equipment used for lifting purposes is additionally controlled by the Lifting Operations and Lifting Equipment Regulations (LOLER) 1998, pressurised equipment is controlled by the Pressure Systems Safety Regulations 2000 and Personal Protective Equipment (PPE) is controlled by the Personal Protective Equipment at Work Regulations 1992\*.

\* For YAS, the requirement for the selection and use of PPE are covered in the Personal Protective Equipment Policy.

## 3.0 Process

### 3.1 Selection of Work Equipment

PUWER requires that equipment is constructed, or adapted, to be suitable for the purpose it is used or provided for. When selecting work equipment, account must be taken of the working conditions and health and safety risks in the workplace.

When providing new work equipment for use at work, it must conform with the essential requirements of European Community law (for new machinery this means the Machinery Directive). Checks should be made to ensure that:

- it is CE marked
- comes with a Declaration of Conformity
- is provided with instructions in English
- is free from obvious defects – and that it remains so during its working life

To ensure it fulfils its responsibilities detailed above, YAS has in place a Trust Procurement Group (TPG). The Group meets quarterly and its purpose is to *“give leadership and assurance to the Trust’s procurements (except the exclusions listed in paragraph 5), increasing quality and promoting continuous improvement in order to achieve better outcomes for staff and patients, and achieve greater value for money”*. The group is chaired by the Associate Director of Procurement and Logistics.

Please see TPG Term of Reference for details regarding the Trust’s process for the selection of equipment via the TPG. In particular, the Trust’s Equipment Evaluation Record should be noted as it provides a document framework for the selection of work equipment including the recording of initial trials, pre-procurement risk assessments and in-service risk assessments.

Reference should also be made to the Trust's Policy for Managing Medical Devices which details specific considerations for the selection of medical devices.

### 3.2 Safe use of Work Equipment

PUWER requires that all equipment is safe for use, is maintained in a safe condition and inspected to ensure it is correctly installed. In addition, where work equipment is exposed to deteriorating conditions liable to result in dangerous situations, it must be inspected to ensure faults are detected in good time so the risk to health and safety is managed.

To ensure it fulfils its responsibilities detailed above, YAS has in place Medical Device Maintenance schedules which are managed and actioned by the Medical Devices Management Department. Details of Planned Preventive Maintenance and safety checks for medical devices are covered in the Trust's Policy for Managing Medical Devices.

Fleet department also manage equipment maintenance schedules, including those for lifting equipment and pressurised equipment. Details of how maintenance and safety checks are managed for equipment covered by Fleet department are in the Fleet and Equipment Department's Maintenance Policy.

YAS Estates department manage maintenance schedules for equipment relating to Trust premises e.g. electrical equipment, passengers lifts. Details of these schedules can be found in the Electrical Safety Policy and Maintenance and Management of Passengers Lifts Policy. Schedules relating to other work equipment managed and maintained by Estates can be obtained from the Estates Department.

Please refer to all other relevant departments for details regarding maintenance of "other" work equipment e.g. IT department for IT equipment etc.

In addition, the Trust has in place a standard operating procedure (SOP) for ensuring that any relevant faults or defects with equipment, that have been identified in other organisations, are brought to the attention of the Trust for review and action. The fault / defect alerts are disseminated through the Department of Health a Central Alert System (CAS).

Please refer to the CAS Alert / Field Safety Notice Process for details.

## 4 Training Expectations

4.1 PUWER requires that all people using, supervising or managing the use of work equipment are provided with adequate, clear health and safety information. This will include, where necessary, written instructions on its use and suitable equipment markings and warnings.

It also requires that all people who use, supervise or manage the use of work equipment have received adequate training, which should include the correct use of the equipment, the risks that may arise from its use and the precautions to take.

Work equipment training for medical devices and diagnostic equipment is delivered as specified within the Trust Training Needs Analysis (TNA). Requirements for non-medical work equipment training are assessed and provided by relevant departmental managers e.g. Fleet, Estates, IT

## 5.0 Implementation Plan

The latest ratified version of this Policy will be posted on the Trust Intranet site for all members of staff to view. New members of staff will be signposted to how to find and access during Trust Induction.

## 6.0 Monitoring compliance with this Policy

6.1 Monitoring performance with regards to health and safety in general is detailed in the Trust's Health and Safety Management System. Please see Health and Safety Policy for details.

