



Derby City Council

**Personnel Committee  
10 September 2015**

Report of the Acting Strategic Director of  
Neighbourhoods

# ITEM 5

## Noise at Work Policy

### SUMMARY

- 1.1 Noise-induced hearing loss is a commonly diagnosed industrial disease. A new Noise at Work Policy and linked guidance for managers has been developed in consultation with our Trade Union Health and Safety Representatives.
- 1.2 Key policy principles include that:
- employees must not be exposed to harmful levels of noise
  - noise risk assessments must be carried out when employees (individuals or groups) are exposed to noise at legal action levels
  - noise measurements must only be carried out by competent individuals
  - remedial action to protect employees must reduce noise to levels that are 'as low as is reasonably practicable' and follow the standard hierarchy of control
  - procurement decisions about equipment, machinery and tools must include an evaluation of noise levels and follow a quiet procurement policy
  - health surveillance must be provided for employees in job roles that include noisy tasks or environments. This includes baseline assessments at recruitment and whenever tasks or equipment changes.
  - information and training on work-related noise will be provided for employees.

### RECOMMENDATION

- 2.1 To approve the Noise at Work Policy and support its implementation.

### REASONS FOR RECOMMENDATION

- 3.1 The Policy is required to protect our employees and ensure that the Council meets its legal obligations under the Control of Noise at Work Regulations. It supports existing local policies and arrangements.

## SUPPORTING INFORMATION

- 4.1 Work-related hearing loss is preventable but damage can become permanent. The Health and Safety Executive state that some 17,000 people in the UK suffer deafness, tinnitus or other ear conditions as a result of exposure to excessive noise at work. This can have a significant impact on the individual and their family.
- 4.2 The Control of Noise at Work Regulations require employers to prevent or reduce risks to health and safety from exposure to noise at work. Employees also have duties under the Regulations. The Regulations require employers to:
- assess the risks to employees from noise at work
  - take action to reduce the noise exposure that produces those risks
  - provide employees with hearing protection if the noise exposure cannot be reduced enough by using other methods
  - make sure the legal limits for noise exposure are not exceeded
  - provide employees with information, instruction and training
  - carry out health surveillance where there is a risk to health.

The Regulations do not apply to:

- members of the public exposed to noise from their non-work activities, or making an informed choice to go to noisy places
  - low-level noise that is a nuisance but causes no risk of hearing damage.
- 4.3 The most efficient and effective ways of controlling noise are by technical and organisational means that protect workers at source, such as changes in process, reducing vibration (damping), and reducing time spent in noisy areas. A quiet purchasing policy is another key element of this.
- 4.4 Health surveillance for hearing damage usually means:
- regular hearing checks in controlled conditions
  - telling employees about the results of their hearing checks
  - keeping health records
  - ensuring employees are examined by a doctor where hearing damage is identified.

Ideally, health surveillance should start before employees are exposed to noise (for example, new starters or those changing jobs), to give a baseline. It can, however, be introduced at any time for employees already exposed to noise. This would be followed by a regular series of checks. The hearing checks need to be carried out by someone who has the appropriate training. The whole health surveillance programme needs to be under the control of an occupational health professional.

4.5 Noise-induced hearing loss claims are now being actively pursued by legal firms and the 'no win; no fee' industry. Potential compensation amounts are publicised on these organisations' websites and are in the region of:

- £73,000 to £88,000 for total deafness
- £25,000 to £37,000 for total deafness in one ear
- £23,000 to £37,000 for severe tinnitus
- £10,000 to £12,000 for mild tinnitus with some hearing loss
- £5,000 for slight hearing loss.

Details supplied by the Principal Insurance and Risk Officer suggests that claims currently registered with him for noise-related injury are likely to cost the Council £137,500. This excludes historic claims relating to Derby City Transport.

#### OTHER OPTIONS CONSIDERED

5.1 None.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Olu Idowu, Head of Legal Services Amanda Fletcher Tina Holmes  Christine Durrant; Nick O'Reilly, Richard Boneham, Adrian Jeffs; Andy Sidle (Occupational Health)
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Sue Kelly 01332 642385 sue.kelly@derby.gov.uk None Appendix 1 - Implications Appendix 2 - Noise at Work Policy

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 Implementing the Policy should lead to a reduction in the costs associated with claims for work-related hearing damage.

It is difficult to assess the financial impact of implementing a quiet purchasing policy. The impact of introducing additional requirements into the procurement process should be minimal. Costs over the longer term should reduce as the requirement for replacing equipment and machinery due to noise levels lowers.

**Legal**

- 2.1 The Council has statutory obligations under the Control of Noise at Work Regulations 2005 to prevent or reduce risks to health and safety from exposure to noise at work.

**Personnel**

- 3.1 The policy requires baseline and ongoing health surveillance for employees working with noisy equipment or in noisy environments. Baseline assessments need to be included as part of the recruitment process for appropriate services.

