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# Lifts and Lifting Equipment Policy

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**Housing Department  
Brentwood Borough Council**

## Version Control

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## 1. Introduction

The Council owns and manages properties which contain passenger lift installations and other lifting equipment to support mobility of persons. These range from hydraulic/electric passenger lifts, platform lifts, scissor lifts, stair lifts and hoists that belong to the Council in communal areas and Council owned accommodation. However, lifting equipment used by leaseholders in their own domestic accommodation is their responsibility in conjunction with Social Care to ensure the continued safe use of the equipment.

The Council has a statutory duty to comply with legislation to ensure that lifting equipment is kept and maintained to a safe standard for use by its residents and employees, the public and lift maintenance personnel.

This policy sets out how the Council will enable, as far as is reasonably practicable, lifts and lifting equipment to be correctly maintained and periodically examined in line with current legislation, including new or refurbished lifts.

## 2. Legal Requirements

The main legal requirements regarding Lifting Operations and Lifting Equipment are defined under Health and Safety law, and principally are the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and Provision and Use of Work Equipment Regulations 1998 (PUWER). Other legal requirements are applicable dependent on the actions being taken, and this are referred to in section 14 of this document.

### *2.1 Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)*

Lifting Operations and Lifting Equipment Regulations 1998 – legislation places duties on people and companies who own, operate, or have control over work equipment.

Brentwood Council's Housing Department will endeavour to ensure any Council owned property (where the Council has a legal responsibility) where a lift or lifting equipment has been installed must be serviced and maintained as part of our contractual arrangements with our partnering repairs & maintenance contractor. In addition, there will be a bi-annual inspection from the Council's insurance company on the lift and lifting equipment.

### *2.2 Provision and Use of Work Equipment Regulations 1998 (PUWER)*

Provision and Use of Work Equipment Regulations 1998 – legislation places duties on people and companies who own, operate, or have control over work equipment. PUWER also places responsibilities on businesses and organisations whose employees use work equipment whether owned by them or not.

PUWER requires that equipment provided for use at work is:

- suitable for the intended use
- safe for use, maintained in a safe condition and inspected to ensure it is correctly installed and does not subsequently deteriorate
- used only by people who have received adequate information, instruction, and training
- accompanied by suitable health and safety measures, such as protective devices and controls. These will normally include guarding, emergency stop devices, adequate means of isolation from sources of energy, clearly visible markings, and warning devices
- used in accordance with specific requirements, for mobile work equipment and power presses

### **3. Definitions**

Defined below are any technical terms, jargon or abbreviations used throughout this lift and lifting equipment policy:

#### *3.1 What is a Lifting Operation?*

Regulation 8(2) of LOLER defines a lifting operation as “an operation concerned with the lifting or lowering of a load”.

#### *3.2 What is Lifting Equipment?*

'Lifting equipment' means work equipment for lifting and lowering loads and includes its attachments used for anchoring, fixing, or supporting the equipment. This includes cranes, goods and passenger lifts, stair lifts, hoists, elevating access or work platforms, vehicle tail lifts; and the "lifting accessories" such as ropes/cables, chains, slings, eye bolts, etc.

#### *3.3 SAFed*

The Safety Assessment Federation (SAFed) is a trade association, which represents the independent engineering inspection and certification industry in UK and Ireland.

SAFed members carry out in service inspections of workplace equipment to ensure continued safe operation and use. It covers all industry sectors, construction, manufacture, leisure, utilities, petrochemical, healthcare, quarries, communications, catering, logistics and service industries as well as local government, offshore installations, ports, airports, and offices.

#### *3.4 British Standards*

British Standards are produced by the BSI group and is formally designated as the national standards body (NSB) for the UK. British Standards are used to set a good standard to implement or aspire to and are used in approved codes of practice for industry for legal interpretation.

