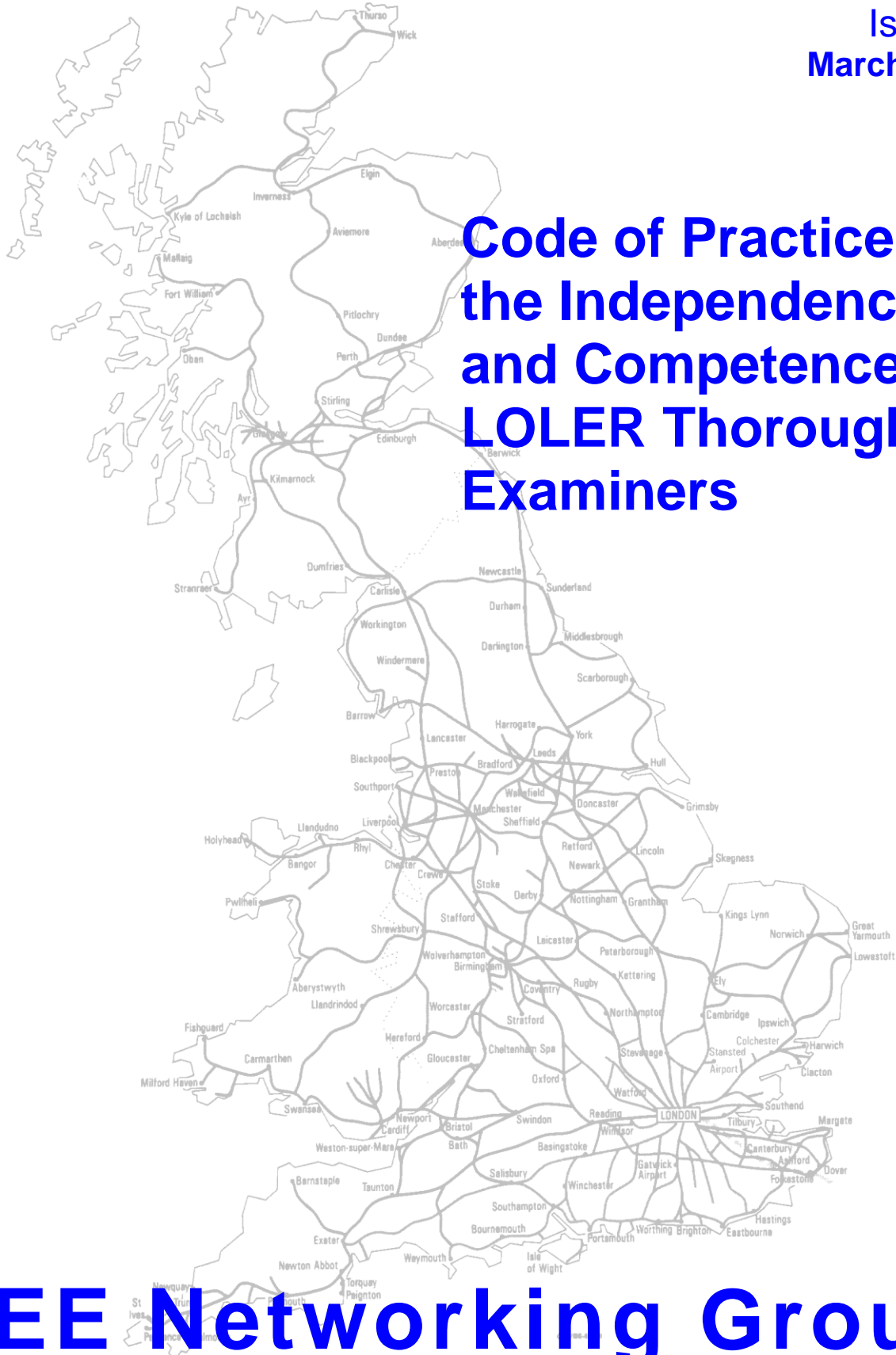


**COP0029**

Issue 1  
March 2014



**Code of Practice for  
the Independence  
and Competence of  
LOLER Thorough  
Examiners**

**M&EE Networking Group**

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## Document revision history