Monitoring specific to work equipment is detailed below:

Monitoring subject	Methodology	Frequency	Monitored by
Review of non-medical equipment related incidents	All non-medical equipment related incidents finally approved by health and safety specialist	Weekly	Health and Safety Manager
Review of incidents involving medical and non-medical work equipment and non-RTC related vehicle incidents	Incident report submitted for review	Monthly	TPG
Identification of incident trends in relation to work equipment	Incident report submitted for review	Quarterly	Health & Safety Committee
Completion of maintenance schedules	Maintenance schedules for medical devices, Fleet equipment and Estates equipment reviewed for compliance	Monthly	Head of Fleet Head of Facilities / Head of Property and Projects
Implementation of CAS and FSN process	Report on compliance with CAS alerts and FSN notice requirements submitted for review	Quarterly  Monthly	Clinical Governance Group AND Health and Safety Committee  TPG
Effectiveness of TPG equipment selection process	Annual review of TPG TOR	Annual	TPG

## 7.0 References

**HSE Webpages** providing practical advice and Guidance on the Provision and Use of Work Equipment Regulations 1998

**MHRA Patient Safety Alert** – Improving medical device incident reporting and learning. NHS/PSA/D/2014/006. March 2014.

**MHRA Medical Device Alert** – All medical devices. MDA/2014/037. September 2014.

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## 8.0 Appendices

### Appendix A - Definitions

<b>Work Equipment</b>	any machinery, appliance, apparatus, tool or installation for use at work (whether exclusively or not). This includes equipment which employees provide for their own use at work
<b>Use of (work equipment)</b>	any activity involving work equipment and includes starting, stopping, programming, setting, transporting, repairing, modifying, maintaining, servicing and cleaning

## **Appendix B - Roles & Responsibilities**

The Trust Board has overall responsibility for health and safety management. The Trust Board requires that the Chief Executive, the Executive Directors and their staff implement the requirements of this policy within all areas of the organisation covered by their portfolio.

In addition the Health and Safety at Work Act 1974 confirms that everyone within the Trust has a responsibility to protect the health and safety of themselves and others whilst conducting their day-to-day activities within the organisation.

In addition, the responsibilities of specific staff with regards to risk assessments are detailed in the Trust's Risk Assessment Procedure.

**Specific duties and responsibilities for work equipment are shown below:**

### **Strategic Health & Safety Committee**

The Strategic Health & Safety Committee (H&SC) is the expert level committee for YAS relating to health, safety and security and as such considers policies relating to work equipment in line with its policy development role.

The H&SC receive reports relating to investigations, consider changes to work procedures and / or the introduction of new technology, carry out and receive the findings from risk assessments, monitor and audit the safety and security of relevant risks and report to the Senior Management.

The H&SC is established in partnership with Staff Side Worker Representatives who have agreed to also represent the interests of non-union affiliated employees within the Trust.

### **Health & Safety Manager (Nominated Competent Person)**

The Health & Safety Manager will provide specialist advice in relation to legal requirements for work equipment and will:

- ensure relevant incidents are reported to the Health and Safety Executive where appropriate in line with RIDDOR requirements
- supply appropriate incident information to the Health and Safety Committee and Trust Procurement Group in a timely manner
- encouraging reporting and monitoring of all incidents and injuries to staff or other affected parties
- Oversee the YAS CAS alert and FSN process and escalate action requirements as appropriate

### **Health & Safety Representatives**

Health & Safety Representatives are recognised by their trade union and accepted by the Trust to carry out health and safety duties in line with the requirements of the Safety Representatives and Safety Committees Regulations.

The Trust Board via appropriate Executive Directors will ensure that they are:

- involved in equipment risk assessments where appropriate
- consulted on changes to equipment affecting staff
- involved with any equipment / vehicle evaluation prior to its introduction to the Trust

### **All Employees**

Every employee has a personal responsibility for their own health and safety and has a duty to:

- take reasonable care of his / her own health and safety and has a duty of care toward other persons affected by his / her acts or omissions particularly relating to the use of work equipment
- co-operate with management in reviewing rules and safe working practices regarding work equipment in his/her department and for making them effective;
- report all incidents, near misses, hazards, work related illnesses or injuries
- correctly use Personal Protective Equipment provided by the Trust
- correctly use all equipment or items provided in the interest of the safe use of equipment

### **Board Level Director for Medical Devices**

This role will be fulfilled by the Executive Director for Quality, Governance and Performance Assurance who will:

- Oversee medical device incident reporting and learning

### **Trust Medical Devices Safety Officer (MDSO)**

This role will be fulfilled by the Head of Safety who will:

- Support local medical device incident reporting and learning
- act as the main contact for NHS England and the MHRA and medical device manufacturers
- be a member of the new National Medical Devices Safety Network
- work with the Trust Health and Safety Manager to ensure compliance with CAS alerts and FSN requirements

### **Director of Fleet, Estates and Facilities**

The Director of Estates and Facilities, who covers Medical Devices, Fleet and Estates carries specific responsibility for the maintenance of work equipment covered by the requirements of LOLER, the Pressure Systems Safety Regulations and other relevant legislation.