#### *3.5 Lift & Escalator Industry Association (LEIA)*

LEIA, the Lift and Escalator Industry Association, is the advisory body for the UK lift and escalator industry, drawing upon a wide range of expertise so as to ensure the provision of sound advice, in particular on health, safety and standards matters. Members include companies who manufacture, install, maintain and repair lifts and escalators and those who supply component parts for such equipment.

#### **4. Responsibility Structure**

The Council has a hierarchy of officers responsible for the Lifting Operations and Lifting Equipment Regulations (LOLER) 1998. The table below lists those responsible and their respective positions:

Brentwood Borough Council – Duty Holder  
Chief Executive – Delegated Duty Holder  
Director of Housing – Senior Duty Holder  
Estate Management Team Leader – Operating Duty Holder  
Contracts Manager / Compliance Manager – Delivery Duty Holders  
Housing Officers  
Data Keystone Administrator  
Contractor Responsibilities  
Social Care Team Responsibilities  
Competent Persons Responsibilities  
Tenant Responsibilities  
Leaseholder Responsibilities

##### *4.1 Delegated Duty Holder*

- Brentwood Borough Council is a 'Duty Holder' as defined within Lifting Operations and Lifting Equipment Regulations (LOLER) 1998 and the Provision and Use of Work Equipment Regulations (PUWER) 1998.

##### *4.2 Statutory Duty Holder*

- The Chief Executive Officer is a Statutory Duty Holder and, as the senior person responsible, has overall accountabilities for all aspects of the management of health and safety in Brentwood Borough Council.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

##### *4.3 Senior Duty Holder*

- The Senior Duty Holder has a responsibility to support this policy by ensuring the allocation of resources including an adequate budget, suitable procurement, suitable and sufficient equipment, personnel, time, and training.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

#### *4.4 Operating Duty Holder*

- Will support gaining access into properties where access is proving difficult and use tenancy contractual arrangements.
- They will also facilitate the legal process to gain access as necessary.
- Any break in a lift's service has a disproportionate impact on people with families, older people, and people with a disability. We will aim to resume the lift operation as quickly as possible where these groups are affected.
- If a lift is out of service for an extended period, we will consider temporarily decanting residents if a move is required because of medical conditions which rely on the lift and which are documented.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

#### *4.5 Delivery Duty Holders*

- To enable any new lifting equipment, once installed, is notified to the Council's Insurance Officer to be included in the LOLER inspection schedule.
- To ensure that all activity required for compliance within this policy is carried out.
- Enabling all lifting equipment to be serviced in line with manufacturer's recommendations and instructions.
- Acting promptly to remedy any defects and ensuring that any documentation complies with regulations.
- The LOLER inspection report will provide a list of defects and observations.
- Where defects are found which affect safety, or are highlighted as requiring immediate rectification, this will be implemented or taken out of use, after liaising with the competent person.
- Any other defects identified, which have not been given a specified time will be completed as soon as possible or by the next service visit, but within six months of notification.
- Any recommendations identified in the LOLER inspection report as observations will be carried out as part of a planned works programme.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

#### *4.6 Housing Officers*

- Will aid and support the Operating Duty Holder and Delivery Duty Holders to gain access into Council owned communal areas and tenanted dwellings. This will enable the contractor to carry out their inspection/servicing/maintenance on the lifting equipment, and authorised persons to carry out their legal duties under LOLER.

- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

#### *4.7 Data Keystone Administrator Responsibilities*

- Keeping records of compliance for lifting equipment.
- Responsible for retaining testing, servicing, maintenance records and LOLER inspections records.
- Making relevant documentation available to the Delivery Duty Holders.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

#### *4.8 Competent Persons Responsibilities (usually the Insurance Company)*

- A company, either employed by Brentwood Borough Council or contractor, possessing proficient technical knowledge, and having received appropriate training, appointed by the Duty Holder in writing to take responsibility for the implementation of policy and procedures as specified of a specific area of H&S legislation.
- The main legal requirement under the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) is for inspection and maintenance of lifting equipment. People carrying lifts or lifting equipment should be inspected by a 'Competent Person' at no longer than six monthly intervals, and runway beams at no longer than a 12-month interval. In doing so a report is produced, which identifies the current condition of the lifting and lifting equipment which is split into 3 categories:
  - A) Defects which require corrective action before further use or before a specified date
  - B) Defects requiring corrective action as soon as reasonably practicable
  - C) Observations