Issue	Date	Reason for change
1	Mar 14	First issue

## Background

A sub-group of the M&EE Networking Group have looked at various published standards and reviewed current industry practice, for the thorough examination of lifting equipment and lifting accessories as required by the Lifting Operations and Lifting Equipment Regulations (LOLER); and have made recommendations for consistent processes across the industry. The M&EE Networking Group recommend this COP as good practice for the industry.

M&EE COPs are produced for the benefit of any industry partner who wishes to follow the good practice on any railway infrastructure. Where an infrastructure manager has mandated their own comparable requirements, the more onerous requirements should be followed as a minimum for work on their managed infrastructure.

The M&EE Networking Group makes no warranties, express or implied, that compliance with this document is sufficient on its own to ensure safe systems of work or operation. Users are reminded of their own duties under health and safety legislation.

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## Sign off

The M & EE Networking Group agreed and signed off this Code of Practice on 12 March 2014 and published on 7 June 2014.

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## Purpose

This Code of Practice details the various minimum requirements for independence of the examiner for thorough examination of lifting equipment and accessories and the minimum competence levels needed for use in the railway industry.

## Scope

This Code of Practice concerns the independence and competence of examiners used to provide a thorough examination as required by LOLER.

## Definitions

**LOLER** The Lifting Operations and Lifting Equipment Regulations, 1998.

**Items** Lifting equipment, machinery, or lifting accessory, to be examined

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## 1 Independence

### 1.1 Level of independence

- 1.1.1 The standard BS EN ISO17020 sets various requirements for different levels of independence of examiners from the items to be examined. The use of this standard is recommended for examiners used to perform thorough examinations.
- 1.1.2 There are three types of independence which are able to be used for thorough examination in the railway environment:
- a) Type A, where the examiner is totally independent from the company whose assets are being inspected, see 1.2.
  - b) Type B, where the examiner is in a different functional department but may employed by the company whose assets are being inspected, see 1.3.
  - c) Type C, where the examiner has not been involved with the maintenance/repair etc of the items examined, but may be employed within the same business function of the company whose assets are being inspected see 1.4.

### 1.2 Type A examination – extract from BS EN ISO 17020

- 1.2.1 The inspection body shall be independent of the parties involved.
- The inspection body, and its staff responsible for carrying out the inspection shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the items which they inspect, nor the authorised representative of any of these parties.
- 1.2.2 The inspection body and its staff shall not engage in any activities that may conflict with their independence of judgement and integrity in relation to their inspection activities. In particular they shall not become directly involved in the design, manufacture, supply, installation, use or maintenance of the items inspected or similar competitive items.
- 1.2.3 All interested parties should have access to the services of the inspection body. There should not be undue financial or other conditions. The procedures under which the body operates should be administered in a non-discriminatory manner.

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### **1.3 Type B examination – extract from BS EN ISO 17020**

- 1.3.1 A clear separation of the responsibilities of the inspection personnel from those of the personnel employed in the other functions shall be established by organisational identification and the reporting methods of the inspection body within the parent organisation.
- 1.3.2 The inspection body and its staff shall not engage in any activities that may conflict with their independence of judgement and integrity in relation to their inspection activities. In particular they shall not become directly involved in the design, manufacture, supply, installation, use, or maintenance of the items inspected, or similar competitive items.
- 1.3.3 Inspection services shall only be supplied to the organisation of which the inspection body forms a part.

### **1.4 Type C examination – extract from BS EN ISO 17020**

- 1.4.1 The inspection body shall provide safeguards within the organisation to ensure adequate segregation of responsibilities and accountabilities in the provision of inspection services by organisation and/or documented procedures.

