GUIDELINES ON SAFETY REQUIREMENTS FOR PURCHASE, RECEIPT, DONATION AND SUPPLY OF WORK EQUIPMENT
Introduction

The University Financial Regulations detail the financial procedures to be followed for transaction of new and used equipment (i.e. purchase, receipt, disposal or supply whether by sale, donation or exchange). When a transaction is permitted by the Financial Regulations the correct financial procedures must be followed.

Transacting equipment to and from individuals or organisations outside the university is an activity that involves statutory responsibilities in respect of safety.

If you are responsible for transactions of work equipment then this guidance will be of assistance to you.
WORK EQUIPMENT SAFETY CHECKLIST

DO NOT SUPPLY OR USE UNSAFE EQUIPMENT

Persons who are responsible for equipment can use this checklist to assist in deciding whether equipment is safe to supply or to be put into service. It may be useful to keep a copy for your records.

**YOUR PERSONAL DETAILS**

<table>
<thead>
<tr>
<th>Date</th>
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<tbody>
<tr>
<td>Name</td>
<td></td>
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<tr>
<td>Department</td>
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<td>Signature</td>
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**WORK EQUIPMENT DETAILS**

<table>
<thead>
<tr>
<th>Type of Machine</th>
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<tbody>
<tr>
<td>Model Number</td>
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<tr>
<td>Serial Number</td>
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<td>Supplier</td>
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## EQUIPMENT SAFETY CHECK

<table>
<thead>
<tr>
<th>Checked by</th>
<th>Item</th>
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<tbody>
<tr>
<td></td>
<td>Are there any defects in the equipment, such as missing guards or other safety devices exposing cutters, gears or drive belts?</td>
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<tr>
<td></td>
<td>Are guards in place?</td>
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<td></td>
<td>Can the machine be operated without guards in place?</td>
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<tr>
<td></td>
<td>Do you understand the controls?</td>
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<tr>
<td></td>
<td>Are live electrical parts exposed or easy to get at? Is the equipment electrically safe?</td>
</tr>
<tr>
<td></td>
<td>Are known risks (including risks from fumes or dust, noise or vibration and hot or cold surfaces) properly controlled or is there information on how they can be controlled?</td>
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<tr>
<td></td>
<td>Check that data about noise and vibration emissions have been provided, where appropriate (e.g. for noisy equipment such as circular saws or air compressors).</td>
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<tr>
<td></td>
<td>Make sure that there are instructions for safe installation, use, adjustment and maintenance, and that these are in English if the equipment is for use in the UK (some maintenance instructions are permitted to be in another language if manufacturing staff carry out specialised maintenance).</td>
</tr>
<tr>
<td></td>
<td>Warning signs are visible and easy to understand.</td>
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<tr>
<td></td>
<td>Check for CE marking.</td>
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</table>
REMEMBER

Never assume that equipment is safe just because it has CE marking.

Check with a competent person if you have concerns about any of the above matters.

Before using work equipment make a risk assessment of the work activities you will be undertaking.
Frequently Asked Questions

Q - I am about to transact some equipment, what should I do if I think the equipment is unsafe or that it does not meet the required standard?

A - There could be several reasons why this might happen. For example, the harmonised European Standard for that equipment may not yet have been agreed and different interpretations of the level of protection that is required may exist in different countries. Alternatively it may be that the equipment does not meet agreed levels of protection and the law is clearly not being met. HSE publications, British and European Standards (some are listed below) give advice on the levels of protection required for particular machines. If you need further advice about the levels of protection you may be able to discuss the matter with your manager, the MMU Health and Safety Unit, your trade union representative, the manufacturer, your UK trade association or the or the Health and Safety Executive. You may need to have equipment inspected by a competent person. Do not supply or put equipment into service until you are sure it is safe.

Q - Can I use a disclaimer in order to supply equipment? I could supply the equipment without incurring any costs and the receiver of the equipment would agree to check it is safe and make improvements if necessary.

A - No. However for supply of articles for use at work HSE advise that for second hand machines an expert inspection and subsequent written agreement between the supplier and receiver specifying what steps will be taken to safeguard any unsafe equipment relieves the supplier of his duties under Section 6 of the Health and Safety at Work etc. Act 1974.

For supply of articles into the domestic market the use of a disclaimer to relieve a supplier of his duties is specifically excluded by The Consumer Protection Act 1987. This Act places civil and criminal duties for product liability and consumer safety on suppliers.

