

Fixed Ladder - Occasional Work Use - Legislation and Legal Requirements

Executive Summary

Fixed ladders used for work access, even occasionally, are subject to the **Work at Height Regulations 2005 (WAHR)** and **Provision and Use of Work Equipment Regulations 1998 (PUWER)**. This applies to ladders accessed up to 5 times per day for brief inspections or maintenance tasks.

Key Legal Distinction: A ladder used for work access has MORE STRINGENT requirements than an emergency escape-only ladder. This includes mandatory risk assessment, justification for ladder use over safer alternatives, user training, and more frequent inspections.

Critical for Pre-2006 Installations: Existing ladders installed before 2006 are generally "grandfathered" under design standards applicable at installation, but MUST still meet ongoing safety obligations under WAHR and PUWER.

1. PRIMARY LEGISLATION

Work at Height Regulations 2005 (WAHR)

Primary legislation governing work access ladders in the UK.

Source: [Work at Height Regulations 2005](#)

Regulation 4: Organisation and Planning

Every employer must ensure work at height is:

- **Properly planned** - suitable and sufficient measures taken to prevent falls
- **Appropriately supervised** - by competent persons
- **Carried out in a safe manner** - in accordance with Regulations

Regulation 6: Avoidance of Risks from Work at Height

Work at height must be carried out:

1. **So far as is reasonably practicable, otherwise than at height** (consider eliminating height work)
2. **Where work at height necessary:** Take suitable measures to prevent falls using work equipment under Schedule 2 (collective measures prioritized over personal measures)
3. **Minimize distance and consequences** of a fall where risk cannot be eliminated

Practical Implication: You must justify why a fixed ladder is necessary rather than safer alternatives (fixed staircase, platform with full guardrails, etc.).

Acceptable Justifications:

- ✓ Space constraints make stairs impractical
- ✓ Infrequent access (stairs disproportionate to use)
- ✓ Cost of alternative manifestly disproportionate to marginal risk reduction
- ✓ Building layout makes stairs impossible without major structural work

Schedule 6: Requirements for Particular Work Equipment

This is part of the Work at Height Regulations 2005 - [WAHR 2005 Schedule 6](#)

Part 1: Ladders, Paragraphs 1-9 - Specific requirements for ladder use:

Paragraph 1: Ladders may be used "only if use of more suitable work equipment is not justified by reason of the low risk and":

- (a) Short duration of use; OR
- (b) Existing features of the site which cannot be altered

Paragraph 3: Every ladder shall:

- (a) Be sufficiently strong and stable for purpose
- (b) Be maintained in efficient working order and good repair
- (c) Be used in such a way that secure handhold and support are available to users at all times

Paragraph 4: Fixed ladders 9 metres or more above base:

- Shall, where reasonably practicable, have sufficient safe landing areas or rest platforms at suitable intervals

Paragraph 5(a): Fixed ladders used for gaining access:

- Shall extend to sufficient height above place of landing, OR
- Other suitable measures taken to ensure handhold

Practical Requirements - Specific to 2.5-6m Height:

- Safety cages, hoops, OR personal fall arrest systems **recommended** for fixed ladders over 2.4m (industry standard per BS 4211/BS EN ISO 14122-4; required to meet general duties under PUWER/HSWA)
- Ladder must extend at least 1m above landing platform OR provide suitable handholds (WAHR Schedule 6 Para 5)
- No requirement for rest platforms in the 2.5-6m range (rest platforms required "where reasonably practicable" over 9m per WAHR Schedule 6 Para 4)

Source: [WAHR Schedule 6](#)

Provision and Use of Work Equipment Regulations 1998 (PUWER)

Source: [PUWER 1998](#)

[Regulation 4: Suitability of Work Equipment](#)

Employers must ensure work equipment is:

- **Suitable** for the purpose for which it is used or provided
- Conditions and risks in the workplace considered
- Suitable for all persons using it

Practical Implication: Ladder must be appropriate for:

- Height of access required
- Frequency of use
- Type of work being performed
- Users' physical capabilities

Regulation 5: Maintenance

Employers must ensure work equipment:

- **Maintained in efficient working order**
- **Maintained in good repair**
- Where maintenance log required by law, log must be kept up to date and available for inspection

Practical Implication: Inspection regime **MUST** be established and documented.

