



Health and Safety Executive for Northern Ireland

Consultation on revised Approved Code of
Practice (ACOP) – Safe use of lifting
equipment (L113)

Consultative Document

June 2016

Consultation on revised Approved Code of Practice (ACOP) – Safe use of lifting equipment (L113)

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This Consultative Document is based on the Consultative Documents “Consultation to review HSE’s Approved Codes of Practice” and “Consultation on Draft Approved Code of Practice (ACOP): Safe use of lifting equipment (L113)” issued by the Health and Safety Executive in Great Britain, whose assistance is gratefully acknowledged.

If you are reading this document on a computer screen and would prefer a printed version, it can be obtained on request. Furthermore, if you require a more accessible format an Executive Summary is available in Braille, large print, on disc or audiocassette, or in Irish, Ulster Scots and other languages of the minority ethnic communities in Northern Ireland. To obtain a summary in one of these formats, please contact David Beck at the address shown at paragraph 18.

INTRODUCTION

1. This consultative document invites views on the revised Approved Code of Practice (ACOP “Safe use of lifting equipment “, drafted by the Health and Safety Executive in Great Britain (HSE), which the Health and Safety Executive for Northern Ireland (HSENI) proposes to approve for use in Northern Ireland. In these circumstances the current ACOP approval will be withdrawn.
2. This consultation is undertaken in compliance with Article 18 of the Health and Safety at Work (Northern Ireland) Order 1978 which requires HSENI to consult on revisions to ACOPs prior to seeking the consent of the Department for the Economy to approve the revised ACOP for use in Northern Ireland.
3. ACOP L113 provides guidance on the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). The equivalent legislation in NI is the Lifting Operations and Lifting Equipment Regulations (Northern Ireland) 1999.

BACKGROUND

The role and status of ACOPs and how they are used to help organisations comply with health and safety law.

4. ACOPs provide practical guidance on complying with the general duties of the Health and Safety at Work (Northern Ireland) Order 1978 (HSWO) or the requirements of goal-setting regulations. They are important tools for experienced health and safety audiences that explain the law and enable the control of more complex risks. They can also provide certainty for dutyholders by setting out preferred methods or standards to achieve compliance and by clarifying what is required by terms such as suitable, sufficient or adequate. ACOPs have mainly been made available for high risk activities where some precision is required in the approach to controlling the risks.
5. ACOPs are not law but do have a special legal status; if the advice in ACOP material is followed in relevant circumstances duty holders can be confident they are complying with the law. This is made clear in the front of each ACOP document by a statement that those who comply with the ACOP material will have done enough to comply with the law on the specific issues addressed by the ACOP. Dutyholders may use alternative methods to those set out in an ACOP to comply with the law and this is also stated at the front of each ACOP. However, if the dutyholder is prosecuted for a breach of health and safety law, and it is

proved that they have not followed the relevant provisions of the ACOP, then that element of the offence will be taken as proved unless they can show the court that they have complied with the law in some other way.

6. An ACOP can be an appropriate format for providing advice where:
 - there are certain preferred or recommended methods to be used (or standards to be met) to achieve compliance; and
 - the nature of the issue being addressed is such that in most cases dutyholders should be strongly encouraged to pursue those methods (or standards).
7. Guidance material also helps dutyholders comply with the law but differs from the authoritative advice of an ACOP by allowing dutyholders wider discretion to identify the options that are the best fit for the circumstances.

The Löfstedt Review of health and safety legislation

8. On 28 November 2011 Professor Ragnar Löfstedt published his independent review of health and safety legislation '[Reclaiming health and safety for all](#)'. The review reported that overall a wide range of stakeholders supported the principles of ACOPs and saw them as a vital part of the system, forming a key link between goal setting legislation and guidance, though many also felt there was room for improvement.
9. In his report Professor Löfstedt recommended that HSE should review all of its ACOPs. The UK Government accepted this recommendation and an initial consultation was launched in June 2012 by HSE. That consultative document alongside an analysis of responses is available [on the HSE website](#).

Review of ACOPs

10. The initial HSE consultation sought views on the proposal to update and revise ACOP L113 Safe use of Lifting Equipment ACOP. Of a total of 129 responses 115 were in favour of updating and revising the ACOP and only 3 opposed the review. HSE subsequently issued a further public consultation setting out the detailed proposals in respect of the "Consultation on Draft Approved Code of Practice (ACOP): Safe use of lifting equipment (L113)".

