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1.0 INTRODUCTION

Many workplaces contain spaces that are considered to be “confined” because the configuration or hazards within hinder or presents risk to the activities of any employees who must enter into, work in and exit from them. There are specific responsibilities for the employer and employees to accidents within confined spaces under the following Acts and Regulations.

Purpose: The purpose of this policy is to set out the measures required by the Organisation to ensure compliance with the Confined Spaces Regulations 1997.

Scope: This policy applies to all staff and other persons working on Lancaster City Council premises and within the community undertaking work on behalf of the organisation.

Relevant Legislation

Health and Safety at Work etc. Act 1974

This requires employers to ensure the health and safety of all employees and anyone who may be affected by their work, including any and all visitors to any part of the Organisation’s premises. This includes taking steps to control confined spaces risks. Employees must not endanger themselves or others and must use any safety equipment provided. Manufacturers and suppliers have a duty to ensure that their products are safe. They must also provide adequate information about appropriate use.

Management of Health and Safety at Work Regulations 1999

These build on the Act and include duties on employers to assess risks and where necessary take action to safeguard health and safety.

Confined Spaces Regulations 1997

The Regulations place duties on employers, the self-employed, and any person who controls the work of others (e.g. facilities managers or building owners who may contract others to work in confined spaces) to the extent they control the work. It requires that work is undertaken safely and that the risks presented by confined spaces are adequately controlled. The regulations have an accompanying Approved Code of Practice (HSE L101) that has special legal status and contains further detail on the requirements for managing work in confined spaces.

2.0 GENERAL STATEMENT

Lancaster City Council recognises that working within confined and enclosed spaces is a risk to health.

Lancaster City Council also recognises the extra duty of care towards members of public and vulnerable people to implement the necessary safety measures regarding the control and management of entry into and egress of confined spaces within the community.

Lancaster City Council's policy, therefore, is to comply with both the letter and the spirit of the law on Health and Safety at Work and to this end, the provisions of this policy are centred around the safe management of confined space work to employees and others who may be exposed by:

- Ensuring that all reasonable steps are taken to eliminate entry to confined spaces were available.
- Ensuring that suitable and sufficient risk assessments are carried out.
- Ensuring that where the work cannot be eliminated, all reasonable steps are taken to manage the risk.
- Providing all employees with comprehensible information and training on the

Lancaster City Council will control exposure by engineering means where reasonably practicable. Where exposure cannot be adequately controlled by engineering means, appropriate management systems and procedural controls will be implemented and personal protective equipment will be provided.

3.0 ORGANISATION & MANAGEMENT

The organisation has a responsibility under sections 2 and 3 of the Health and Safety at Work etc. Act 1974 for the safety of employees and others who may be affected.

Chief Executive Officer

The Chief Executive Officer has overall responsibility for ensuring that the Organisation meets its statutory obligations and that effective arrangements for the management of health and safety are put in place.

Senior Leadership Team (Chief Officers)

The Senior Leadership Team have executive responsibility to manage Health and Safety including compliance with Health and Safety at Work Act, etc. 1974 and other relevant legislation, best practice guidance and Company policies to meet legal and organisational requirements within their respective services including the provision of adequate resources to meet the requirements of the risk assessment findings.

Chief Officers are responsible for the ensuring the provision of arrangements in relation to Confined Spaces management and risk assessment and ensuring that the organisation's policy is implemented for their respective services, for providing support and advice to their respective managers and monitoring implementation of this policy within their respective areas.

The Health and Safety Team

The Health and Safety Team is responsible for facilitating the confined spaces management process by offering advice, support and guidance and ensuring that information and training is available to Managers / Department Heads and other staff involved in the process.