Regulation 6: Inspection

Work equipment exposed to conditions causing deterioration liable to result in dangerous situations must be:

- **Inspected at suitable intervals** (frequency depends on use and environment)
- **Inspected after any exceptional circumstances** liable to jeopardize safety (impacts, severe weather, alterations)
- Inspections carried out by **competent person**
- Records kept until next inspection

Practical Implication: For occasional use (up to 5 times/day) ladders, detailed inspection typically **6-12 monthly**. More frequent in harsh environments (external, coastal, industrial).

Regulation 9: Training

Employers must ensure users of work equipment have:

- **Adequate training** for purposes of health and safety including:
 - Methods which may be adopted when using the work equipment
 - Risks which such use may entail
 - Precautions to be taken
- **Adequate supervision** until competent

Practical Implication: All workers using fixed ladder for access **MUST** receive training on safe ladder use (three points of contact, carrying equipment safely, inspection before use, etc.).

Source: [HSE: PUWER - Overview](#)

Health and Safety at Work etc. Act 1974 (HSWA)

Overarching duty under [Section 2](#) of the [Health and Safety at Work etc. Act 1974](#):

Employers must ensure, so far as is reasonably practicable, the health, safety, and welfare at work of all employees. This includes:

- Provision and maintenance of safe plant and systems of work (Section 2(2)(a))
- Safe access and egress (Section 2(2)(d))

Practical Implication: Even if specific regulations don't prescribe requirements, general duty of care applies.

Source: [HSWA 1974](#)

2. DESIGN STANDARDS - RETROSPECTIVE APPLICATION

British Standards for Fixed Ladders

BS 4211:2005+A1:2008 - Specification for Permanently Fixed Ladders

BS EN ISO 14122-4:2016 - Safety of Machinery: Fixed Ladders

Key Specifications:

- Rung spacing: 225-300 mm
- Rung diameter: 20-35 mm (or equivalent non-circular profile)
- Width between stringers: 300 mm minimum (400 mm preferred)
- Clearance behind rungs: 200 mm minimum
- Clearance on user side: 600 mm minimum
- Load capacity: 1.5 kN per rung, 3 kN per stile

Pre-2006 Installations - "Grandfathering" Principle

Critical Clarification for Your Existing Ladder:

Since your ladder was **installed before 2006**, it is generally "grandfathered" under design standards that applied at time of installation. You are **NOT required** to retrofit the ladder to meet BS 4211:2005+A1:2008 specifications unless substantial modifications are undertaken.

"Grandfathering" Means:

- ✓ Design dimensions (rung spacing, clearances, etc.) from original installation remain acceptable
- ✓ No requirement to upgrade to current design standards purely due to passage of time
- ✓ Ladder was compliant when installed and remains acceptable if maintained in safe condition

HOWEVER - Ongoing Safety Obligations STILL APPLY:

Even though design standards don't apply retrospectively, you **MUST** ensure:

1. Safe Condition (PUWER Reg 5):

- Ladder remains structurally sound
- No deterioration compromising safety
- Maintained in efficient working order

2. Suitable for Purpose (PUWER Reg 4):

- Adequate for current use (occasional work access, brief inspections)
- Appropriate for users

3. Risk Assessment (WAHR Reg 6):

- Current risk assessment confirms ladder use is justified
- Control measures adequate for identified risks

4. Inspection and Maintenance (PUWER Reg 6):

- 6-12 monthly detailed inspections by competent person
- Pre-use checks by users

- Records maintained

When Current Standards MUST Be Applied:

Your existing pre-2006 ladder MUST comply with current standards (BS 4211:2005+A1:2008 or BS EN ISO 14122-4:2016) if:

- **Substantial modifications** undertaken (adding/modifying safety cage, extending height, replacing major structural components, relocating)
- **Complete replacement** of ladder
- **Major structural upgrades** (converting uncaged to caged, adding rest platforms)

Minor maintenance does NOT trigger compliance (painting, rust treatment, individual rung replacement like-for-like, bolt tightening).

3. SAFETY FEATURES FOR 2.5-6M HEIGHT RANGE

Safety Cages / Hoops / Fall Arrest - Industry Practice and General Duties

Important Clarification: [WAHR 2005 Schedule 6](#) does **NOT** specify a requirement for safety cages at 2.4m. Schedule 6 only mentions specific height requirements for **rest platforms at 9m or more**.