11. The significant revisions and other changes of note were as follows:

General

For ease of comparison between the revised text and the original document, reference to a paragraph number is to that paragraph as it appears in the version of the ACOP currently on the HSENI website; NEW paragraphs are described by their location eg before or after a numbered paragraph. NEW paragraphs fall into two categories i) where the whole content is new information and ii) where current paragraphs are re-positioned.

These Regulations implement the provisions of the Amending Directive to the Use of Work Equipment Directive 95/63/EC) (AUWED). In the existing document footnotes are included to explain the association between specific sections and provisions of the AUWED. In the revision these have been removed.

References to BS7121 have been changed where appropriate to 'the BS 7121 series of standards' since there are now several subordinate standards on separate types of lifting equipment.

Introduction

- Reworded to new standard ACOP format.
- Paragraphs 3-7 have been deleted as the majority of the content is either included in the new standard introduction paragraphs or the information was time sensitive and no longer required.
- Paragraphs 10 and 11 have been merged and details of lifting equipment deleted as this is duplicated later.
- Paragraphs 12 and 14 have been amalgamated since they both relate to carrying out the risk assessment.
- Paragraph 15 has been amended to include specific reference to the risk of a load breaking or moving during a lift and to add the risk of damage to the equipment where failure occurs.
- Paragraph 16 has been amended to delete the final sentence.
- The example within paragraph 17 citing the Personal Protective Regulations was considered a weak example and so has been changed to one related to the Work at Height 2005 Regulations – the linked reference has been updated.
- A new standard paragraph which describes the changes between the new ACOP and the previous iteration follows paragraph 17.

- New sections called “About ACOPs” and “Presentation” introduced.
- Paragraphs 18 and 19 have been merged and two new paragraphs added dealing with the need to provide training to all employees and the need to provide supervision for young people; and to clarify that although a specific risk assessment is not essential simply because the employer has employed a young person, the current assessment should be reviewed to take account of specific risks to the young person before they start work.
- Paragraph 20 has been deleted because the information was slightly confusing and the qualifications for a competent person are clarified later in the document.

Regulation 1

- Paragraph 21 is reworded to remove time sensitive material and moved to before Paragraph 28 in the section called “Equipment and operations covered by LOLER” to clarify that LOLER applies to equipment manufactured and /or put into use before the Regulations came into force in 1998.
- Paragraphs 22 and 23 removed as time sensitive.
- Paragraph 24 relocated to after paragraph 35.

Regulation 2.

- In paragraph 27 text has been added to make it clear that where a load is held in another piece of equipment such as a skip, the weight of the container needs to be considered when deciding the overall weight of the load.
- The lists in paragraphs 28 and 29 are combined and the content of paragraphs 29 and 30 are subsumed into Paragraph 28. The items listed have been added to with equipment we have had requests for clarification about such as gin wheels and block lifters.
- After Paragraph 28 a new decision tree is included to clarify the process for deciding whether or not equipment is subject to the provisions of LOLER. It asks three basic questions and only if the answer to all 3 is yes does the equipment need to be considered.
- Paragraph 32 reworded to make it clearer. The first sentence is incorrect since the Regulations do define the term ‘lifting equipment’.

Regulation 3

- Paragraph 35 reworded as bullet points and the examples therein are expanded.
- Paragraph 36 is clarified since some Royal Navy vessels are not subject to those provisions. The final new sentence explains that the regulators for ships have in place a regime for co-operation.
- New paragraph (before 40) relating to the potential need to consider those 'self-employed' working for an employer as an employee for the purposes of health and safety. This mirrors PUWER ACOPs.
- Section on Patient hoists has been retitled "equipment used in health and social care". It has been expanded to clarify issues raised by the sector, about equipment in use in, or purchased/loaned for a patient's use at home and whether it is or is not subject to LOLER.
- Some re-organisation of paragraphs has been done to make the document more logical (49 and 50 placed after 57).
- Paragraph 52 extended to include advice on consulting with operators and those who will be involved in lifts.
- Paragraph 53 refers the reader to the sample risk assessments on the HSE website to provide help in their own deliberations.
- Paragraph 54 has been amended to reflect that the methods of carrying out the work may make it sensible to consult with more knowledgeable advisors and clarifies that this advice should be from people with relevant knowledge.
- Paragraph 55 deleted.
- Paragraph 59, bullet (b) changed to reflect new guidance contained in the referenced guidance document - PM39.
- Paragraph 62 merged with Paragraph 63 since these relate to the same topic.
- Paragraph 66 relocated as NEW paragraph since this also relates to exit routes.
- Paragraph 64 relating to falls from height is moved to follow paragraph 67 and a new paragraph is introduced providing further details relating to the Work at Height Regulations.