If you cannot fund works to make equipment safe then consider requesting that the proposed receiver of the equipment funds the necessary work before you supply the equipment. It is against the law to supply unsafe equipment.

Q - I am considering transacting used work equipment, which has not been modified, some items are CE marked and some are not, what are the legal requirements?

A - All work equipment should be maintained in a safe state and unsafe equipment should not be put into service. The Health and Safety at
Work etc Act 1974 and The Consumer Protection Act 1987 apply to the supply of all used equipment, however old it is. These acts require suppliers to supply equipment that is so far as is reasonably practicable safe and without risks to health. Also suppliers must provide adequate information for safe use of the equipment.

HSE publications, British and European Standards (some are listed below) give advice on the levels of protection required for particular machines.
CE marking is not required for used equipment that has not been modified.

Q - Can I regard CE marking as a guarantee of safety?

A - No. CE marking is not a quality mark and affixing it on equipment is only one of the several requirements that manufacturers have to meet. By affixing CE marking to equipment, manufacturers are claiming that all relevant legal requirements have been met, but you must still make sure as far as you can that the equipment is safe before you supply or use equipment.

Used equipment may not be regarded as safe if safety standards improve or because of deterioration due to robust use or fatigue.

Q - I intend to transact substantially refurbished equipment, are the requirements different?

A - Yes. If equipment has been refurbished to such an extent that almost all the replaceable parts are new, it would be considered to be new equipment and so suppliers will need to comply with the Supply of Machinery (Safety) Regulations 1992. For example, where CNC controls are retrofitted to an older manual lathe, these Regulations apply. This means that a supplier must draw up a technical file, undertake type-examination, issue a declaration of conformity and affix CE marking before supplying the equipment. If you intend to supply such machinery then you may need the assistance of the manufacturer to achieve this.

If used equipment has simply been given new guards or some improved controls or just repainted this would not make it ‘new’. The Supply of Machinery Regulations will not apply when it is re-sold and CE marking would not be required.
Q - What if I am supplying equipment to a country outside the EU, for example the USA?

A - You will need to find out about the requirements of that country.

Q - What about transacting equipment where the risks are primarily of an electrical nature, for example a computer, a power supply or an oscilloscope?

A - Consider whether you need the assistance of an electrician to establish whether an item is electrically safe before transacting it.

The Electrical Equipment (Safety) Regulations 1994 apply to all equipment supplied after 1996. Older equipment has to comply with similar standards in other older legislation made under the Consumer Protection Act 1987. Manufacturers have to produce equipment to a relevant standard, it must be tested, CE marked and instructions for use must be provided. Amongst other things medical equipment and domestic type plugs and sockets are excluded from this legislation.

The Electromagnetic Compatibility Regulations 1992 cover equipment likely to cause electromagnetic disturbance, or whose performance is likely to be affected by electromagnetic disturbance.

The safety of most medical electrical equipment is governed by the Medical Devices Regulations 1994.

Q - What about supplying work equipment involving additional hazards?

A.

- For heavy or difficult loads:
  The Manual Handling Regulations 1992 require you to mark heavy loads in the interests of preventing injuries.

- For gases and liquids under pressure:
  The Simple Pressure Vessels (Safety) Regulations 1991, the Gas Appliances (Safety) Regulations 1995 have particular requirements for safety. Your equipment must be 'in test' after an examination by a competent person.

- For equipment containing radioactive substances or generating radiation:
  The Ionising Radiation Regulations 1999 and the Radioactive Substances Act 1993 may apply to the equipment you are supplying. Consult the University RPA or your local RPS before supplying this type of equipment.
Q - What are the standards for safety and how can I consult them?

A - Equipment must be reasonably safe and in most cases must satisfy the essential health and safety requirements of the laws referred to above, i.e. the Supply of Machinery (Safety) Regulations 1992 and the Electrical Equipment (Safety) Regulations 1994. Harmonised European Standards help manufacturers to achieve this. A harmonised European Standard has an EN before the number, e.g. EN 474-1, and is published as a British Standard e.g. BS EN 474-1:1995. The use of these standards is voluntary, and manufacturers can design and manufacture their equipment in accordance with other national or international standards if they wish, so long as the essential health and safety requirements of the law are satisfied.

Some of the most useful standards and HSE publications are listed below.

Q - What about recycling work equipment?

A - It is generally regarded as good environmental practice to recycle equipment where possible.

A new European Directive related to electrical equipment (WEEE Directive) must be transposed into UK law before 13 August 2004. The main requirements are on manufacturers to make their equipment using recycled or recyclable materials where possible. In addition Member States of the EU have been set minimum targets for recycling and energy recovery from the disposal of electrical and electronic equipment.