However, safety cages/hoops for ladders over 2.4m are:

1. **Required by British Standards** (BS 4211:2005+A1:2008 and BS EN ISO 14122-4:2016)
2. **HSE Guidance expectation** for fixed ladders used for work access - see:
 - [HSE: Safe Use of Ladders and Stepladders](#)
 - [LA455: Safe Use of Ladders and Stepladders - A Brief Guide \(2021\)](#) - Jointly published by Ladder Association and HSE (replaces INDG455)
 - [HSE: Work at Height - Overview](#)
3. **General duty requirement** under [PUWER Reg 4](#) (suitability) and [HSWA Section 2](#) (general duty of care)

Industry Standard Practice:

Fixed ladders over **2.4 metres** used for work access should have ONE of the following:

1. **Safety cages/hoops** (passive fall protection), OR
2. **Personal fall arrest systems** (harness + anchor points)

Legal Basis: While not explicitly mandated in WAHR Schedule 6, employers must provide suitable equipment (PUWER Reg 4) and ensure worker safety "so far as is reasonably practicable" (HSWA). For fixed ladders over 2.4m used regularly for work, providing fall protection (cages or fall arrest) is the accepted standard to meet these general duties.

Practical Considerations:

Safety Cages/Hoops (Preferred):

- ✓ Passive protection - no user action required
- ✓ Suitable for occasional users (no harness training needed)
- ✓ Compatible with brief inspections (no time wasted donning harness)

Fall Arrest Systems:

- X Requires users to don harness before each use
- X Requires training in harness use and anchor point attachment
- X Impractical for brief inspections (5 times/day)
- X Higher risk of non-compliance (users may skip harness use)

For occasional work access (up to 5 times/day, brief inspections), safety cages/hoops are strongly recommended over fall arrest systems.

If Your Pre-2006 Ladder Lacks Safety Cage:

This is a common situation. Options:

1. **Retrofit safety cage** - once installed, triggers compliance with current design standards (substantial modification)
2. **Implement fall arrest system** - requires user training, harness provision, anchor points, inspection regime
3. **Accept higher risk** - document in risk assessment why neither cage nor fall arrest is reasonably practicable (cost disproportionate, structural constraints, etc.) - **this is difficult to justify for regular work access**

HSE Position & Industry Standard: Safety cages/hoops are expected for fixed ladders over 2.4m used for work (per BS 4211 and HSE guidance). While not explicitly mandated in WAHR Schedule 6, lack of adequate fall protection on ladders over 2.4m is difficult to justify under general duties (PUWER Reg 4 - suitability, and HSWA Section 2 - duty of care). Strong justification in risk assessment required if neither cage nor fall arrest provided.

Source: [HSE: Safe Use of Ladders and Stepladders](#)

4. RISK ASSESSMENT REQUIREMENTS

WAHR 2005 Regulation 6 - Mandatory Risk Assessment

Every employer must conduct risk assessment for work at height activities under the [Work at Height Regulations 2005](#). For fixed ladder use, assessment must address:

Hazards

- Falls from height (most significant)
- Falling objects striking persons below
- Structural failure of ladder
- Slips/loss of grip on rungs
- Overreaching causing loss of balance
- Carrying tools/equipment while climbing

Risk Factors

- Height of ladder (2.5-6m in your case)
- Frequency of use (up to 5 times/day)
- Duration of work (brief inspections - low risk)
- User competence and training
- Ladder condition and maintenance
- Environmental conditions (weather, lighting, access obstructions)
- Presence of safety cage/hoops (or lack thereof)

Control Measures (Hierarchy of Controls)

Elimination:

- Could work be done from ground level? (e.g., remote monitoring, extended tools)

Substitution:

- Could safer access be provided? (fixed staircase, mobile elevated work platform, scaffolding with guardrails)

Engineering Controls:

- Safety cages/hoops on ladder (passive fall protection)
- Adequate handholds at top platform
- Non-slip rungs
- Tool lanyards to prevent dropped objects
- Exclusion zone at base (prevent persons below)

Administrative Controls:

- Inspection regime (pre-use checks, detailed inspections 6-12 monthly)
- User training (three points of contact, safe climbing technique)
- Adverse weather restrictions (no use in high winds, ice, heavy rain)
- Permit-to-work system if high-risk activities on platform
- Emergency rescue plan