There may be employment implications for employees who:

- cannot continue in their current role due to noise-induced hearing loss (where options for redeployment and reasonable adjustments have been fully explored)
- fail to comply with the policy and noise control or protective measures that are required as a result of noise risk assessments.

**IT**

- 4.1 None arising directly from the report.

**Equalities Impact**

- 5.1 The Equality Impact Assessment has been completed. Consultation took place with members of the Employee Networks. No significant amendments were required to the Policy; some additional explanation will be added to the Managers' Guidance.

## **Health and Safety**

6.1 Approval and implementation of the Noise at Work Policy is necessary to ensure the Council meets its legal obligations under the:

- Health and Safety at Work etc. Act 1974
- Control of Noise at Work Regulations 2005.

## **Environmental Sustainability**

7.1 None arising directly from the report. Electronic media and resources will be used as far as possible to reduce the environmental impact of the policy.

## **Property and Asset Management**

8.1 None arising directly from the report.

## **Risk Management**

9.1 The Policy aims to reduce the risks from inadequate management of work-related noise. It will also contribute to:

- improved compliance with health and safety law
- reduced costs from noise-related insurance and civil claims
- reduced likelihood of costs associated with possible enforcement action or fees for intervention by the Health and Safety Executive.

9.2 Accurate and readily retrievable records are key to defending insurance claims. Directorates must make sure they have robust long-term retention and storage arrangements in place.

## **Corporate objectives and priorities for change**

10.1 The Policy supports our corporate pledges for a safe city and resilient Council which promotes health and wellbeing.

# Noise at Work Policy

## Policy Purpose

Noise-induced hearing loss is a commonly diagnosed industrial disease. As well as being caused by sudden, extremely loud noises, it can also develop slowly over a number of years of regular exposure to loud noise. Hearing damage caused by repeated noise exposure will become permanent and incurable.

This is the Council's policy on noise at work. It aims to make sure:

- work activities involving exposure to loud noise are adequately controlled to prevent damage to health
- safety risks, such as noise levels affecting the ability to hear instructions or warnings, are adequately controlled.

## Document Control

Implementation date	
Author	Paul Richardson, HST
Equality impact assessment date	July 2015
Version Control	1.10 - New policy
Review required	



## Policy application

1. The policy applies to:
  - work activities undertaken by Council employees, contractors, volunteers and agency workers and the locations they may visit in the course of their work, and
  - members of the public who may be affected by our work activities.
2. The policy **does not** apply to:
  - anyone who makes an informed decision to go to noisy places in their spare time, or
  - environmental nuisance noise created by members of the public.

## Principles

3. The Council will comply with the Control of Noise at Work Regulations 2005.
4. Employees must not be exposed to harmful levels of noise. As a 'general rule of thumb', harm is likely if noise levels are intrusive and mean conversations have to be shouted. If noise levels reach legal exposure limit values then protective action must be taken **immediately**.
5. Directorates must devise, implement and monitor appropriate local arrangements to meet the requirements of this policy and manage any risks from noise at work. These arrangements **must** include the long-term storage of risk assessments, noise measurement data and action plans.
6. Risk assessments must be carried out and recorded when any employee or group of employees is exposed to noise at legal action levels. Risk assessments must be reviewed regularly, and whenever there are legislative changes, and significant alterations to work activities, equipment or arrangements.
7. Action to reduce noise levels must:
  - aim to eliminate or reduce noise to levels that are as low as reasonably practicable
  - follow the standard hierarchy of control. This means organisational and technical measures that give collective protection should be implemented first whenever possible. Personal measures, such as individual hearing protection, should always be a last resort.
8. Only competent individuals will carry out noise measurements used for risk assessments or give advice on risk control measures.

9. Any equipment used to measure noise levels must meet the requirements of current regulations and standards.
10. A selection of hearing protection will be made available to at risk employees. Product selection processes must consider any likely communication difficulties users could experience, including being unable to hear warning or emergency signals. They must also take account of individual's specific health and cultural needs.
11. Where hearing protection zones are identified by risk assessment, hearing protection must be used by all employees, visitors, volunteers and contractors. Disciplinary procedures will be used if individual employees, including managers and supervisor, persistently fail to use hearing protection when required to do so.
12. All equipment, including hearing protectors, provided for work activities must be maintained in good condition. Employees must report any defects to supervisors and managers as soon as possible.
13. Procurement decisions about buying or hiring equipment, machinery and power tools must include an evaluation of the noise levels they're likely to create. The equipment least likely to cause hearing damage should always be selected unless there are compelling reasons for doing otherwise. Procurement decisions and rationale must be recorded.
14. Risk assessment findings will be used to identify employees and job roles that require health surveillance (audiometric tests).
15. Baseline health surveillance must be carried out when employees begin work activities involving high noise levels. This might be as part of the recruitment process to jobs involving high noise levels or when tasks or equipment change. The frequency of health surveillance will be determined by the noise risk assessment and / or Occupational Health.
16. Employees must comply with procedures, measures and testing aimed at preventing noise-induced hearing loss.
17. Employees will receive appropriate information, instruction and training on noise at work. This will vary according to role, risk and individual needs.
18. Information on likely noise levels will be shared with contractors, agency workers and volunteers.