- Two new paragraphs after Paragraph 67 talk about the need to consider the provisions of the Working at Height regulations.
- Paragraphs 68 and 69 merged and bullet pointed.
- In the sections relating to the issue of slips, trips and falls reference to the 2m height has been removed and the sections worded to reflect any risk of falling.
- Paragraphs 71 and 76 combined and bullet pointed..
- Paragraph 72 deleted as redundant text.
- Paragraphs 73 and 80 combined
- Paragraphs 75 and 82 combined..
- Paragraph 77 deleted.
- Paragraphs 78 and 79 merged.
- Paragraph 81 bullet (a) delete phrase 'the edge of' as there is a clear hazard if a traffic route passes close to the lifting equipment; bullet (c) add 'or object' at the end; and new bullet added for the risk of falling into something to better mirror the Work at Height Regulations.
- Paragraph 84 reworded to make the message clearer.
- Paragraph 85 moved to follow 86.
- Paragraph 90 wording changed to indicate the modern equivalent data sources 91 moved to follow 89 and Paragraph 94 has additional text suggesting approaching the manufacturer for advice.
- 97 reworded and moved to before 90.

Regulation 4

- Para 98 expanded to include text to clarify considering the configurations of the equipment and the need to consider foreseeable events.
- Paragraph 101 some content moved to an extended paragraph 102.

- Paragraph 103 now advises consulting the manufacturer on non-routine/complex lifts.
- Paragraph 107 has had a further example added relating to the risk of equipment snagging on other equipment or structures.
- Paragraph 111 explanation of the term de-rating.
- Paragraph 113 new examples added as specific enquiries about these topics have been received.
- Paragraph 117 which talks about equipment on rails has been amended to include reference to end stop or buffers.
- Paragraph 121 which talks about checking the tyre pressure of mobile equipment has been amended to include checking the tyres for other obvious damage or defects.
- Paragraph 123 amended to include checking pallets and banding not having been damaged.
- Paragraph 126 expanded and split into 2 paragraphs and a subsequent 'new' Paragraph.
- The second new paragraph talks about new equipment (bulk carriers used for delivering sand etc., which have their own lifting loops).

Regulation 5

- Paragraph 127 deleted as this establishes a hierarchy for the various regulations with this regulation given additional significance which is not reflected in the Regulation.
- New paragraph included, immediately after the Regulation, to introduce the section which explains lifting people can be done legitimately using appropriate equipment.
- Paragraph 136 moved to before 128 to clarify the meaning of 'carrier' used in the regulation, and a new example has been added to the bullet list.
- New paragraph following paragraph 128 which explains that where equipment not designed to lift people is being used for this purpose it should be appropriately marked.
- Paragraph 129 deleted as generally repeated in Paragraph 130.

- Paragraph 130 phrase added to clarify the need for taking any additional safeguards to ensure the lift is safe amalgamating Paragraph 131.
- Paragraph 132 further clarification of the need for any platform to be compatible and safely used and directs the reader to additional guidance document PM28.
- New paragraph included after paragraph 134 clarifying provisions relating to Offshore cranes and introducing the BS reference for these.
- New paragraph entitled 'Hoists and slings' included to highlight issues from health and social care sector.
- Paragraph 144 merged with 145.
- Paragraph 147 up to comma of initial sentence removed as irrelevant.
- Paragraph 155 merged with Paragraph 160 and repositioned before 159.

Regulation 6

- Paragraph 170 change of wording in final phrase from 'where the risks justify it' to 'as far as reasonably practicable' as a consistent approach to risk assessment.
- Paragraph 178 amended to include an explanation of the term 'mousing' used in the paragraph.
- Paragraph 182 new example of equipment added and an additional safeguard is identified relating to defining the paths of the equipment.

Regulation 7

- Paragraph 195 additional text to clarify that hard copies of safe working loads in the various configurations, supplied to operators, should be durable.

Regulation 8

- Paragraph 219 title deleted and paragraph reworded to better explain role of the person competent to plan lifting operations and re-located to after 216.