Personal Protective Equipment:

- Fall arrest harness (if no safety cage) - LEAST preferred option
- Hard hat (if risk of falling objects)
- Safety footwear (good grip)
- Gloves (if handling materials)

Justification for Ladder Use

Risk assessment **MUST** include justification for ladder use over safer alternatives ([WAHR Reg 6](#) / [Schedule 6 Para 1](#)):

Document:

- ✓ Why fixed staircase is not reasonably practicable (space, cost disproportionate to risk, building constraints)
- ✓ Why MEWP/scaffolding not appropriate (access frequency, setup time disproportionate, cost)
- ✓ Short duration of use (brief inspections, under 30 minutes per visit)
- ✓ Low frequency justifies ladder use (occasional access, up to 5 times/day)
- ✓ Risk acceptably controlled with measures in place (cage, training, inspections)

Example Justification (adapt to your circumstances):

"Fixed ladder provides access to [platform/location] for brief inspections and checks (typically under 30 minutes per visit, up to 5 times per day). Installation of fixed staircase would require significant structural modification costing approximately £[X], which is grossly disproportionate to marginal risk reduction given short duration and low complexity of work. MEWP access would require setup time exceeding inspection time and is impractical for frequent brief access. Risks are acceptably controlled through: safety cage/hoops on ladder, user training, pre-use checks, detailed 6-monthly inspections, and restriction to suitable weather conditions. Based on low risk and short duration, fixed ladder use is justified under WAHR Schedule 6 Para 1."

Documentation:

- Risk assessment must be documented (WAHR Reg 4)
- Review annually or after significant changes
- Communicate to all users
- Make available to HSE inspectors

Source: [HSE: Risk Assessment](#)

5. INSPECTION REQUIREMENTS

Summary - Occasional Work Access (Up to 5 Times/Day)

Inspection Type	Frequency	Responsible Person	Recording Required	Legal Basis
Pre-Use Checks	Before each use by user	Ladder user	Not required (but good practice)	WAHR Schedule 6, Para 3
Detailed Inspection	6-12 months	Competent person	MANDATORY	PUWER 1998 Reg 6
Post-Event Inspection	After exceptional circumstances	Competent person	MANDATORY	PUWER 1998 Reg 6(3)

A. Pre-Use Checks - User Responsibility

Frequency: Before EACH use

Legal Basis: [WAHR 2005 Schedule 6, Para 3](#) requires ladders to be "in efficient working order" and users must verify safety before use.

Who: Each person using the ladder

Recording: Not legally required, but good practice to maintain log if multiple users

What to Check:

- ✓ Access to ladder clear and unobstructed
- ✓ No obvious structural damage visible
- ✓ Rungs clean and free of slippery substances
- ✓ No loose fixings or components
- ✓ Self-closing gate (if present) operates correctly
- ✓ Weather conditions suitable (not icy, excessively windy, or heavy rain)
- ✓ Adequate lighting for safe use

Action if Defects Found:

- DO NOT USE ladder
- Report defect to supervisor/manager immediately
- Arrange for competent person inspection
- Use alternative access if available

User Training: Users must be trained to conduct pre-use checks (PUWER Reg 9).

B. Detailed Inspection by Competent Person

Frequency: 6-12 months depending on:

- Use intensity (up to 5 times/day = moderate use)
- Environment (external/harsh = 6 monthly; internal/good conditions = 12 monthly)
- Ladder age and condition
- Previous inspection findings

For your situation (occasional use, brief inspections): Recommend 6-monthly if external, 12-monthly if internal protected environment.

Legal Basis: [PUWER 1998 Regulation 6](#) - equipment exposed to deteriorating conditions must be inspected at suitable intervals under the [Provision and Use of Work Equipment Regulations 1998](#).

Who: Competent person - see Section 6.

Recording: MANDATORY - inspection records must be kept until next inspection (minimum).