The Council will address the report actions as set out in section 4.5, delivery duty holders.
- The 'Competent Person' (as defined as the Council's insurance company or independent engineering company), will be responsible for any supplementary tests required above and beyond the maintenance provision offered, under the lift maintenance contractor's maintenance regime. Supplementary tests are requested when concerns about the condition of the lift equipment are identified during the inspection. They are regarded as best practice and would normally satisfy legal requirements.
- The Competent Person may also identify observations that indicate BS EN 81-80:2019 to reflect the age or condition of a passenger lift and consideration for improving the lift to state of the art standard.

#### *4.9 Contractor and Sub-Contractor Responsibilities*

Ensuring the responsibilities of the Operatives are carried out in line with statutory and industry best practice requirements and that all contractual obligations are met by:

- Ensuring only competent and experienced operatives undertake work for which they have the appropriate skills to carry out
- Ensure the safety of all lifts and lifting equipment, identifying, or pre-empting potential actions or failings which are reported to the Delivery Duty Holders for actioning.
- If someone becomes trapped in a lift, the lift maintenance contractor will attend within one hour. Following an incident where a person(s) becomes trapped in the lift, the lift contractor must submit a copy of their attendance report identifying the cause of the lift failure.
- Ensure the safe use of operating training is provided to the end user following an installation of new lifting equipment.

#### *4.10 Social Care Team arrangements*

- A member of staff from the Social Care Service will contact the tenant (Query and cross reference to Section 5) to make arrangements to assess their requirements. Due to the nature of the works, if a joint visit is required this will be arranged by the Social Care Representative (usually an Occupational Therapist)
- For all works requiring a Social Care Assessment, the Occupational Therapist will send an assessment/referral for works to the Council. This information will include a recommendation as to the works and materials required as well as a score to identify an individual's priority (i.e., fast track, urgent or routine)
- This is reviewed by the Aids and Adaptations Panel.
- Where adaptations are already in place and they have aged or require persistent repairs, the Council will liaise with the Occupational Therapist to check that the adaptation is still required.

#### *4.11 Tenant Responsibilities*

- Tenants are responsible for contacting the Council's Repair and Maintenance Department if the lifting equipment fails to work. Contact 01277 312500.
- Under the tenancy agreement section 4.7, it states that access must be given to allow employees, agents, and contractors access to the Property to inspect the condition of, or to carry out repairs or improvements or other works to the Property, the installations, fixtures and fittings, the communal areas or adjoining property.
- For all adaptations installed by the tenant or household member at their own expense, **the tenant must obtain written permission from the Council before carrying out any works.**
- For all adaptations (including lifts and lifting equipment) required to enable the tenant to maintain independent living, the tenant will contact Adult Social Care Services and arrange for an Occupational Therapist (OT) to undertake a risk assessment of the tenants needs. The written request received from the OT Social Care Services to the Council's Estates Housing Services department, will need to state



the works and adaptations (including lifts and lifting equipment) the tenant requires and include a floor plan.

Please refer to the Aids and Adaptations Procedure which defines the decision-making process once the OT written request is obtained.

The Council will only refuse permission with good reason, such as if the work:

- Would interfere with any maintenance to the property
- May cause a potential health and safety risk; or
- Would breach any regulatory requirements.

Where any lifting equipment is no longer required, e.g., the tenant specified for the equipment has deceased, or the tenants move out and the property becomes void, the Council will liaise with OT Social Care Services department to verify the circumstances. This may lead the equipment to be removed.

To report any defects with passenger lifts or lifting equipment to the Council via the Repairs & Maintenance contractor by calling 01277 312 500.

