

## **Manual Handling in the Workplace for Healthcare Personnel – A Summary of Relevant Legislation and Guidance**

*This article summarises key aspects of legislation and guidance relevant to manual handling in the workplace for healthcare personnel.*

### **Introduction**

As with all other work based activities, manual handling should be considered in respect of its health and safety implications for employees and other users of the work environment. In the United Kingdom, manual handling in the workplace is subject to legislation, the implementation of which is addressed through a number of Government bodies. In addition, guidance for healthcare practitioners is available from various professional bodies.

### **Legislation**

There are five key areas of legislation that encompass manual handling at work. These are the Health and Safety at Work Act (HASAW) 1974; Management of Health and Safety at Work Regulations (MHSAW) 1992; Manual Handling Operations Regulations (revised 1998)(MHOR) 1992; Provision and Use of Work Equipment Regulations 1998 (PUWER) and Lifting Operation and Lifting Equipment Regulations (LOLER) 1998.

The legislation places responsibility on both employers and employees in various aspects of work practice, equipment provision and use. These may be summarised as follows:

#### ***The Health and Safety at Work Act (HASAW) 1974***

Employers must (sec. 2)

- ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees and others affected by the workplace
- provide and maintain plant and safe systems of work
- ensure safety in the collection, use storage and transport of loads and substances
- provide information, instruction, training and supervision of employees
- maintain a safe workplace, access and egress
- maintain a safe and healthy working environment

Employees must (sec. 7)

- take reasonable care for the health and safety of himself and others affected by his acts or omissions at work
- co-operate and comply with duties and requirements expected of him by employer (e.g. receive training, work safely, use equipment)

### ***Management of Health and Safety at Work Regulations (MHSAW) 1992***

Employers must:

- make suitable and sufficient assessment of all hazards for, and risks to, his employees and others possibly affected by their actions; make a written record of significant findings of the assessment; review assessments regularly
- ensure employees are aware of the risks
- implement appropriate measures to reduce the risk of injury
- establish safe systems and procedures
- appoint competent people
- provide equipment, information and training

Employees must

- take care of their own health and safety
- follow health and safety instructions
- use equipment in accordance with any training and instructions received
- report problems, defects, deficiencies, situations that present immediate danger

### ***Manual Handling Operations Regulations (revised 1998)(MHOR) 1992***

Employers shall:

- as far as is reasonably practicable avoid the need for his employees to undertake any manual handling operations at work which involve a risk of their being injured
- use an ergonomic approach to remove or reduce the risk of manual handling; automate or mechanise the task where possible; provide equipment as necessary
- make suitable and sufficient assessment of any hazardous operation that cannot be avoided; review assessments if they are no longer valid or if there has been a significant change in practice
- reduce the risk of injury from those operations that cannot be avoided to the lowest level that is reasonably practicable
- provide employees with precise information about the weight of a load and its heaviest side if its centre of gravity is not located centrally

Employees must

- co-operate with their employer
- make full and proper use of any equipment or system of work provided by the employer

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

These require employers and others, such as the self-employed, supervisors and managers, to provide suitable work equipment, and information, instructions and training for the people who use it. Such equipment must be maintained in good repair, initially and regularly inspected and records of inspections kept.

Employers shall:

- ensure that work equipment is used for operations for which, and under conditions for which it is suitable
- ensure that work equipment is maintained in an efficient state, in efficient working order and in good repair

### ***Lifting Operation and Lifting Equipment Regulations (LOLER) 1998***

These apply to the use of lifting equipment in all sectors of industry and in all work activities. Lifting equipment for lifting clients must:

- prevent a person using it being crushed, trapped or stuck or falling from the carrier.... and has suitable devices to prevent the risk of the carrier falling
- be such that a person in any carrier is not thereby exposed to danger and can be freed
- fit for purpose
- be clearly marked with its safe working load and all accessories marked in such a way as to identify the characteristics for their safe use

Employers shall:

- ensure that lifting equipment is positioned or installed in such a way as to reduce to as low as is reasonably practicable the risk of the equipment or the load striking a person or from the load, drifting, falling freely or being released unintentionally and is otherwise safe
- ensure that every lifting operation involving equipment is properly planned by a competent person and carried out in a safe manner
- ensure employees have adequate training and instructions so that they are able to ensure that the lifting equipment is safe to use
- ensure that before lifting equipment is put into service for the first time by him it is thoroughly examined for any defect
- ensure that lifting equipment that is exposed to conditions causing deterioration, or which is liable to lead to dangerous situations, is thoroughly examined by a competent person annually – in the case of equipment or an accessory for lifting persons, at least every six months. Records of examinations should be kept for inspection purposes

## **European Directives**

The equality of standards of practice throughout the European Union is established through the issue and implementation of 'Directives'. These are legal documents that require member states to introduce their own legislation that will comply with the minimum requirements set out by the European Community in the original Directive. With the exception of the Health and Safety at Work Act 1974, much of the UK legislation discussed above stemmed from European Directives concerning improvements in the health and safety of workers at work (Commission of European Communities, 1989a,b,c; 1990). With particular relevance to manual handling, the Directives require employers to:

- take appropriate means, in particular the provision of mechanical equipment, to avoid workers manually handling loads
- take appropriate steps to reduce the risks involved from manual handling

## **Implementation of Legislation**

The Health and Safety Commission (HSC) is appointed by the UK Government to ensure that European Directives are implemented within UK Health and Safety Law. The Commission oversees the work of the Health and Safety Executive (HSE), which itself holds responsibility for the enforcement of the regulations at a practical, workplace level.

The HSC employs a network of advisory committees that advise on particular aspects of workplace health and safety in specific working environments. For example, the Health Services Advisory Committee provides guidance on the manual handling of loads, including patients within a hospital environment (1998).

Both the HSC and the HSE produce written guidelines and approved codes of practice that describe acceptable methods of complying with the regulations in the workplace. Although not legally binding, these documents are generally accepted as 'agreed practical guidance'. Examples of such publications include guidance on Workplace Health and Safety, Manual Handling Operations, Work Equipment and Lifting Operations and Equipment (Health and Safety Executive, 1992c,d; 1998b,d).

## **Professional Guidance for Practitioners**

A number of professional bodies have produced written documents in response to the legislation (Royal College of Nursing, 1999; Chartered Society of Physiotherapists, 1998; College of Occupational Therapists, 1995; Society of Radiographers, 1994; Royal College of Midwives, 1999). These documents provide practical guidance on manual handling for practitioners in the workplace. They describe aspects of manual handling that are relevant to the professional and their work environment(s) and recommend standards of practice for adoption by the profession as a whole.

## **Conclusion**

A significant level of legislation underpins manual handling for healthcare practitioners. The implementation of legislation is supported by guidance available from statutory and professional bodies. By fulfilling both their statutory and professional obligations that relate to manual handling in the workplace, practitioners will contribute to improved safety in their working environment and activities.

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