

Soft Landing Systems (SLS) – HBF Member Case for use

when Working At Height (specific tasks)

Background & Ongoing Product Development

- The production of Soft Landing Systems (SLS) was established circa year 2000 to provide suitable fall protection solutions to work at height issues within the house building industry. This followed a considerable level of consultation with industry, the HSE and insurers together with safety practitioners and operatives.
- The installation of 600mm SLS bags was introduced to reduce the 2.4m fall distance between floor and traditional ceiling heights in house building to 1.8m which at the time met the requirements of the Construction (Health, Safety & Welfare) Regulations 1996 to reduce falls to below 2m.
- Extensive drop testing was and has continued to be carried out to establish the fall arrest capabilities of SLS and the ability to minimise the consequences of a fall.
- BSI PAS 59: 'Specification for collective fall arrest soft landing systems' has had the support of industry and the HSE/HSL in its continued development to ensure that a recognised specification was available for a proven, tested system as a means of protecting against falls and reducing injuries.
- The introduction and considerable use of the SLS in house building has provided a workable and practical solution of minimising the distance of and arresting the risks posed by a potential fall from height.
- SLS products have been continuously developed in consultation with industry and organisations such as BSI. Improvements have resulted in enhanced stability of the product with a 35% increase in protection against UV degradation, flame retardant qualities, improved longevity and low level maintenance.
- The use of SLS is supported by extensively researched, tested and proven guidance detailing information on the training, inspection and monitoring requirements for effective installation and use details of which are provided by manufacturers and suppliers.
- As well as house building SLS has been considered as a reasonably practicable fall protection solution by other construction sectors with similar fall arrest products used by the pre-cast floor industry for instance.
- In addition SLS has been identified as reasonably practicable for use in a variety of different industrial sectors including the Ministry of Defence (MOD), Aviation, National Grid and Network Rail.

Law Changes

- The Work at Height Regulations 2005 (WAHR) replaced the requirements detailed in the Construction (Health, Safety & Welfare) Regulations 1996 for managing work at height activities removing the reliance on the 2m rule.
- The WAHR stipulates that work at height is to be organised and planned (Regulation 4), that persons undertaking work at height activities are competent to do so (Regulation 5), identification of measures for the avoidance of risks from work at height (Regulation 6) and the selection of work equipment for work at height (Regulation 7).
- In place of prescriptive regulations i.e. the 2m rule, the WAHR requires that, when identifying the measures required by the regulation, employers take account of a risk assessment under Regulation 3 of the Management Regulations.
- Note: BSI PAS 59: also includes cross-referencing to the Management of Health and Safety at Work Regulations 1999 and the Work at Height Regulations 2005 and is regarded by house builders as integral to house builders interpretation of current legislation and the risk based approach to identifying and maintaining suitable systems as a means of protecting against falls and reducing injuries.

Additional Information

- In addition to their risk assessment findings a large number of house builders, including HBF Members, have decided that it is reasonably practicable to continue to invest significantly in SLS since its introduction in 2000 based on the following:
 - availability of the SLS (always available on site, no call-off required, no delays)
 - availability of SLS on site at all times helps with overall management of work at height on site (removes risk of operatives attempting task before system called-off or delivered to site)
 - ease of installation
 - ease of training for installer and operatives
 - ease of use for operatives
 - reduced time to remediate if issues identified
 - can be used by various trades for 'one-off' tasks where control of work at height required
 - ease of inspection and ongoing maintenance
 - proven track record of success

HBF Concluding Points

In order to establish clarity from the regulator the HBF's position is to offer the following as points for consideration by the regulator:

1. The Health and Safety at Work Act 1974 was/is meant to be goal setting/enabling, not prescriptive and as such employers need flexibility to interpret legislation and regulation through risk assessment.
2. Reg. 6 of the WAHR allows for risk assessment to be used in line with Reg. 3 MHSWR.

3. SLS meets the requirements of Point 3 of Regulation 6 WAHR insofar as the duty holder has identified SLS as a suitable and sufficient measure to prevent, so far as is reasonably practicable, any person falling a distance liable to cause personal injury.
4. The draft HBF Scaffold Specification Template confirms in its guidance that HBF members can, via risk assessment, use reasonably practicable means of preventing/protecting persons falling a distance liable to cause serious injury.
5. SLS have a proven track record within the house building industry and is recognised as a suitable and sufficient means of protecting against falls and reducing injuries when compared with recorded incidents relating to persons being injured whilst using poorly installed proprietary decking systems.
6. The thrust of the debate in relation to the use of SLS appears to centre on the requirement to establish and implement the hierarchy of controls detailed in points 4 (fall prevention) and 5 (fall protection) of Regulation 6.
7. This is compounded by an inconsistent approach by the regulator into the enforcement of the specific points detailed in Regulation 6 and in particular the perception that the HSE has different expectations on organisations dependent on size and resources – in effect a two tier approach to enforcing regulations.
8. For example, does the HSE believe that it is reasonably practicable for larger organisations to have a prescriptive “fall prevention at all times” policy whilst allowing only small/medium size enterprises to use risk assessment to confirm SLS as a reasonably practicable measure.
9. Taking house builders legal and practicable points into consideration, the fact that other industries have come to similar conclusions and that manufacturing jobs are at stake the HBF respectfully requests that the HSE indicate their position on the continued use of SLS.