What to Inspect:

Structural Components:

- Stiles (side rails): Check for twisting, bending, denting, cracking, corrosion
- Rungs: Check for cracks, wear, bending, looseness, corrosion, slip resistance
- Fixings: Verify all bolts, anchors, brackets secure and not corroded
- Welds: Inspect for cracks, corrosion at weld points
- Foundation/mounting: Check structural integrity of fixing points

Safety Features:

- Safety cages/hoops (if present): Check for damage, looseness, corrosion, missing sections
- Self-closing gate (if present): Test operation, check springs/hinges
- Landing platform at top: Verify secure attachment, adequate size, guardrails intact
- Handholds: Verify adequate handholds at top of ladder

Environmental Factors:

- Corrosion: Assess extent and severity
- Protective coating: Check condition of paint/coating
- Biological growth: Check for algae, moss (slip hazard)
- Clearances: Verify 200mm behind rungs, 600mm on user side maintained

Documentation Required:

- Date of inspection
- Name and signature of competent person
- Ladder identification/location
- Condition of each component
- Defects identified with severity rating (critical/high/medium/low)
- Remedial actions required
- Deadline for completion of remedial actions

- Confirmation when remedial actions completed

Action if Defects Found:

- **Critical defects** (structural damage, missing components, unsafe): Take ladder out of service immediately, install barrier and signage, arrange immediate repair/replacement
- **Non-critical defects** (minor corrosion, worn paint): Schedule remedial action, re-inspect after completion

C. Post-Event Inspection

Frequency: After any event liable to jeopardize safety

Legal Basis: [PUWER 1998 Regulation 6\(3\)](#)

Triggering Events:

- Impact damage (vehicle collision, dropped object striking ladder)
- Severe weather (high winds, heavy snow load, flooding)
- Structural alterations to building near ladder
- Observed misuse or vandalism
- Any near-miss involving ladder

Who: Competent person (or structural engineer if significant structural concerns)

Recording: MANDATORY

Action: Do not return ladder to service until inspection confirms safety.

Source: [HSE: PUWER - Inspection](#)

6. COMPETENT PERSON REQUIREMENTS

Who Can Conduct Detailed Inspections?

A **competent person** for fixed ladder inspections must have:

1. **Knowledge:** Understanding of ladder types, structural components, deterioration mechanisms, relevant standards
2. **Experience:** Practical familiarity with fixed ladders and their inspection
3. **Training:** Instruction on inspection methods, defect recognition, severity assessment
4. **Ability:** Can systematically inspect, identify defects, assess safety implications, make decisions on continued use
5. **Assignment:** Formally given responsibility for inspections

Important: HSE does **NOT** require specific qualifications or certifications. Competence is based on **knowledge + experience + training + ability**.

Can Internal Employees Be Competent Persons?

YES - provided they meet the competence criteria above.

Typical Competent Persons:

- Experienced facilities/maintenance manager with ladder inspection training
- Engineering technician with structural knowledge and ladder inspection experience

- External ladder inspection specialist (professional service provider)
- Structural engineer (for complex or large installations)

Not Competent:

- Ladder users without inspection training
- Managers without technical knowledge of ladder construction
- Persons without sufficient experience to recognize defects

Recommendation: For most small-medium businesses, engaging an external ladder inspection specialist is cost-effective and ensures professional competence. For larger organizations with multiple ladders, training internal facilities staff may be appropriate.

Source: [HSE: Competence](#)

7. USER TRAINING REQUIREMENTS

PUWER 1998 Regulation 9 - Mandatory Training

All persons using fixed ladder for work access MUST receive training under the [Provision and Use of Work Equipment Regulations 1998](#):

Training Content:

1. Methods of Use:

- Three points of contact maintained at all times (two feet + one hand, or two hands + one foot)
- Face ladder while ascending/descending
- Secure handhold and support available at all times
- Do not overreach - reposition ladder or use alternative access

2. Risks:

- Falls from height (most significant)
- Slips on rungs (wet, contaminated, worn)
- Loss of grip (fatigue, poor handholds)
- Falling objects
- Structural failure (if ladder poorly maintained)

3. Precautions:

- Conduct pre-use check before each use
- Report defects immediately - do not use defective ladder
- Use tool belts/lanyards - keep hands free while climbing
- Do not carry heavy or bulky items while climbing
- Observe weather restrictions (no use in high winds, ice, heavy rain)
- Wear appropriate footwear (good grip, clean soles)
- Do not rush - climb at controlled pace
- Maintain three points of contact

4. Emergency Procedures:

- Who to contact if defect found
- What to do if fall/injury occurs
- First aid/emergency response

Training Delivery:

- Can be provided by competent in-house trainer or external provider
- Should include practical demonstration and supervised practice
- Must be documented (names, dates, content, trainer signature)