#### *4.12 Leaseholder Responsibilities*

- To report any defects with passenger lifts to the Council via the Repairs & Maintenance contractor by calling 01277 312 500.
- For all adaptations installed by the leaseholder at their own expense, the responsibility for inspection and maintenance is solely their responsibility.

### **5. Stair Lift, Hoists and Platforms**

The Council will maintain tenant's own lifting equipment. Usually these are fitted as an aid and adaptation, and the Council then takes over the maintenance, but sometimes they are fitted by the resident, but not maintained. For all adaptations installed by the tenant or household member at their own expense, **the tenant must obtain written permission from the Council before carrying out any works. If the tenant does not inform the Council before carrying out any works, the Council will not be held responsible or liable.**

The Council will provide maintenance in both cases, providing the above is followed, to ensure compliance with LOLER and PUWER, which will enable residents to remain mobile within their homes.

### **6. Removing Adaptations**

Any adaptations fitted by the tenant, at their own expense, are to be removed unless agreed otherwise by the Council.

Where adaptations have been carried out to a property designated for an elderly or a person with a disability, these will normally not be removed, for example where a bath has been replaced with a level access shower. However, any lifting or lifting equipment will need to be removed.

## 7. Lift Maintenance

The Senior Duty Holder will put in place adequate maintenance provisions and ensure that a competent lift maintenance contractor is appointed.

Any new lifts or lifting equipment installed, BS EN 13015 states the lift shall be maintained and kept in good working order as detailed in the original installer's instructions or maintenance manuals for the lift or lifting platform.

The lift maintenance contractor will provide a generic risk assessment for each lift installation. This must be kept on site in the lift control cupboard along with the lift maintenance contractor's logbook. A copy will be kept in the Council's document retention system.

In the event of any major lift components failing, all lifts are fitted with fail-safe mechanisms to prevent injury.

The frequency of service visits is based on the contract schedule procured. In the event of an incident this will be reviewed.

### Contractor maintenance regime:

Passenger Lifts are serviced bi-monthly based on a rotation of electrical and mechanical items, in the table below.

<b>A</b>	<b>B</b>	<b>C</b>
MOTOR GEAR UNIT SELECTOR AND TAPE ROPES OR CHAINS CONTROL PANEL GENERATOR	DIVERTORS AND PULLEYS GOVERNOR CAR TOP EQUIPMENT TANK HOSE AND RAM DOOR EQUIPMENT LUBRICATION	SHAFT AND CAR SWITCHES UNDERSIDE OF LIFT CAR INTERIOR OF LIFT CAR LIFT PIT EQUIPMENT CONTROL PANEL CHECK OVER RUNS
<b>D</b>	<b>E</b>	<b>F</b>
TANK HOSE AND RAM GENERATOR DOOR EQUIPMENT ROPES OR CHAINS LUBRICATION	DIVERTORS AND PULLEYS GOVERNOR CAR TOP EQUIPMENT MOTOR GEAR UNIT CONTROL PANEL COUNTERWEIGHT	GUIDE AND BRACKET FIXINGS SHAFT AND CAR SWITCHES TANK HOSE AND RAM DOOR EQUIPMENT LUBRICATION CHECK OVER RUNS

Lifting Equipment is inspected bi-annually, and any recommendations and remedial works are actioned by the Delivery Duty Holder in section 4.5.

The following checks are carried out by the appointed lift maintenance contractor:

- Lift alarm and auto dialler is connected to a remote Alarm Receiving Centre.
- Housekeeping and condition of the lift machine room and that it is kept clean and tidy.
- The lift logs are updated and document that regular maintenance visits are being carried out.
- The risk assessment is retained and updated if there is any change to the lift installation during the period of the maintenance contract.
- Copies of the latest insurance reports carried out by the 'Competent Person' are forwarded to the lift maintenance contractor for retention.
- Written confirmation that any works highlighted in the reports are completed and signed off.

