



**PORTS OF JERSEY**  
YOUR ISLAND GATEWAY

# **Safety in Docks and Outlying Harbours (Jersey)**

**Code of Practice  
Issue 1  
January 2016**

## Contents

<b>Introduction and Application.....</b>	<b>4</b>
<b>Definitions.....</b>	<b>5</b>
<b>Managing for Health and Safety in Docks.....</b>	<b>7</b>
Responsibilities of Specific Organisations.....	8
Organisations with Landlord Duties, e.g. Harbour Authorities and/or Dock Operators .....	8
Organisations Operating Within the Dock or Outlying Harbour, e.g. Dock Operator, Stevedores, Mooring Line Services for Commercial Vessels, Terminal Operator and Warehouse Operator and Crane Operator .....	8
Labour Suppliers .....	8
Ships’ Masters and Shipping Agents.....	9
Other Organisations.....	9
<b>Workplace Transport .....</b>	<b>9</b>
Safe Site – Design and Activity.....	9
Safe Vehicle .....	10
Safe Driver .....	12
<b>Working at Height.....</b>	<b>12</b>
Access to Ships.....	12
Access Between Ships.....	13
Cargo.....	13
General .....	13
<b>Lifting Operations .....</b>	<b>13</b>
Planning and Organising Lifting Operations .....	13
Use of Lifting Equipment .....	14
Lifting Equipment Used for Lifting People .....	15
Maintenance of Lifting Equipment and Lifting Accessories.....	15
Competency of Persons Operating Lifting Equipment .....	16
<b>Slips and Trips.....</b>	<b>16</b>
Approaches to Reducing Slips and Trips.....	16
<b>Rescue and Life Saving From Water .....</b>	<b>17</b>
Unguarded Quay Edges .....	17
Guarded Quay Edges .....	17
Pontoons and Ship to Ship Operations.....	17
Handholds.....	17
Ladders On Quay Walls.....	17

Positioning of Handholds and Ladders on Quay Walls .....	18
Lifesaving Equipment.....	18
<b>Diving Operations .....</b>	<b>18</b>
Commercial Diving.....	18
Recreational Diving.....	18
<b>Contractor Management .....</b>	<b>19</b>
Planning and Organising for Contractor Work .....	19
Authorised Contractor Scheme .....	19
<b>Permit to Work.....</b>	<b>19</b>
Application and Operation of Permits to Work.....	19
<b>Lighting .....</b>	<b>19</b>
General Lighting Requirements .....	19
<b>Operation and Stowage of Cargo and Equipment.....</b>	<b>20</b>
Reducing the Risks From Cargo Operations and Stowage.....	20
General Equipment Storage .....	20
<b>Confined and Hazardous Spaces .....</b>	<b>20</b>
Reducing the Risk in Confined and Hazardous Spaces .....	20
<b>Dangerous Goods.....</b>	<b>21</b>
General Dangerous Goods Requirements (See Appendix 2).....	21
<b>Emergency Planning.....</b>	<b>21</b>
Emergency Planning General Requirements .....	21
Rescue From an Isolated Position.....	22
<b>Personal Protective Equipment (PPE).....</b>	<b>22</b>
General Requirements.....	22
<b>Failure To Comply With The Code Of Practice .....</b>	<b>22</b>
Failure to Comply Process.....	22
<b>Appendices - Appendix 1.....</b>	<b>23</b>
Relevant Jersey Health and Safety Legislation and Guidance .....	23
<b>Appendices - Appendix 2.....</b>	<b>24</b>
1. Vessels carrying Dangerous Cargo arriving at St Helier .....	24
2. Records of Dangerous Cargo .....	24
3. Dangerous Cargo being shipped out of the Port of St Helier .....	24

## Introduction and Application

Effective management of occupational health and safety within the docks environment is particularly challenging due to the number of different employers and/or contractors who can all impact on each other's activities, and the changing nature of the workplace environment due to issues such as tidal movements and weather.