Refresher Training:

- Whenever significant changes to ladder or procedures
- If unsafe practices observed
- Recommend annually as good practice

Supervision:

- PUWER Reg 9 requires adequate supervision until user is competent
- New users should be supervised on first uses until supervisor confirms competence

Documentation:

- Maintain training records for all ladder users
- Make available for HSE inspection
- Review as part of risk assessment

Source: [HSE: Training](#)

8. KEY DIFFERENCES: OCCASIONAL WORK ACCESS vs. EMERGENCY ESCAPE

Aspect	Occasional Work Access (Your Situation)	Emergency Escape Only (Never Used for Work)
Primary Legislation	Work at Height Regulations 2005 + PUWER 1998	Regulatory Reform (Fire Safety) Order 2005 + PUWER 1998
Risk Assessment	MANDATORY under WAHR Reg 6	Required as part of fire risk assessment
Justification for Ladder Use	MUST justify over safer alternatives (WAHR Schedule 6 Para 1)	Not required - emergency escape context
Pre-Use Checks	MANDATORY - before each use by users	Not applicable (ladder not used in normal operations)
User Training	MANDATORY - all users must be trained (PUWER Reg 9)	Not required (occupants use in emergency without training)
Detailed Inspections	6-12 months (based on use and environment)	12 months (less frequent as no wear from use)
Safety Cages/Hoops (>2.4m)	LEGALLY REQUIRED OR fall arrest system	Recommended but not legally mandated
Supervision	Required until users competent (PUWER Reg 9)	Not applicable
Three Points of Contact	MUST be maintained during work use	Does not apply during emergency escape
Signage	General safety signage (optional)	Mandatory emergency exit signage
Emergency Lighting	Not required	Mandatory if natural light inadequate
Keeping Clear	Good practice	Legal requirement under Fire Safety Order

Critical Takeaway: Work access ladders (even occasional use) have MORE STRINGENT requirements than emergency-only ladders, particularly regarding risk assessment, user training, and inspection frequency.

9. COMPLIANCE CHECKLIST - OCCASIONAL WORK ACCESS

Risk Assessment and Justification

- ☐ Risk assessment completed for fixed ladder use ([WAHR 2005 Reg 6](#))
- ☐ Justification documented for ladder use over safer alternatives ([WAHR 2005 Schedule 6 Para 1](#))
- ☐ Short duration of use documented (brief inspections, under 30 minutes)
- ☐ Low frequency documented (up to 5 times/day)
- ☐ Control measures identified and implemented
- ☐ Risk assessment reviewed annually or after changes
- ☐ Risk assessment communicated to all users

Design and Structural Compliance

Pre-2006 Ladder (Grandfathered):

- ☐ Original installation date documented (or best estimate)
- ☐ No substantial modifications since installation (that would trigger current standards)
- ☐ Ladder maintained in safe condition (structurally sound)
- ☐ Any defects identified and remedied

Safety Features (2.5-6m Height):

- ☐ Safety cages/hoops installed OR fall arrest system implemented (legally required over 2.4m)
- ☐ Ladder extends at least 1m above landing OR suitable handholds provided
- ☐ Landing platform at top is secure and adequate
- ☐ Clearances maintained: 200mm behind rungs, 600mm on user side (if practicable)

Inspection Program

- ☐ Pre-use check system established (users trained to check before each use)
- ☐ Detailed inspection scheduled (6-12 months depending on environment)
- ☐ Competent person appointed for detailed inspections
- ☐ Inspection records maintained (kept until next inspection minimum)
- ☐ Post-event inspection procedure established (triggers defined)
- ☐ Previous inspection reports retained and accessible

User Training

- ☐ All ladder users have received training ([PUWER 1998 Reg 9](#))
- ☐ Training covers: methods of use, risks, precautions, emergency procedures
- ☐ Training includes three points of contact rule
- ☐ Training includes pre-use check requirements
- ☐ Training records maintained (names, dates, content)
- ☐ Supervision provided until users competent
- ☐ Refresher training plan established

Maintenance Program

- ☐ Defect reporting procedure established
- ☐ Remedial works process defined (prioritization, timelines, completion confirmation)
- ☐ Preventive maintenance scheduled (cleaning, painting, lubrication as needed)
- ☐ Budget allocated for maintenance and repairs
- ☐ Ladder taken out of service if critical defects found (barrier and signage installed)