- Paragraph 220 relating to planning the operation has been amended to specify that the organisation has a responsibility to support those operating the equipment.
- Paragraph 221 added 'and size' in first bullet since this can be important eg where there is a potential impact from wind.
- Paragraph 222 'winch' changed to 'hoist' since a winch may not always be subject to LOLER.
- Paragraph 224 has been amended to clarify that non routine lifting operations will also need to have a specific plan.
- Paragraph 226 has been amended to clarify that the person competent to plan the operation is referred to as the 'appointed person' in the BS 7121 series of standards.
- Paragraph 234, the first sentence has been deleted as irrelevant and the phrase 'properly maintained' added to clarify that this is distinct from the thorough examination.
- Paragraph 253 title changed to 'Weather conditions' since the word 'environment' has a wider interpretation eg surface the equipment is on, the area in which the equipment is to be used. Some wording changes eg 'meteorological conditions' to 'weather (meteorological conditions)' and 'danger' to 'risks'.
- Paragraph 263 reworded to clarify that unless the manufacturer states equipment can be used to drag, it should not be used to do so.
- Paragraph 269 first sentence deleted as irrelevant.
- Paragraph 270 the proximity distance for approaching overhead power lines is changed from 15m to 10m to mirror the more up to date guidance in leaflet GS6.
- Paragraph 275(e) has been clarified to explain that the term 'adverse weather conditions' refers to the potential for wind to affect the lift. And a new bullet (f) is added relating to a tower crane adjacent to a railway.
- Paragraph 279 changed to include reference to noise being a potential bar to effective communication.
- New paragraph added after 279 talking about communication between the operator and a person being lifted in the health sector where a medical condition can make communication

difficult.

- In the overload section (281 – 284) the phrase ‘or rated capacity’ is added after safe working load (SWL) to make clear that where the SWL has been reduced it is this lower level that needs to be considered.
- Paragraph 285 changed as the employer could be operating the equipment themselves.
- Paragraph 287 has been amended to include the need to ensure where a defect is identified it is either repaired or that it does not make the equipment unsafe to use, before using it.

Regulation 9

- New paragraph after paragraph 295 included to clarify that the competent person can be the same person who carries out the maintenance work but that this needs to be considered as part of the risk assessment since it removes a level of independent scrutiny ie they are checking their own work. This is less acceptable as the level of risk to others increases.
- Paragraph 297 split into three paragraphs for clarity. First part is bulleted and following 2 ‘new paragraphs’, with some new text clarifying when thorough examinations are required.
- Paragraph 301 and 302 slight amendment to clarify this relates to ‘load testing’ – section title changed to ‘Load testing’.
- Paragraph 303 text describing equipment that would not be considered as accessory deleted as irrelevant and potentially confusing.
- New paragraph before 317 giving an explanation that the terms defined within an Examination Scheme can be shorter or longer than the times specified within Regulation where the competent person identifies that this is appropriate based on the risks and the past history of individual piece of equipment.
- New paragraph following 325 clarifying that LOLER thorough examination does not negate the need for inspection under PUWER or other checking regimes and some equipment may need checks under more than one piece of legislation.
- Paragraph 327 deleted as unnecessary since all LOLER equipment is likely to be subject to deterioration due to use or the conditions of use and require TE.

- Paragraph 328 additional phrase clarifying the need to review examination schemes.
- Paragraph 332 some repetitive text deleted.
- Paragraph 337 amended to include reference to the need for a decision to be made that the faults identified do not make the equipment unsafe to use.
- Paragraph 338 start of paragraph amended since we cannot find any requirement for 'weekly' inspections to be undertaken.

Regulation 10

- Paragraph 349 reworded to clarify that all defects should be recorded to ensure a full record.
- Paragraph 355 'at least' added to demonstrate that Schedule 1 describes the minimum requirements for the thorough examination report.
- New paragraph added after 355 making it clear that the person contracting the competent person must make available all the required information for the thorough examination to be conducted properly.

Regulation 11

- Paragraph 358, phrase added to clarify that however the information is retained, the dutyholder or person controlling the equipment knows where it is stored.

Annex 1

- New location for the Notice of Approval.

Glossary

- Glossary of terms used in the document added to supplement those contained in the Regulations.

12. HSE received 91 responses to the public consultation on the specific ACOP proposals, including replies from the sectors largely involved with working with lifting equipment (utilities, construction, petroleum/chemical, agriculture and engineering). These replies resulted in almost 450 comments in all. A large number of these provided feedback requiring no action but there were a lot of suggestions for additions or wording changes, mainly suggestions for additional examples of equipment not currently listed as subject to

LOLER. There were also many explaining that new technology or equipment was in place, leading to novel risks. In all about 100 changes were made to accommodate the proposed amendments; some of these were minor editorial changes, but the reduced number also reflects the repetition of suggestions for change.

THE PROPOSAL

13. It is the policy of HSENI to maintain parity with the health and safety regime in Great Britain, where appropriate. Accordingly consultees are invited to comment on the proposal by HSENI that the revised ACOP should be approved for use in Northern Ireland.