Ports of Jersey will therefore insist on a high level of understanding and co-operation between the different duty holders of their individual responsibilities under the Health and Safety at Work (Jersey) Law 1989 (the HSW Law) and subordinate legislation for the activities taking place – and how these interface with that of the others.

The presence of visiting members of the public, including passengers and others having right of access, must also be taken into account when planning and carrying out working activities. A Level 2 Code of Practice has been prepared by the Ports of Jersey to provide clarity and specific practical guidance on managing health and safety within the docks environment and outlying harbours. It takes into account recognised guidance produced by the UK Health and Safety Executive 'Safety in Docks: Approved Code of Practice guidance', L148 and the industry body Ports Skills and Safety.

Following the Code is not compulsory under the HSW Law, but is straightforward and easy to adopt. It represents best practice and may be used when considering whether legal obligations under the HSW Law have been met. It may also be used to illustrate best practice for those without specific responsibilities under health and safety at work legislation.



**Captain Phillip Buckley**

Ports of Jersey | Harbour Master

Ports of Jersey | Chief Operating Officer – Marine

## Definitions

- Boat Owners' Associations** Associations established to represent the interests of all boat owners who use or launch their boats from outlying harbours in Jersey. The Boat Owners' Associations work closely with the Ports of Jersey to achieve the following aims:
- a. To promote and encourage all boating activities;
  - b. To bring the local boat owners closer together;
  - c. To ensure that local harbours are maintained to a satisfactory standard;
  - d. To adopt the best possible environmental practices.
- Cargo Handling Company** The company contracted or sub contracted by the cargo owner, vessel owner or their agents, traders, Port Authority or Terminal Operator to organise, manage or supervise Dock operations.
- Container** Means a freight container as defined in the Freight Containers Safety Convention (Jersey) Regulations 1994.
- Dock Operations** Dock operations are defined as:
- a. The loading or unloading of goods on or from a ship at dock premises;
  - b. The embarking or disembarking of passengers on or from a ship at dock premises;
  - c. Any activity incidental to the activities in subparagraphs (a) and (b) of this definition which takes place on dock premises, including any of the following activities specified in this subparagraph if they are so incidental and take place on dock premises:
    - (i) The fuelling and provisioning of a ship;
    - (ii) The mooring of a ship;
    - (iii) The storing, sorting, inspecting, checking, weighing or handling of goods;
    - (iv) The movement of goods, passengers or vehicles;
    - (v) The use of welfare amenities in relation to the carrying out of activities referred to in sub-paragraphs (a), (b) and (c) (i) to (iv) above;
    - (vi) Attending dock premises for the purposes of the activities referred to in subparagraphs (a), (b) and (c) (i) to (v) above; or
  - d. The embarking or disembarking on or from a ship of its crew at dock premises;
- But does not include:
- e. A fish loading process within the meaning of the Loading and Unloading of Fishing Vessels Regulations 1988;

- f. The loading or unloading of goods, or embarking or disembarking of persons, from a pleasure craft or any activity incidental to those activities; or
- g. Beach landing operations wholly carried out by serving members of Her Majesty's Forces or visiting forces within the meaning of the provisions of Part 1 of the Visiting Forces Act 1952 or a combination of both.