### **1.5 Inspection of OTM, OTP and associated equipment**

- 1.5.1 It is permissible for the owner or controller of maintenance of the items to choose a type A, B or C inspection, as they deem acceptable. Whichever type of examination is chosen they should meet the requirements of BS EN ISO 17020: 2012. In all cases this means that the person who installs, repairs or maintains an item is not permitted to carry out the LOLER thorough examination.
- 1.5.2 It is permissible for a Type C examiner to carry out a subsequent thorough examination of an installation or repair that they have previously carried out, provided that a LOLER thorough examination has been carried out independently in the intervening time period.
- 1.5.3 The owner or controller of maintenance of the items who has chosen a type C inspection should specifically satisfy themselves that the inspector is sufficiently independent of the production/maintenance department whilst they carry out the inspection to be under no undue influence to accept any suspect item of equipment as fit for use.

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## 2 Competence

### 2.1 Employees competence requirements

- 2.1.1 A 'Competent Person' is defined in the Approved Code of Practice for LOLER as having “such appropriate practical and theoretical knowledge and experience of the lifting equipment to be thoroughly examined as will enable them to detect defects or weaknesses and to assess their importance in relation to the safety and continued use of the lifting equipment”.
- 2.1.2 Except as shown in 2.1.3, for examination of railway items 'practical knowledge' should be taken to mean a “hands-on” knowledge and experience of the safe operation, repair methods, common faults and/or characteristics of the item being examined. Thus to carry out a thorough examination of a RRV excavator crane an examiner would need experience of hydraulic excavators and rail wheel equipment.
- 2.1.3 Where the item of railway equipment is so specialised that it is unreasonable for an independent person to have knowledge and experience it is acceptable for a suitable fitter to accompany a category A examiner. In such a case both parties should sign the certificate.
- 2.1.4 For examination of railway items 'theoretical knowledge' should include understanding of the relevant legislation and standards (including railway group standards, rail industry standards, M&EE COPs and infrastructure managers' own standards), knowledge and experience of the associated hydraulic, mechanical and electrical safety systems, and how to calculate test loads and calibration parameters.
- 2.1.5 In addition the thorough examiner should:
- be physically fit.
  - be comfortable working at height.
  - have a responsible attitude.
  - be able to communicate clearly with other personnel on site.
  - be familiar with site specific safety requirements.

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- be aware of their responsibilities under the Health and Safety at Work Act and supporting regulations.
- be trained in the use, pre-use checks and maintenance of their personal protective equipment and capable of using it correctly.
- have an understanding of the legislative requirements for thorough examination and this COP.
- have an understanding of engineering drawings and manufacturing literature relevant to the item to be examined.
- have knowledge of the materials and techniques used in the manufacture and assembly of the item to be examined.
- have knowledge of appropriate non-destructive testing techniques.
- be aware of their limitations.

2.1.6 The examiner should have both appropriate recognised formal qualifications and a relevant level of practical experience in a related engineering field.

For thorough examination in the railway industry the examiner should be a minimum of one of the following:

- a) Engineering Technician as defined by the Engineering Council or equivalent (e.g. appropriate HNC with relevant experience) having a minimum of 5 years of experience within a relevant discipline of which at least one year shall have been spent working within a railway engineering discipline related to lifting equipment.
- b) Person trained in a relevant engineering discipline with a recognised and documented engineering apprenticeship (in lieu of an academic qualification) with a minimum of 5 years of experience within the railway industry of which at least one year shall have been spent working within an engineering discipline related to lifting equipment.
- c) Level 4 (Engineer Surveyor National Vocational Qualifications (NVQ) are available for competent persons carrying out thorough examination of mobile cranes and with suitable railway experience.

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## **2.2 Employers requirements**

- 2.2.1 Employers of examiners should determine the competence of each individual person, both existing employees and new entrants, based on the attributes listed in 2.1, together with formal qualifications. A shortfall on attainment level does not preclude employment in this role but such shortfalls should be addressed before the person is allowed to carry out unsupervised thorough examinations of items in the railway environment.