Line Managers

All Line Managers have direct responsibility for health and safety matters relating to premises under their control and for persons reporting directly to them and are therefore responsible for the implementation of the provisions of this policy for the homes/departments under their jurisdiction by ensuring that:

- Ensuring a register and drawings is maintained of all organisation confined spaces.
- Provision and recording of risk assessments and method statements for all work in confined spaces.
- Implementation of appropriate safe systems of work and recording of safety documentation.
- Maintenance of a register of specialist contractors approved for working in confined spaces.
- Control of specialist contractors working in confined spaces.
- Ensuring that the staff are appropriately trained and supervised when working in a confined space.
- Ensuring unauthorised access to confined spaces is prevented.
- Ensuring that the access points to all confined spaces are clearly signed to indicate the hazards within and that no unauthorised access is permitted, and a permit must be obtained before entry
- Avoiding entry into a confined space as far as is reasonably practicable.
- Ensuring that, where entry into any confined space cannot be avoided, a suitable and sufficient assessment of the risks to health and safety has been carried out.
- Ensuring that all staff involved in entry into confined spaces are aware of this policy, understand its contents and comply with local procedures and safe systems of work.
- Ensuring employees are consulted when assessing the risks connected with entering or working in a confined space.
- Ensuring that prior to entry into a confined space, a written safe system of work, including emergency procedures and that suitable equipment is provided.
- Ensuring all staff that will enter a confined space are fit to do so and seeking Occupational Health advice where appropriate.
- Ensuring that all staff that will enter confined spaces and those who issue a PTW through the My Compliance System, have appropriate information, instruction, training and supervision in confined space working.
- Ensuring all air quality monitoring equipment is well maintained and calibrated.

Employees Responsibilities

Employees have a clear duty under Section 7 of the Health and Safety at Work etc. Act 1974 for the safety of themselves and others, therefore, the implementation of this policy requires the full co-operation of all levels of staff, by adhering to their responsibilities under the act.

Employees are therefore responsible for ensuring that they are fully aware of risk assessments in their area and the action they need to take as individuals to ensure compliance with control measures identified as being necessary, namely by:-

- Attending/completing training as required.
- Ensuring all issues relating to confined spaces and equipment used within confined spaces are reported to Line Managers at the earliest opportunity.
- Ensuring that they are aware of, and follow, safe systems of work and control methods provided for their safety.
- They use and follow all control measures (i.e. ventilation, personal protective equipment) provided in the interests of safety.

- Being aware of emergency procedures.
- Using personal protective equipment (PPE) in accordance with information; instruction and/or training provided and report any faults/defects or concerns regarding PPE to their line manager.
- Keeping any reusable PPE/RPE in a clean condition and stored in accordance with training and manufacturer's instructions (e.g. respirators).

Employees are reminded that they have a legal duty to ensure that the provisions of this policy and local establishment procedures and instructions are observed at all times. Failure to do so may render them subject to appropriate disciplinary action.

Health and Safety Trade Union Representatives

Health and Safety Trade Union Representatives are available for consultations with the direct teams. All Representatives are able to have access to all confined space data and inspections / audit data when requested.

4.0 DEFINITIONS

Confined Space

A "confined space" means any place, including any chamber, tank, vat, pit, trench, pipe, sewer, flue, well, service ducts or other similar space in which, by virtue of its enclosed nature, there arises a reasonably foreseeable specified risk.

Under the Regulations a "confined space" must have both of the following defining features:

- It must be a space which is substantially (though not always entirely) enclosed; and
- One or more of the specified risks must be present or reasonably foreseeable.

Some confined spaces are fairly easy to identify, for example sewers and closed tanks used to store chemicals. However, identification may not always be so easy, as a confined space **is not necessarily**:

- Enclosed on all sides – some, such as vats, and sumps, may have open tops or sides
- Small and/or difficult to work in – some, like plant rooms and tunnels, can be very large
- Difficult to get in or out of – some have several entrances/exits, others have quite large openings or are apparently easy to escape from
- A place where people do not regularly work – some confined spaces (such as those used for spray painting in car repair centres) are used regularly by people in the course of their work.
- Temporary confined space by virtue of temporary process

A flow chart to assist in the identification of a confined space can be seen at Appendix 1.

Specified Risk

A "specified risk" means a risk of:

- Serious injury to any person at work arising from a fire or explosion
- The loss of consciousness of any person at work arising from an increase in body temperature
- The loss of consciousness or asphyxiation of any person at work arising from gas, fume, vapour or the lack of oxygen
- The drowning of any person at work arising from an increase in the level of liquid
- The asphyxiation of any person at work arising from a free flowing solid or the inability to reach a respirable environment due to entrapment by a free flowing solid

5.0 RISK ASSESSMENT

If it is not reasonably practicable to avoid the need to work in a confined space the duty holder must assess the risks connected with entering or working in the space. The assessment should identify the risks to those entering or working there, and also any others, for example other workers including contractors and the general public in the vicinity who could be affected by the work to be undertaken. The risk assessment must be carried out by someone competent to do so.