<b>Dock Premises</b>	Any dock, wharf, quay, jetty or other place at which ships load or unload goods or embark or disembark passengers, together with neighbouring land or water which is used or occupied, or intended to be used or occupied, for those or incidental activities, and any part of a ship when used for those or incidental activities.
<b>Harbour Master</b>	The official responsible for enforcing Jersey Regulations in order to ensure the safety of navigation, the security of harbours and the correct operation of the dock facilities.
<b>Ports of Jersey</b>	The port authority and land owner having overall legal powers in relation to Jersey dock premises and outlying harbours.
<b>Loading</b>	Includes unloading.
<b>Other Cargo Handling</b>	Cargo handling operations that include: <ul style="list-style-type: none"> <li>a. The storing, sorting, inspecting, checking, weighing or handling of cargo</li> <li>b. The movement of cargo or vehicles</li> <li>c. Securing and un-securing of a passenger accompanied vehicle on a vessel</li> <li>d. Marshalling of passenger accompanied vehicles</li> <li>e. Passenger baggage handling</li> </ul>
<b>Outlying Harbours</b>	A harbour situated in Jersey which is not in the Port of St Helier but under the control and operation of the Ports of Jersey.
<b>Port Skills and Safety (PSS)</b>	PSS is the UK's professional ports health and safety membership organisation. It exists to promote and raise health, safety and skills standards in ports.
<b>Ship</b>	Includes every description of vessel.
<b>Shipping Company</b>	A company providing shipping services.
<b>Ships' Master</b>	Should be taken to include any ships' officer in charge of a ship during the absence of the master.
<b>Stevedore</b>	An organisation or company that may employ its own workforce permanent or temporary and is licensed or contracted to load vessels and handle cargo.

## Accident, Incident, Near Miss Reporting and Hazard Reporting

Employers and organisations which manage property on the Ports of Jersey Estate are required to report and keep records of accidents, incidents and dangerous occurrences.

In the interest of health and safety, the Ports of Jersey also requires these organisations to share any accident, near misses or potential hazard reports which may have health and safety implications affecting others within the Port of St Helier and outlying harbours. These reports can then be used to gather statistical data which can be used to develop future health and safety initiatives.

General Direction Number 9 requires Masters and skippers of commercial and recreational vessels to complete Incident Report Forms (IRF) for all navigational incidents.

Reports should be made as soon as possible either verbally through St Helier VTS or the Coastguard on 01534 447722 or by completing a report on the harbours' website [www.ports.je](http://www.ports.je).

## Managing for Health and Safety in Docks

1 Organisations have a legal duty to put in place suitable arrangements for managing health and safety. The keys to effectively managing for health and safety are:

- Leadership and management (including appropriate business processes); and
- A trained/skilled workforce; operating in
- A safe working environment where people are trusted and involved.

2 All of these elements are vital and need to be underpinned by an understanding of the profile of risks that the organisation creates or faces.

3 A formal management system or framework can help employers to manage health and safety. When developing a formal safety management system it is recommended that the principles of Plan, Do, Check, Act which are advocated in the UK HSE's guidance document Managing for Health And Safety HSG 65 are adopted

4 The Department for Transport's Port Marine Safety Code, which applies to all harbour authorities in the UK that have statutory powers and duties, requires a similar approach. It applies the principles of risk assessment and safety management systems to port marine operations.

5 Particular challenges for effective management of health and safety within the docks industry include:

- The number of different employers and/or contractors who can all affect each other's activities. These may include harbour authorities, dock operators, stevedoring firms, hauliers, ships' masters and crew;
- The changing nature of docks as workplaces. This may be due to tidal movements, weather and timing issues;
- The use of temporary workers who may be less familiar with the dock environment than permanent employees. Employer's duties to protect the health, safety and welfare of workers are the same whether they are full-time, part-time, permanent, non-permanent or temporary. This includes workers who are on short-term contracts or rolling contracts;
- The need to board ships and use ships' equipment. Workers should not be allowed to work in an area of a ship that is unsafe until it has been made safe or a safe method of work is in

place. If dock workers are using ships' equipment then their employer must ensure that this is safe. This may require the employer to check the equipment and ships' documentation;

- The presence of members of the public who visit dock premises. These may be either passengers or users of public rights of way. These people are more vulnerable as they may be unfamiliar with the premises and/or hazards;
- The need to converse with ships' crew and other parties, e.g. hauliers, whose first language may not be English

### **Responsibilities of Specific Organisations**

6 In addition to the general duties outlined in the Health and Safety at Work (Jersey) Law 1989, organisations may have additional specific duties dependent on their role. The primary legal duties are placed on the employer(s) of those working in the dock or outlying harbour and those in control of the premises and activities carried out. The following categories of organisations may have specific responsibilities; the extent of these will be determined by the exact circumstances.