## **Roles and responsibilities**



19. Everyone shares a responsibility for their own health and wellbeing and for that of their colleagues. Appendix 1 details individual responsibilities under this policy. The Corporate Health and Safety Policy Statement of Intent outlines the main roles and responsibilities that underpin all policies.
20. A separate guidance document for managers is available on iDerby and the Schools' Information Portal. See paragraph 22.

### **Support and information**

21. Occupational Health (OH) gives advice and support to managers and employees on health issues, including noise-induced hearing loss. They also carry out health surveillance. Contact OH by:
  - calling 01332 **640543**, or
  - emailing [occupational.healthservice@derby.gov.uk](mailto:occupational.healthservice@derby.gov.uk).
22. The [Health and Safety Team](#) (HST) provides advice and training on noise at work. Contact HST by:
  - calling 01332 640748, or
  - emailing [employee.healthandsafety@derby.gov.uk](mailto:employee.healthandsafety@derby.gov.uk)

The team has also developed a range of documents to help managers and employees. Copies can be found on the Occupational Health and Safety pages on [iDerby](#) and the [Schools' Information Portal](#), or by contacting the HST.

## **ROLES AND RESPONSIBILITIES**

### **Chief Officers and Heads of Service**

1. Chief Officers and their Senior Management Teams are responsible for ensuring their departments meet the requirements of this policy. To do this they must...
  - Oversee and actively monitor the development and implementation of departmental arrangements and action plans.
  - Show their positive and visible commitment to ensuring employees are not exposed to the risk of hearing damage.

### **Managers**

2. Managers must...
  - Ensure suitable and sufficient noise risk assessments are undertaken on any service activities that involve noise at or above the lower exposure action values.
  - Set up robust arrangements for the long-term storage of risk assessments, noise measurement data and action plans.
  - Involve staff and their representatives in the risk assessment process and in the development of risk control measures.
  - Ensure noise is reduced to as low a level as possible, prioritising organisational and technical measures before the introduction of hearing protection.
  - Develop and implement noise controls and noise action plans with clear priorities and timescales.
  - Ensure suitable hearing protection devices are made available for employees who are regularly exposed to noise between the lower and upper exposure action values.
  - Ensure that the use of hearing protection is made compulsory when employees are exposed above the upper exposure action values.
  - Ensure no employee is exposed above the exposure limit values, after taking the effects of hearing protection into account.
  - Mark or label 'hearing protection' zones or, where work is mobile, mark or label tools, equipment and vehicles with appropriate signage to indicate that the wearing of hearing protection is compulsory.
  - Organise information, instruction and training to those exposed to noise at the lower exposure action levels.

- Ensure that if duties under this policy are delegated to others that they are competent to undertake them.
- Consider and assess the noise levels of equipment **before** they purchase or hire it.
- Implement maintenance programmes for equipment which generate high noise levels.
- Ensure work which generates high noise levels is regularly supervised and monitored to ensure noise controls are implemented and effective.
- Provide information on likely noise levels within their services to contractors, agency workers and volunteers.
- Identify employees who require health surveillance and provide the details to Occupational Health.
- Act on advice from Occupational Health if signs of hearing damage have been noted.
- Act on advice from HST if inspections or audits identify failures in noise controls or if legal requirements are not being met.

## **Employees**

### **3. Employees must...**

- Help managers to complete noise risk assessments and develop effective protective measures.
- Comply with noise control measures designed to reduce noise exposure and minimise risks to health.
- Use hearing protection when it has been highlighted as compulsory.
- Keep hearing protection clean and in good condition.
- Tell their manager about any health concerns they have, including symptoms that may be linked to workplace noise exposure.
- Attend Occupational Health and participate in health surveillance.
- Attend and participate in training.

## **Trade Union Health and Safety Representatives (HSRs)**

### **4. HSRs have legal rights in the workplace. These include the right to:**

- be consulted about any planned changes that could affect their members' HSWb, such as noise control measures and equipment procurement decisions
- monitor and review policies, procedures and directorate arrangements

- investigate noise hazards, cases of noise-related hearing loss and complaints reported to them by their members'
- do inspections and take copies of any documents linked to HSWb in the workplace.

### **Occupational Health**

#### **5. Occupational Health will...**

- Undertake or provide health surveillance for those employees identified as at risk.
- Record and store medical records, including from hearing checks
- Provide reports and advice to managers relating to the health effects of noise.

### **Health and Safety Advisers**

#### **6. Health and Safety Advisers will...**

- Provide advice to managers on all aspects of noise control including noise measurement, risk assessments and action plans, hearing protection and training.
- Periodically audit and report on departmental noise management systems and arrangements.
- Assist in the investigation of reported incidents of workplace noise-induced hearing loss.