14. The revised ACOP is available at the following location – [Safe use of lifting equipment](#). We are seeking views on the whole publication, i.e. the advice provided as ACOP and the associated guidance material. The difference in presentation and status of the contents of the publication is explained in the revised ACOP.

COSTS AND BENEFITS

15. The ACOP has been primarily revised to bring it up to date, accommodate amendments relating to new legal requirements and to make it clearer and easier to understand for users. The legal duties it places on dutyholders, the advice it provides and the methods of compliance described remain largely unchanged. Dutyholders already complying with the Regulations are unlikely to need to change what they are doing. The benefits arising from the revised ACOP will predominantly be realised by new users seeking advice on achieving compliance or those accessing it to refresh their knowledge.

EQUALITY IMPACT

16. The proposals have been screened for any possible impact on equality of opportunity affecting the groups listed in section 75 of the Northern Ireland Act 1998 and no adverse or differential aspects were identified. A copy of the screening document is at Annex 1.

INVITATION TO COMMENT

17. HSENI would welcome your comments on the proposals in this CD. Comments are particularly welcome on the assumptions relating to

costs and benefits relevant to Northern Ireland, and the conclusion that the proposals would have no adverse effect on any section 75 groups.

18. Comments, in whatever format you choose to use, should be sent to: -

Mr David Beck
Health and Safety Executive for Northern Ireland
83 Ladas Drive
Belfast BT6 9FR
(Tel: 028 9054 6871; Fax: 028 9054 6811; Textphone: 028 9054 6896
E-mail: david.beck@hse.gov.uk)

so as to arrive not later than **noon on 31 August 2016**.

19. HSENI tries to make its consultation procedures as thorough and open as possible. Responses to this consultation will be kept at the office of HSENI at the above address after the close of this consultation period, where they can be inspected by members of the public or be copied to them. HSENI can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on confidentiality in relation to your response to this consultation.

20. The Environmental Information Regulations 2004 and the Freedom of Information Act 2000 give the public rights of access to information held by a public authority, namely, HSENI in this case. These rights of access to information include information provided in response to a consultation. HSENI cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or be treated as confidential.

21. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.

June 2016

Health and Safety Executive
for Northern Ireland

DfE EQUALITY SCREENING FORM

Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Information about the policy

Name of the policy

Proposal relating to a revised Approved Code of Practice (ACOP) and guidance -“Safe use of lifting equipment - Lifting Operations and Lifting Equipment Regulations 1998, (L113)”, drafted by the HSE, which HSENI proposes to approve for use in Northern Ireland.

Is this an existing, revised or a new policy?

Revised

What is it trying to achieve? (intended aims/outcomes)

This ACOP and guidance provides practical guidance on how to comply with the Lifting Operations and Lifting Equipment Regulations 1998. The equivalent legislation in Northern Ireland is the Lifting Operations and Lifting Equipment Regulations (Northern Ireland) 1999.

Are there any Section 75 categories which might be expected to benefit from the intended policy?

If so, explain how.

The benefits from the ACOP and guidance will apply equally to all S75 categories and to others affected by the guidance.

Who initiated or wrote the policy?

The Health and Safety Executive in Great Britain

Who owns and who implements the policy?

Subject to approval for use in Northern Ireland the policy is owned and implemented in Northern Ireland by the Health and Safety Executive for Northern Ireland.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

If yes, are they

- financial
 - legislative
 - other, please specify
-

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

- staff
- service users
- other public sector organisations
- voluntary/community/trade unions
- other, please specify - the ACOP and guidance is principally relevant to employers and dutyholders as well as anyone who has responsibility for controlling work equipment, such as managers and supervisors.

Other policies with a bearing on this policy

- what are they?

The Löfstedt review of health and safety legislation 'Reclaiming health and safety for all'. A UK Government independent review to make proposals for simplifying health and safety law.

- who owns them?

Department for Work & Pensions

Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 category	Details of evidence/information
Religious belief	Although there is no available data the revisions to guidance apply equally beneficially to all Section 75 categories and others.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual orientation	As above.
Men and women generally	As above.
Disability	As above.
Dependants	As above.

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 category	Details of needs/experiences/priorities
Religious belief	Although there is no available data the revisions to guidance apply equally beneficially to all Section 75 categories and others.
Political opinion	As above.
Racial group	As above.
Age	As above.
Marital status	As above.
Sexual orientation	As above.
Men and women generally	As above.
Disability	As above.
Dependants	As above.

Part 2. Screening questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4 detailed below.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

In favour of a 'major' impact

a) The policy is significant in terms of its strategic importance;

- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions detailed below and indicate the level of impact on the group i.e. minor, major or none.

Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? minor/major/none		
Section 75 Category	Details of policy impact	Level of impact? minor/major/none
Religious belief	Revisions to the ACOP and guidance on how to comply with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998. It is proposed that the ACOP should be approved for use in Northern Ireland.	None. The revisions to the ACOP and guidance have no bearing on equality of opportunity.
Political opinion	As above	As above
Racial group	As above	As above
Age	As above	As above
Marital status	As above	As above
Sexual orientation	As above	As above
Men and women generally	As above	As above
Disability	As above	As above
Dependants	As above	As above

2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief		The revisions to the ACOP and guidance will apply equally beneficially to all of the Section 75 Groups and to other groups and have no relevance to the promotion of equality of opportunity.
Political opinion		As above
Racial group		As above
Age		As above
Marital status		As above
Sexual orientation		As above
Men and women generally		As above
Disability		As above
Dependants		As above

3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?

Section 75 category	Details of policy impact	Level of impact minor/major/none
Religious belief	Revisions to the ACOP and guidance on how to comply with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998. It is proposed that the ACOP should be approved for use in Northern Ireland.	None. The revisions to the ACOP and guidance have no bearing on good relations between people of different religious belief, political opinion or racial group.
Political opinion	As above	As above
Racial group	As above	As above

4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Good relations category	If Yes , provide details	If No , provide reasons
Religious belief		The revisions to the ACOP and guidance will apply equally

		beneficially to all of the Section 75 Groups and to other groups and have no relevance to the promotion of good relations between people of different religious belief, political opinion or racial group.
Political opinion		As above
Racial group		As above

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

Although there is no available data the revisions to guidance will apply equally to all of the Section 75 Groups and adverse impact on people with multiple identities is not anticipated.

Part 3. Screening decision

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

The provisions of the proposed revised ACOP and guidance will apply universally and would be expected to benefit, rather than adversely impact, all of the Section 75 groups equally and to the same extent as other groups.

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced.

The provisions of the proposed revised ACOP and guidance will apply universally and would be expected to benefit, rather than adversely impact, all of the Section 75 groups equally. There are therefore no grounds for mitigation or alternative policies.

If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

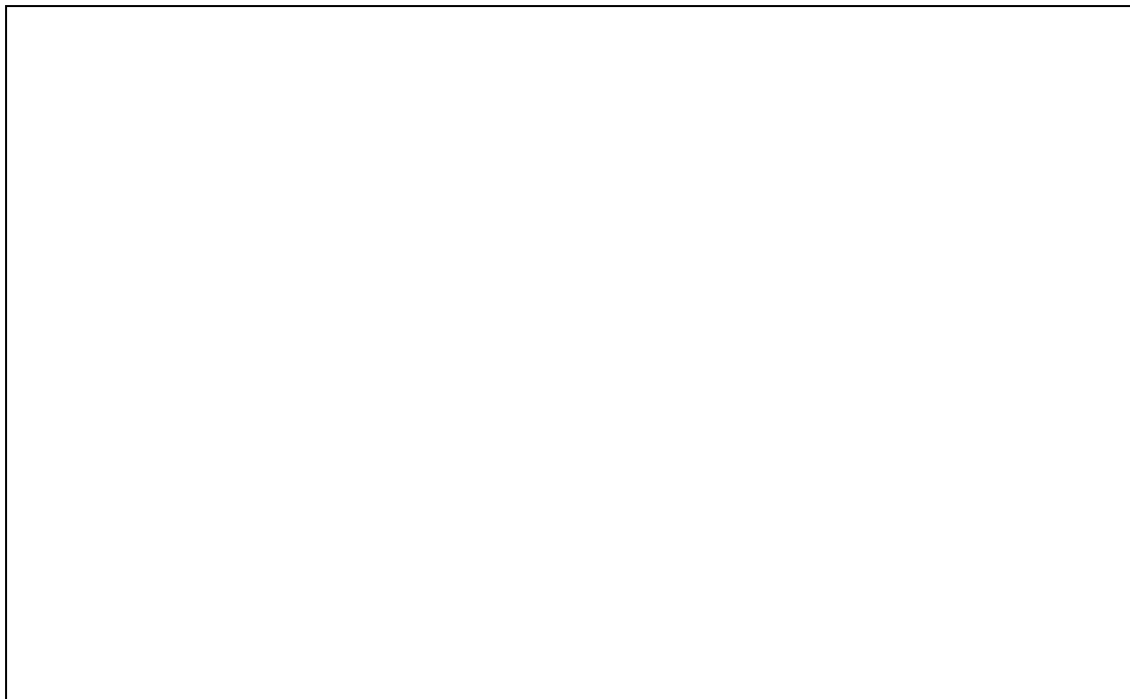
All public authorities' equality schemes must state the authority's arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.



Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been ‘**screened in**’ for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people’s daily lives	
Relevance to a public authority’s functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public

authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

If yes, please provide details

Part 4. Monitoring

Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

Part 5. Disability Duties

Under the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (Northern Ireland) Order 2006), public authorities, when exercising their functions, are required to have due regard to the need:

- **to promote positive attitudes towards disabled people; and**
- **to encourage participation by disabled people in public life.**

5. Does this policy/legislation have any potential to contribute towards promoting positive attitudes towards disabled people or towards encouraging participation by disabled people in public life? If yes, please give brief details.

Name of Consultees

Action on Hearing Loss
Advice NI
AES
Age NI
Age Sector Platform
Agency for the Legal Deposit Libraries
Alliance Party
Allpipe Engineering Ltd.
An Munia Tober
Archbishop of Armagh and Primate of all Ireland
Ards Business Centre Ltd.
Argyle Business Centre Ltd.
Armagh Business Centre Ltd.
Aspergers Network
Attorney General (NI)
Autism Northern Ireland
Ballymena Business Centre Ltd.
Banbridge Enterprise Centre
Bar Council
Belfast Centre for the Unemployed
Belfast City Centre Management
Belfast Harbour Commissioners
Belfast Health and Social Care Trust
Belfast Hebrew Congregation
Belfast Islamic Centre
Belfast Solicitors Association
Bishop of Down and Connor
Board of Deputies of British Jews
BOC
Bombardier
British Deaf Association
British Library – Legal Deposit Office
Bryson House
BSC and Electric Ireland
Buildhealth NI
Business in the Community
Calor Gas (NI) Ltd.
Cancer Focus Northern Ireland
Cara-Friend
Carers NI
Carrickfergus Enterprise Agency Ltd.
Catholic Bishops of Northern Ireland
Causeway Enterprise Agency Ltd.
Cedar Foundation
Central Services Agency
Chartered Institute of Environmental Health NI
Chemical Business Association

Chief Constable Police Service of Northern Ireland
Children in Northern Ireland
Children's Law Centre
Chinese Chamber of Commerce
Chinese Welfare Association
Civil Law Reform Division
Civil Service Occupational Health Service
Commission for Victims and Survivors
Commissioner for Older People Northern Ireland
Committee on the Administration of Justice
Communication Access
Community Foundation for Northern Ireland
Community Relations Council
Construction Employers' Federation
Construction Industry Training Board NI
Cookstown Enterprise Centre Ltd.
Co-Operation Ireland
Council for Catholic Maintained Schools
Countryside Services Ltd.
Courts and Tribunal Service
Creggan Enterprises Ltd.
Democratic Unionist Party
Disability Action
District Councils
Driver and Vehicle Testing Agency
Du Pont (UK) Industrial Ltd.
Dungannon Enterprise Centre Ltd.
East Belfast Community Development Agency
East Belfast Enterprise Park Ltd.
East Belfast Partnership Board
Eastern Group Environmental Health Committee
Education Authority
Employers For Disability NI
Engineering Employers' Federation NI (EEF)
Equality Coalition
Equality Commission
Executive Council of the Inn of Court of NI
Falls Community Council
Federation of Small Businesses
Fermanagh Enterprise Ltd.
Fire Brigades Union
Food Standards Agency Northern Ireland
Forensic Science Agency of Northern Ireland
Foyle Women's Information Network
Freight Transport Association
General Consumer Council for Northern Ireland
Gingerbread Northern Ireland
GMB
Gray & Adams (Ireland) Ltd
Greater Shankill Partnership