A competent person for these purposes will be someone with the necessary skills, knowledge and experience of, and familiarity with, the relevant processes, plant and equipment. They must be able to understand the risks involved and can devise necessary precautions to meet the requirements of the Confined Spaces Regulations. In complex cases more than one person may be needed to assess the risks relating to specific areas.

The risk assessment should look at the following areas:

- Hazards within the space e.g. contaminants, heat, electrical, radiation, sparks and gases.
- Work required to be done within the space, including whether it is necessary to enter, will the nature of the work change existing hazards in the confined space or introduce new hazards.
- The range of methods by which work can be done.
- Equipment required and the hazards associated with these e.g. welding in a flammable area can be hazardous.
- Number of persons required to enter the space, number required outside space to maintain equipment essential for work in the confined space and for communication with those inside.
- The identity and nature of the substances last contained in the confined space.
- The atmospheric testing to be undertaken
- The availability and adequacy of personal and respiratory protective equipment.
- Whether cleaning the confined space is necessary.
- Whether hot work is to be conducted within the space.
- Whether certain activities, equipment or substances should be prohibited from the area e.g. naked flames, combustion sources.
- The emergency procedures and means of escape from the confined space.

6.0 TRAINING

Employees must have adequate training and experience in the particular work involved to be competent to work safely in a confined space. Training standards must be appropriate to the task, and to the individual's roles and responsibilities, so that work can be carried out safely.

Where the risk assessment indicates that properly trained individuals can work for periods without supervision, checks should be made that they are competent to follow the established safe system of work and have been provided with adequate information and instruction about the work to be done.

Training will be provided all employees, where work in confined spaces is expected of them (no matter how infrequent) within their role.

7.0 SAFE SYSTEM OF WORK (SSOW)

Where it is not reasonably practicable to avoid entering a confined space to undertake work, the duty holder is responsible for ensuring that a SSOW is used. In designing a SSOW, they should give priority to eliminating the source of any danger before deciding what precautions are needed for entry.

The SSOW must consider the findings and control measures documented in the risk assessment for the particular confined space in question. To be effective, a SSOW must be in writing and be specific to the particular confined space and the work activity being carried out, it must clearly document the precautions to be taken including:

- The safe means of access and egress
- The risk control measures and the reasons for their application
- The means for preventing unauthorised access when there is no need for anybody to access the confined space
- The means of emergency evacuation

When written down it is a formal record that all foreseeable hazards and risks have been considered in advance, and the necessary precautions have been taken and are in place before the work is allowed to begin. The safe procedure consists of all appropriate precautions taken in the correct sequence. In practice, a SSOW will only ever be as good as its implementation.

8.0 COMMUNICATION

All work in confined spaces will be carried out by a minimum of 2 persons; one person will act as the safety person and will remain at the entrance to the confined space throughout the work. An adequate communication system must be in place and should enable communication:

- Between those inside the confined space
- Between those inside the confined space and those outside
- To summon help in case of emergency

Whatever system is used, and it can be based on speech, tugs on a rope, the telephone, radio etc., all messages should be able to be communicated easily, rapidly and unambiguously between relevant people. Consideration must be given to whether the communication methods are appropriate for any workers wearing breathing apparatus. The communication system should also cover the need for those outside the space to raise the alarm and set in motion emergency rescue procedures.

Any communication system should incorporate active, positive verification on a frequent basis that the persons inside the confined space are safe. This could be a regular communication on the radio or a routine pull of a rope that is responded too. The communication system should not rely on those inside the confined space being able to raise the alarm.

Equipment such as telephones and radios should be specially protected so that it does not present a source of ignition where there is a risk of flammable or potentially explosive atmospheres.

9.0 TESTING / MONITORING THE ATMOSPHERE

Prior to entry, the atmosphere within a confined space should be tested to check the oxygen concentration or for the presence of hazardous gas, fume or vapour.