Documentation

- ☐ Risk assessment documented and accessible
- ☐ Inspection records maintained and accessible
- ☐ Training records maintained
- ☐ Remedial works records maintained
- ☐ All records available for HSE inspection

Ongoing Compliance

- [] Pre-use checks conducted before each use
- [] Defects reported immediately and ladder not used until repaired
- [] Detailed inspections conducted at scheduled intervals
- [] Training provided to new users before first use
- [] Risk assessment reviewed annually
- [] Monitoring of near-misses or incidents involving ladder

10. ENFORCEMENT AND PENALTIES

HSE Enforcement Powers

HSE inspectors have powers under HSWA 1974 to:

- Enter premises and inspect work equipment
- Request inspection records, risk assessments, training records
- Interview employees about ladder use and training
- Issue enforcement notices if non-compliance identified

Potential Enforcement Actions

Improvement Notice ([HSWA 1974 Section 21](#)):

- Issued if inspector believes breach of health and safety law under the [Health and Safety at Work etc. Act 1974](#)
- Requires specific actions within specified timeframe (typically 21-28 days)
- Examples: Implement inspection regime, provide user training, install safety cage, conduct risk assessment

Prohibition Notice ([HSWA 1974 Section 22](#)):

- Issued if inspector believes activity involves risk of serious personal injury
- Prohibits use of ladder until requirements met
- Can be immediate or deferred
- Example: Ladder with structural damage, no safety cage on ladder over 2.4m used for work

Prosecution:

- Failure to comply with WAHR, PUWER, or HSWA is criminal offense
- Magistrates' Court: Fines up to £20,000 per offense
- Crown Court: Unlimited fines, imprisonment up to 2 years
- Directors/managers can be personally prosecuted for serious breaches

Fee for Intervention (FFI):

- HSE may charge costs of investigation if "material breach" identified
- Charged at £181 per hour (2024/25 rate)
- Costs can be substantial for extended investigations

Common Triggers for Enforcement:

- Serious injury/fatality involving ladder
- Complaints from employees about unsafe ladder use

- Routine HSE inspection finding no risk assessment or inspection records
- Repeat non-compliance after previous warnings

Best Practice: Maintain comprehensive documented compliance (risk assessment, inspection records, training records) to demonstrate ongoing compliance to HSE.

Source: [HSE: Enforcement](#)

11. WHEN TO CONSIDER ALTERNATIVE ACCESS

Indicators That Fixed Ladder May Not Be Appropriate

Consider installing safer alternative access if:

Work Characteristics Change:

- Work duration increases (>30 minutes per visit)
- Work frequency increases significantly (>10 times/day)
- Work complexity increases (requires carrying heavy tools/materials)
- Work requires two hands (not possible while maintaining three points of contact)

User Characteristics:

- Users include elderly, less mobile, or inexperienced persons
- High turnover of users (training burden increases)
- Users report discomfort or difficulty using ladder

Safety Concerns:

- Repeated near-misses or incidents
- Pre-2006 ladder lacks safety cage and retrofitting is impractical
- Structural condition deteriorating and repairs becoming frequent/costly
- Risk assessment identifies risks not adequately controlled

Regulatory Pressure:

- HSE raises concerns during inspection
- Difficulty justifying ladder use under WAHR Schedule 6 Para 1
- Changes to regulations or guidance

Safer Alternatives to Consider

Fixed Staircase:

- Most significant improvement in safety
- Eliminates fall risk during access
- Allows carrying equipment/materials safely
- Suitable for frequent access
- **Justification needed why not adopted:** Usually cost and space constraints

External Fire Escape Staircase:

- Safer than ladder

- Can serve dual purpose (work access + emergency escape)
- Requires structural assessment and building regulations approval

Mobile Elevated Work Platform (MEWP):

- Safer for extended work at height
- Not practical for frequent brief access (setup time)
- Requires operator training and certification

Scaffolding with Full Guardrails:

- Safe working platform
- Not practical for permanent access
- Suitable for extended maintenance campaigns

Remote Monitoring/Extended Tools:

- Eliminate need for access at height
- Consider remote sensors, cameras, extended tools for ground-level operation

Decision Criteria:

Balance:

- **Risk reduction** (how much safer is alternative?)
- **Cost** (capital, installation, ongoing maintenance)
- **Practicability** (space, structural feasibility, building constraints)
- **SFAIRP** (So Far As Is Reasonably Practicable) - is cost of alternative grossly disproportionate to marginal safety benefit?

