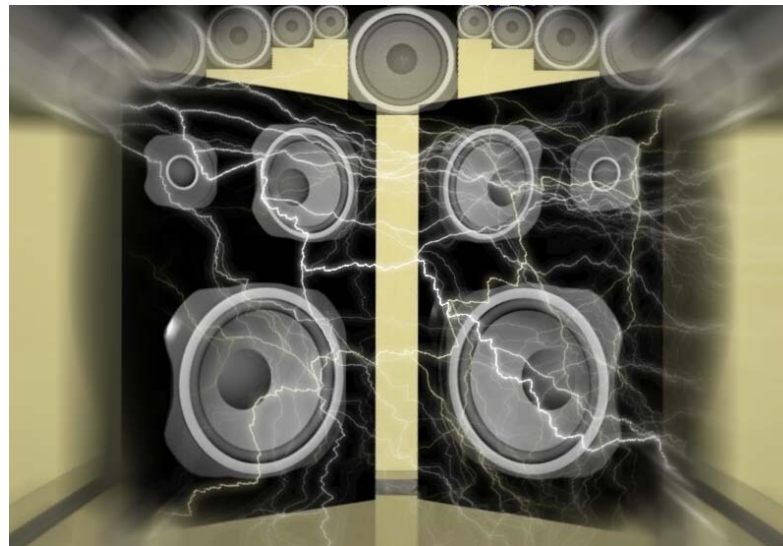


Legal duties and the risk assessment approach



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Health and Safety Team**

Contents

- Importance
- Background
- Legislation
- Risk Assessment Approach
- Managing Noise Risk

Why is it important?

- Hearing loss is preventable
- Significant occupational disease
- There are practical, ways to protect workers
- Comply with criminal law
- Future civil claims - will you be able to demonstrate what you did?

Background

- Workplace noise levels regulations have existed for the industry since 1989
- Applies to employers, self employed and employees
- 2 year transitional period for the music and entertainment industry
- Challenges within the sector

Legislation – Noise at Work Regulations 2005

- Risk Assessment (*Regulation 5*)
- Risk Control Hierarchy (*Regulation 6*)
- Action Plan (*Regulation 6*)
- Levels (*Regulation 4*)
- Hearing Protection (*Regulation 7*)
- Maintenance and Use of Equipment (*Regulation 8*)
- Health surveillance (*Regulation 9*)
- Information instruction and training (*Regulation 10*)

When do I need to take action?

Test	Probable Noise Level	A risk assessment is needed if the noise is like this for more than:
The noise is intrusive but normal conversation is possible	80 dB	6 hours
You have to shout to talk to someone 2 meters away	85 dB	2 hours
You have to shout to talk to someone 1 meter away	90 dB	45 mins



What makes a suitable and sufficient risk assessment?

- Competent person and reliable information
- Identifies where the risks are and who is likely to be affected
- Has reliable estimations of employee's noise exposure
- Identifies measures to eliminate risks or reduce them to as low a level as is reasonably practicable - '**risk control hierarchy**'
- Identifies those employees at particular risk who need to be provided with health surveillance

Risk Control Hierarchy

- Design to avoid static work station in noisy areas
- Increase absorption and reduce reverberation
- Equipment solutions and maintenance
- Control over the noise levels

If noise exposure is still above the levels

- Staff rotation e.g. quieter areas, tasks, breaks
- Personal hearing protection

Action Plan – design, implementation and monitoring effectiveness.

- Identify what is possible to reduce exposure
- How much reduction is possible
- Establish priorities and timetable
- Assign responsibilities to individuals
- Ensure actions are carried out
- Check it has been effective

Levels – Lower Exposure Action Value 80dB (A-weighted) measured over daily/weekly basis

Requires

- risk assessment
- hearing protection to be made available to employees

Levels – Upper Exposure Action Value 85dB (A-weighted) measured over daily/weekly basis

Requires

- risk assessment
- hearing protection zones designated
- hearing protection must be supplied and used
- provision of health surveillance

Levels – Exposure Limit Value

87dB (A-weighted) measured over
daily/weekly basis

This level takes account of the sound reduction achieved through the use of hearing protection

Peak sound pressure action and limit exposure values

- 135 dB (C Weighted) Lower Action Level
- 137 dB (C Weighted) Upper Action Level
- 140 dB (C Weighted) Limit Value

These values are related to an imminent risk of hearing damage. These are absolute limits and do not depend on length of exposure.

Hearing Protection

Only to be used when employers are unable by other means to reduce the level of noise

- Available on request for 80dBa and over
- Mandatory for 85dBa and over and hearing protection zones must be designated

Maintenance and Use of Equipment

- Noise control equipment must be used properly
- Noise control equipment must be maintained in good working order
- Employees must use control measures e.g. personal hearing protectors
- Employees are required to notify discovered defect to noise control equipment to employers ASAP

Health surveillance

Required if risk assessment indicates a risk to workers health

- Regular exposure to 85dBa or above, regular hearing checks should be provided
- Exposure between 80dBa and 85dBa, and occasional exposure at 85dBa or above hearing checks to be provided to individuals sensitive to noise

Health Surveillance Records

- Required to keep copies for each employee in a suitable form
- Allow employee access to their record
- Provide enforcing authority with copy of such health records on request

Health Surveillance Results

- Hearing damage found - the employer must ensure employee is examined by a doctor
- Act on advice from the doctor to prevent further hearing damage to the employee
- Review risk assessment to decide whether action is needed to protect the rest of the workforce

Information instruction and training

- Nature of the risks from noise exposure
- Organisational and technical measures taken to comply
- Exposure limit and Action values
- Significant findings of a risk assessment
- Availability and provision of personal hearing protectors and their correct use

Information instruction and training continued

- Why and how to detect and report signs of hearing damage
- Entitlement to health surveillance
- Safe working practices
- The collective results (anonymous format) of any health surveillance undertaken

Managing Noise Risk