## **8. Record Keeping**

To demonstrate compliance with relevant Regulations and provide evidence to enforcing authorities, it is Brentwood Borough Council's requirement all records pertaining to lifts and lifting equipment must be retained centrally on Keystone for the period in that current year, and at least 6 years afterwards (refer to section 11 lift incidents).

Brentwood Borough Council has a robust process in place for the management of any follow-up works required following the completion of routine maintenance inspections and the completion of inspection by the organisation's insurers. This includes contractual arrangements, specified time frames, monitoring of follow-on works required and retention of records.

## **9. Lift Incidents**

In the event of an incident, this should be reported on the Council's Health & Safety Incident Report Form on the day of the incident. This will then be investigated in conjunction with relevant persons.

Where an incident is defined by the HSE, a Reporting of Injuries, Diseases and Dangerous Occurrence Regulation (RIDDOR) form will be completed and sent to the Health & Safety Executive (HSE) by the Corporate Health & Safety Advisor.

Any faults with the lift should be reported to the Council and the relevant contact number is placed in each block where there is a lift.

If someone becomes trapped in a lift, the lift maintenance contractor will attend within one hour. Following an incident where a person(s) becomes trapped in the lift, the lift contractor must submit a copy of their attendance report identifying the cause of the lift failure.

## **10. Training**

The Council will provide appropriate training for the 'Delivery Duty Holder'. These persons will receive appropriate training to fulfil the requirements of their job role.

The lift maintenance contractor will be required to confirm that its operatives are fully trained and hold relevant certification of competence to carry out maintenance on lifts and lifting equipment.

Training, by the installation contractor, in the form of information, instruction, and demonstration, is required to be given for personalised lifting equipment, to tenants in BBC owned properties to ensure safe use of the equipment.

## **11. Monitoring, Auditing and Reporting**

All lift asset information is held on the Council's Keystone asset management system.

The implementation of this policy and any incidents will be monitored and audited annually by the Corporate Health & Safety Advisor and Housing Compliance Manager to ensure its compliance of this policy.

An audit of all passenger lift log cards will be undertaken every 3 months by the Housing Compliance Manager to ensure accurate record keeping is being completed by the maintenance contractor. Information gathered will be cross referenced, with copies of the service log sheets the maintenance contractor supplies, to ensure accurate service visits are being recorded in line with their maintenance regime. Any discrepancies or inaccurate lift log cards will be raised with the maintenance contractor, to identify which service was completed and ensure the information is changed to reflect the service undertaken.

## **12. Legislation, Standards and Regulations**

Lifts and lifting equipment shall as a minimum conform to the following where applicable together with any amendments or updates:

- Health and Safety at Work etc. Act 1974.
- Lift Regulations 2016
- The Workplace (Health Safety and Welfare) Regulations 1992
- Construction (Design and Management) Regulations 2015
- Equality Act 2010
- Housing Act 2004
- Landlord and Tenant Act 1985

- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Supply of Machinery (Safety) Regulations 2008, as amended by the Supply of Machinery (Safety) (Amendment) Regulations 2011
- Building Regulations 2010 (including Part M).
- SAFed Guidelines on the supplementary tests in service lifts 2006.
- Management of Health & Safety at Work Regulation 1999.
- Lifting Operations & Lifting Equipment Regulations 1998 (LOLER).
- The Provision and Use of Work Equipment Regulations 1998. (PUWER)
- BS 7255:2012 Code of Practice for safe Working on lifts encourages the owners of lifts, built before 1999, to undertake a programme of improvements in accordance with current standards.
- BS EN 81-80:2019 Safety rules for the construction and installation of lifts. Existing lifts. Rules for the improvement of safety of existing passenger and goods passenger lifts
- BS EN 81-28:2018, 81-20:2020 & 81-50:2020 Safety rules for the construction and installation of lifts
- LEIA Safety Information Sheet Safety at Lift Landings

All the above will be assessed and considered when lifts are being modernised, installed, or maintained.

### **13. Policy Review**

This policy shall be reviewed every three years unless there is a legislative or Council organisational change.