

## The legal requirements for fork lift truck operator refresher training

### Operator competence

To ensure that the operator is fully competent and aware of current principles, refresher training will need to be given at intervals suitable to the needs and capabilities of the operator. Employers should determine suitable intervals by the use of performance monitoring and assessment.

### Refresher training frequency

There is no specific time period after which you need to provide refresher training, but the accredited training establishment providing the initial training should be able to advise this. However, a common interval for refresher training is 3-5 years, but this will depend on the specific circumstances of particular operators. Also you may decide that automatic refresher training or a retest, after a set period of time is the best way to make sure employees stay competent. Where you adopt this approach, you will still need to monitor performance in case operators need extra training before the set period ends.

### Monitoring and assessment

Fork lift truck operators even those who are trained and experienced, need to be routinely monitored and where necessary, retested or refresher trained to make sure they continue to operate fork lift trucks safely.

You can identify the need for further training using a formal monitoring and assessment process, carried out by a suitably competent person, such as an instructor. This assessment should be formally timetabled e.g. a retest, to make sure it is done at reasonable intervals.

Where an operator fails this assessment, arrange further training for them. You may find it useful to record these assessments in operators' personnel records.

### Refresher training

Regular refresher training will ensure operators:

- Maintain good driving habits.
- Learn new skills where appropriate.
- Reassess their abilities.

Refresher training or retesting might also be appropriate where operators:

- Have not used trucks for some time.
- Are occasional users.
- Appear to have developed unsafe working practices.
- Competence or safety performance gives cause for concern.
- Have had an accident or near miss.
- Have changed their working practices or environment.
- Variant of fork lift truck or handling attachment is significantly changed.

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### Approved code of practice

The Health and Safety Executive's (HSE) Approved Code of Practice (ACOP) and guidance **L117** **Rideroperated Lift Trucks** gives practical advice to help employers ensure that all operators, even those who use fork lift trucks on an occasional basis, receive adequate training.

ACOP L117 proposes that refresher training should be provided to fork lift truck operators every 3-5 years. Depending on company policy, this will vary according to frequency of use, near misses etc.

Fork lift truck operator training is to be consistent with the standards outlined in ACOP L117. While ACOP L117 is not law, it has been produced under section 16 of the **Health and Safety at Work etc Act, 1974** and has special status in law.

### Law

Employers have a general duty under **Section 2 of the Health and Safety at Work etc. Act 1974** (HSW Act) to provide information, instruction, training and supervision to ensure the health and safety of their employees.

Under **The Provision and Use of Work Equipment Regulations 1998** (PUWER) employers are required to 'ensure that all persons who use work equipment have received adequate training for purposes of health and safety. Including training in the methods which may be adopted when using the work equipment, any risks which such use may entail and precautions to be taken'.

**The Lifting Operations and Lifting Equipment Regulations 1998** (LOLER) deals with specific hazards/risks associated with lifting equipment and lifting operations. If you provide lifting equipment for use at work, or you have control of the use of lifting equipment, you should make sure that every lifting operation involving a lift truck is:

- Properly planned by a competent person. This is usually the operator for most fork lift-truck work, so they should have the appropriate training, knowledge and expertise. For unusual complex tasks or situations, specific risk assessments and planning are likely to be required.
- Appropriately supervised.
- Carried out in a safe manner using suitable equipment.

**The Management of Health and Safety at Work Regulations 1999** also place duties on employers to provide training.

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### UKMHA further guidance

Also see UKMHA Fact Sheets 1, 2, 6, 9 and 23 for further information.

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The information in this Fact Sheet has been assembled and interpreted to give truck owners and users basic guidance on frequently asked questions. Further important information will be given in the quoted reference documents. Responsibility for meeting the safety obligations discussed rests with the employer, and the UKMHA will not accept liability for any problem arising as a result of the content of this document. Technical Bulletins, containing more detailed information and updated as appropriate, are made available free to members of the **UKMHA SAFE USER GROUP**.

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