Testing should be carried out where knowledge of the confined space (e.g. from information about its previous contents or chemicals used in a previous activity in the space) indicates that the atmosphere might

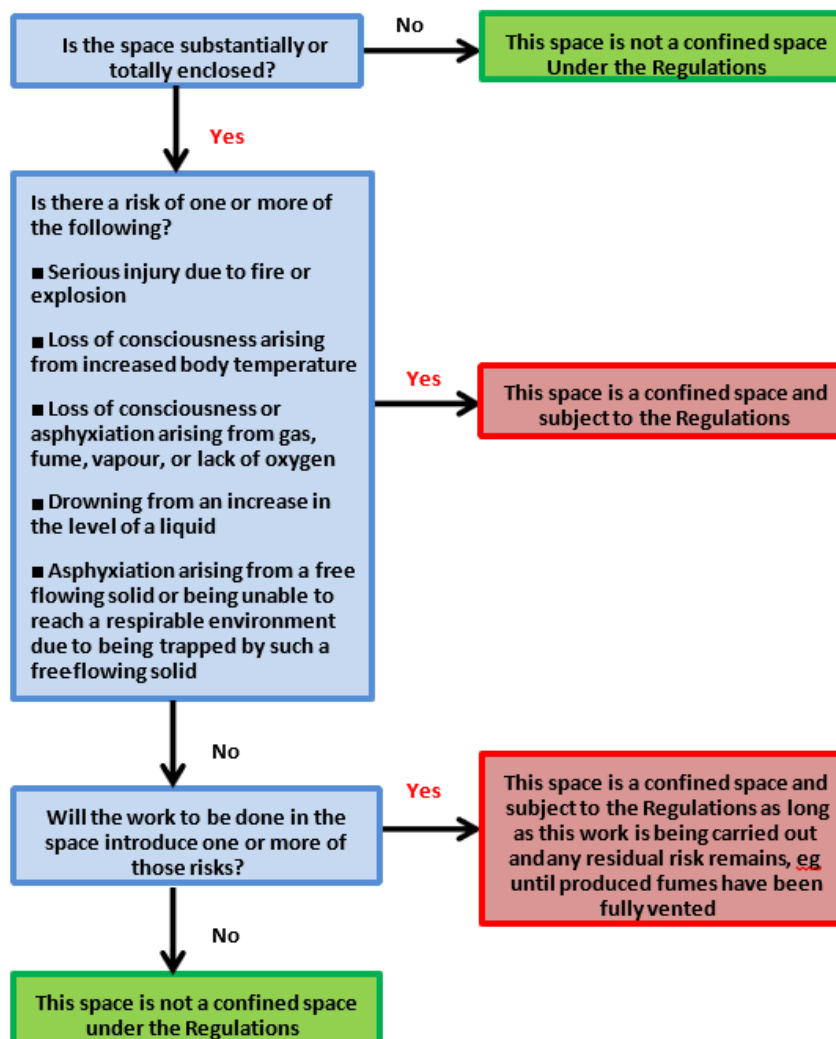
be contaminated or to any extent unsafe to breathe, or where any doubt exists as to the condition of the atmosphere. Testing should also be carried out if the atmosphere was known to be contaminated previously, was ventilated as a consequence, and needed to be tested to check the result. Where testing is required, it should be carried out using a recognized calibrated instrument by a competent person.

10.0 PERMIT TO WORK (PTW)

A PTW system is a formal written system and is required where there is a reasonably foreseeable risk of serious injury in entering or working in the confined space.

The PTW procedure is an extension of the safe system to work, not a replacement for it. The use of a PTW system does not, by itself, make the job safe. It supports the SSOW, providing a ready means of recording findings and authorizations required to proceed with the entry. It also contains information, on results of the gas testing, and other information that may be required during an emergency and which, when the job is completed, can also provide historical information on original entry conditions. PTWs will be raised and managed through the My Compliance System.

11.0 CONFINED SPACES FLOW CHART



12.0 MONITORING & REVIEW

This policy will be reviewed as part of the regular cycle of reviews, unless changing circumstances require an earlier review.