Green Party
Harland and Wolff Heavy Industries Ltd.
Health and Safety Executive
Health and Social Care Board HQ
Heron Brothers Ltd.
HM Council of County Court Judges
HM Revenue and Customers
Home Retail Group
Inclusive Mobility and Transport Advisory Committee (IMTAC)
INCORE Conflict Resolutions Ltd.
Indian Community Centre
Independent Political Parties
Information Commissioner's Office
Institute of Directors
Institute of Directors (NI Division)
Invest NI
Irish National Teachers' Organisation (INTO)
Judge G Conner
Justice for Asbestos Victims
Kesh Development Association Charitable Trust
Labour Party
Labour Relations Agency
Larne Development Forum
Law Centre (NI)
Law Society of Northern Ireland
Lonmin (NI) Ltd
Lord Chief Justice Office
Mallusk Enterprise Park
Maritime and Coastguard Agency
McAlorum Construction Ltd.
McClay Library, QUB
MENCAP
Methodist Church in Ireland
Mindwise
Ministry of Defence
MPs & MEPs (NI)
Mr Sam McKane
Musicians Union
Mutual Energy Ltd.
National Collection of NI Publications
National Library of Ireland
Newry and Mourne Enterprise Agency
North Belfast Partnership
North City Business Centre Ltd.
North Down Development Organisation Ltd.
North / South Ministerial Council
North West Community Network
Northern Group
Northern Health and Social Care Trust
Northern Ireland Assembly Library

Northern Ireland Assembly Members
Northern Ireland Assembly – The Speaker
Northern Ireland Association for Mental Health
Northern Ireland Association for the Care and Resettlement of Offenders
Northern Ireland Audit Office
Northern Ireland Authority for Utility Regulation
Northern Ireland Association of Citizens Advice Bureaux
Northern Ireland Centre for Competitiveness
Northern Ireland Chamber of Commerce
Northern Ireland Chamber of Trade
Northern Ireland Commissioner for Children and Young People
Northern Ireland Committee/Irish Congress of Trade Unions
Northern Ireland Conservative Association
Northern Ireland Council for Ethnic Minorities
Northern Ireland Council for Voluntary Action
Northern Ireland Court Service
Northern Ireland Electricity
Northern Ireland Environment Link
Northern Ireland Fire and Rescue Service
Northern Ireland Gay Rights Association
Northern Ireland Housing Executive
Northern Ireland Human Rights Commission
Northern Ireland Judicial Appointments Commission
Northern Ireland Law Commission
Northern Ireland Local Government Association (NILGA)
Northern Ireland Prison Service
Northern Ireland Public Service Alliance (NIPSA)
Northern Ireland Public Service Ombudsman (NIPSO)
Northern Ireland Safety Group (NISG)
Northern Ireland Statistics and Research Agency (NISRA)
Northern Ireland Tourist Board
Northern Ireland Women's European Platform
NSPCC, Northern Ireland Regional Office
NUS/USI
NW Community Network
Occupational Health Service
Office of Industrial Tribunals
Omagh Enterprise Co. Ltd.
Ormeau Enterprises Ltd.
Participation the Practice of Rights Project
People Before Profit Alliance
Pharmaceutical Society of Northern Ireland
POBAL
Police Federation for Northern Ireland
Police Service of Northern Ireland
Presbyterian Church in Ireland
Prince's Trust
Progressive Unionist Party
Prospect
Quarry Products Association NI

Queen's University
Roads Service
Roman Catholic Church
Roy Coulter Consulting Ltd.
Royal College of Midwives
Royal Institution of Chartered Surveyors (RICS)
Royal National Institute for the Blind (NI)
Rural Community Network
Rural Development Council
St. John Ambulance NI
Scotia Gas Networks (SGN)
SDLP
Seagate Technology (Ireland)
Sense NI
Services Industrial Professional Technical Union (SIPTU)
Sinn Fein
Social Security Agency
Society of Local Authority Chief Executives
South Belfast Partnership Board
South Eastern Health and Social Care Trust
South West Fermanagh Development Organisation Ltd.
Southern Group Environmental Health Committee
Southern Health and Social Care Trust
SSE Airtricity Energy Supply (NI) Ltd
Strabane Industrial Properties Ltd.
Tennants Textile Colours Ltd.
Townsend Enterprise Park Ltd.
Traditional Unionist Voice
Training for Women Network Ltd.
Translink
Transport Salaried Staff Association
UK Independence Party
UK National Committee of UN Women
Ulster Farmers' Union
Ulster Scots Community Network
Ulster Teachers' Union
Ulster Unionist Party
Union of Construction, Allied Trades and Technicians (UCATT)
Union of Shop, Distributive and Allied Workers (USDAW)
UNISON (Northern Ireland)
Unite the Union
University of Ulster
Volunteer Centre
Volunteer Now
Visual Access NI (Braille, Audio and DAISY)
Water Service
West Belfast Development Trust Ltd.
West Belfast Partnership Board
Western Group Environmental Service
Western Health and Social Care Trust

Westlink Enterprise Ltd.
William Keown Trust
Women's Forum NI
Women's Information NI
Women's Resource and Development Agency
Women's Support Network
Women's Training, Enterprise and Childcare
Workers' Party
Workspace