You may already be aware of changes to the arrangements for disposal of equipment. In advance of explicit legal requirements waste disposal contractors are increasingly requiring customers to separate waste on site before they will agree to collect. Often they will not collect or will return unseparated waste. Consult your local Customer Service Manager if you need further advice about disposal procedures.

For recycling computers the Information Systems Unit has a list of companies available at the URL:

http://www.isu.mmu.ac.uk/is-teams/pc-recycling.shtml
Q - Are there any additional or related requirements for putting equipment into service or for equipment that is already in service?

A - Yes. The Provision and Use of Work Equipment Regulations 1998 (PUWER) place additional requirements on employers who provide equipment for use at work. In general the requirements are similar to those placed on suppliers.

Q - What in particular do the PUWER Regulations require employers to do?

A - Ensure that the work equipment meets the requirements of PUWER and in summary ensure that it is:

- **suitable** for use, and for the purpose and conditions in which it is used;
- **maintained** in a safe condition for use so that people’s health and safety is not at risk; and
- **inspected** in certain circumstances to ensure that it is, and continues to be, safe for use. Any inspection should be carried out by a competent person (this could be an employee if they have the necessary competence to perform the task) and a record kept until the next inspection.

Also ensure that risks, created by the use of the equipment, are eliminated where possible or controlled by:

- taking appropriate ‘**hardware**’ measures, e.g. providing suitable guards or protection devices,
- markings and warning devices, system control devices (such as emergency stop buttons),
- use of personal protective equipment,
- taking appropriate ‘**software**’ measures such as following safe systems of work (e.g. ensuring maintenance is only performed when equipment is shut down etc),
- providing adequate information, instruction and training.

A combination of these measures may be necessary depending on the requirements of the work, your assessment of the risks involved, and the practicability of such measures.

Employers must ensure that people using work equipment have received adequate training, instruction and information for the particular equipment.

**Mobile work equipment**

In addition to these general requirements, which apply to all work equipment, Part III of PUWER contains specific duties regarding mobile work equipment, for example fork-lift trucks and dumper trucks.
Employers must ensure that where mobile work equipment is used for carrying people, it is suitable for this purpose. Measures should be taken to reduce the risks (e.g. from it rolling over) to the safety of the people being carried, the operator and anyone else.

**Power presses**
Part IV of the Regulations also contains specific requirements regarding power presses. In particular, you should have a power press, and associated guard or protection device, thoroughly examined at specified intervals and inspected daily in use to ensure that it is safe. This work should only be performed by a competent person; records should be kept.

**Woodworking machines**
There is specific HSE advice on the requirements for these machines called the ‘Approved Code of Practice on Woodworking Machines’.

**Lifting Equipment**
There are specific regulations on this type of equipment called the ‘Lifting Operations and Lifting Equipment Regulations’ (LOLER).

In addition to ensuring that the equipment is safe to use and that it meets the required standards an assessment of the risks should be undertaken before work is undertaken.

**Q - A risk assessment is required for the use of equipment at work, how can I undertake one?**

**A -** Use the University risk assessment pro-forma

Consider:
- where and how the equipment will be used;
- what it will be used for;
- who will use it (skilled employees, trainees, students);
- what risks to health and safety might result (i.e. the nature, severity and likelihood of injury or ill-health);
- whether the equipment meets the required standard;
- compare how well health and safety risks are controlled by different suppliers;
- whether special procedures are necessary to control work activities (e.g. authorised access only, training arrangements, lock off procedures);
- the requirements for maintenance, inspection and testing;

Make a conclusion about what control measures are in place or are required and whether they adequately control the risk.

*Note:* Check most up to date information on the HSE, BSI and EU websites.
Appendix – List of relevant HSE publications, British and European Standards

HSE publications


Managing health and safety: 5 steps to success INDG275 HSE Books 1998.

Buying new machinery INDG271(single copies free; ISBN 0 7176 1559 6 for priced packs).


British and European Standards

BS 5304: 1988 Safety of machinery. NOTE this is a non-harmonised standard that is being progressively replaced but it does provide many useful principles.


BS EN 60204 – 1 Safety of machinery. Electrical equipment of machines – Part 1: General requirements.


BS EN 294: 1992 Safety of machinery. Safety distances to prevent danger zones being reached by upper limbs.

BS EN 349: 1993 Safety of machinery. Minimum distances to avoid crushing parts of the human body.