Document Decision: Whether retaining ladder or installing alternative, document rationale in risk assessment.

12. SUMMARY OF LEGAL REQUIREMENTS

Requirement	Legislation	Specific Obligation
Risk Assessment	WAHR 2005 Reg 6	Must assess work at height risks, document control measures
Justify Ladder Use	WAHR 2005 Schedule 6 Para 1	Must justify why ladder used rather than safer alternatives
Suitable Equipment	PUWER 1998 Reg 4	Ladder must be suitable for purpose, users, environment
Maintain in Good Repair	PUWER 1998 Reg 5	Ladder must be maintained in efficient working order
Inspection Regime	PUWER 1998 Reg 6	Detailed inspections 6-12 monthly by competent person, records kept
Post-Event Inspection	PUWER 1998 Reg 6(3)	Inspect after any exceptional circumstances, records kept
User Training	PUWER 1998 Reg 9	All users must receive training on methods, risks, precautions
Supervision	PUWER 1998 Reg 9	Adequate supervision until users competent
Safety Cage/Fall Arrest	BS 4211/BS EN ISO 14122-4 + PUWER Reg 4 + HSWA s.2 (general duties)	Fixed ladders over 2.4m should have cages/hoops OR fall arrest systems (industry standard to meet general duty requirements)
Sufficient Handhold	WAHR 2005 Schedule 6 Para 5	Ladder must extend sufficiently above landing OR other suitable handhold
Three Points of Contact	WAHR 2005 Schedule 6 Para 3	Secure handhold and support available to users at all times

13. SOURCES AND REFERENCES

UK Legislation

- [Work at Height Regulations 2005](#)
- [WAHR Schedule 6: Requirements for Ladders](#)
- [Provision and Use of Work Equipment Regulations 1998 \(PUWER\)](#)
- [Health and Safety at Work etc. Act 1974](#)

HSE Guidance

- [HSE: Safe Use of Ladders and Stepladders](#)
- [HSE: Work at Height Overview](#)
- [HSE: PUWER Overview](#)
- [HSE: Risk Assessment](#)
- [HSE: Competence](#)

British Standards

- BS 4211:2005+A1:2008 - Specification for permanently fixed ladders
- BS EN ISO 14122-4:2016 - Safety of machinery: Fixed ladders

Additional Resources

- [LA455: Safe Use of Ladders and Stepladders - A Brief Guide \(2021\)](#) - Jointly published by Ladder Association and HSE (replaces INDG455)
- [HSG33: Health and Safety in Roof Work](#) - Includes ladder access to roofs

Document Created: December 2024 **Context:** Pre-2006 fixed ladder, 2.5-6m height, occasional work access (up to 5 times/day), brief inspections **Review Date:** Annually or when regulations/guidance updated

14. IMPORTANT DISCLAIMER

This document provides guidance on UK legislation and legal requirements for fixed ladders used for occasional work access. It does **NOT** constitute legal advice or professional engineering advice.

Duty Holders Must:

- Conduct site-specific risk assessments under WAHR 2005
- Engage competent persons for inspections and training
- Consult structural engineers where structural concerns identified
- Verify current versions of all regulations and standards (may be updated)
- Adapt guidance to specific circumstances of their installation

Key Limitations:

- Guidance is specific to **occasional work access** (up to 5 times/day) for **brief inspections** (under 30 minutes)
- Different requirements apply to frequent/extended use or emergency-only use
- Pre-2006 installations may have site-specific factors requiring professional assessment
- Local HSE interpretations may vary - consult HSE guidance for specific situations

Compliance with this guidance does not guarantee legal compliance in all circumstances. Each installation must be assessed individually based on specific use, risks, environment, and regulatory requirements.

For complex installations, uncertain circumstances, or legal concerns, engage competent health and safety professionals or consult HSE directly.

15. RELATED DOCUMENTS

- [Emergency_Escape_Ladder.md](#) - Guidance for fixed ladders used solely for emergency escape (different requirements)
- [Competent Person Fixed Ladder Inspections.pdf](#) - Detailed guidance on competence requirements for inspectors (if available)