#### **Organisations with Landlord Duties, e.g. Harbour Authorities and/or Dock Operators**

7 Additional duties may include:

- Ensuring that premises are provided in a structurally safe and fit-for-purpose condition;
- Passing on any relevant health and safety information about the premises to others;
- Identifying areas where specific personal protective equipment (PPE) should be worn;
- Where parts of dock and outlying harbour premises are leased to tenants, the leasing arrangements should make clear the extent to which the tenant has control of the premises.

#### **Organisations Operating within the Dock or Outlying Harbour, e.g. Dock Operator, Stevedores, Mooring Line Services for Commercial Vessels, Terminal Operator and Warehouse Operator and Crane Operator**

8 Additional duties may include:

- Ensuring that all workers, whether employees or employed through someone else, are properly trained;
- If organisations exercise some control over other employers and their employees on parts of their premises, they will have some responsibility to make sure that these people are not endangering others in these areas, including monitoring working hours and fatigue;
- Co-operating with other employers.

### **Labour Suppliers**

9 Additional duties may include:

- Where required, co-operate with the client organisation to agree who will take responsibility for what, and make sure that the worker also knows the position;
- Labour suppliers still have responsibility for their employees' health and safety if they are working at someone else's premises and/or under someone else's direct day-to-day control, including monitoring working hours and fatigue.



## **Ships' Masters And Shipping Agents**

10 Additional duties include:

- Ensuring that any contractors that are used are controlled, e.g. stevedores contracted to load ships' cargo;
- Where a ships' master provides a place of work and or equipment for others to use (such as workers employed by the dock operator or a stevedore) then, so far as reasonably practicable, these should be safe and without risks to health.
- Ships' Masters are requested to inform St Helier VTS on Channel 14 before and on completion of any hazardous work onboard; this includes but is not limited to Hot Work, enclosed space entry and the launching and recovery of the ships lifeboat.

## **Other Organisations**

11 Other organisations will include mooring crews, delivery drivers, enforcement agencies, representatives from clients and customers etc.

12 Additional duties may include:

- What the organisation does is likely to affect others in the dock area or outlying harbour, and vice versa. As such, co-operation is essential to minimise health and safety risks;
- Not entering areas where authorisation has not been given.

## **Workplace Transport**

### **Safe Site – Design and Activity**

#### **Vehicle Movements**

13 Vehicles that are not involved in dock operations will not be admitted into Dock operations areas, except in an emergency, or in exceptional circumstances or for law enforcement agencies to carry out their duties.

14 Access required by independent contractors, in order to transit to a place of work or work on equipment within Dock operations areas for example, will require authorisation from Ports of Jersey (see also 'Contractor Management').

15 Speed limits are clearly marked on sign posts around Dock premises and outlying harbours, which must be complied with and are enforceable under direction number 12. Ports of Jersey will periodically check vehicles speeds within restricted operational areas, and may also react to reports of excessive speed within these areas.

16 Reversing manoeuvres should be avoided wherever possible. Where it is not possible, a suitably trained banks person will be used.

17 Where a drivers view is incomplete, and the vehicle could move in a way such that the driver cannot see the path of travel of their vehicle, than a system of work will be developed to enable them to work safely.

## **Pedestrian and Vehicle Segregation**

- 18 All port users are strongly discouraged from moving around within Dock operations areas on foot, and are encouraged to either remain in the safety of a vehicle or utilise one of the designated 'safe havens', which have been provided for this purpose in appropriate locations.
- 19 Designated pedestrian walkways within Dock operations areas are denoted by solid white lines and the walking man symbol. These must be used where available.
- 20 Where pedestrian access is required to cross a property occupied by a tenant, suitable walkways must be maintained by the tenant in order to provide appropriate safe access and egress.
- 21 Vehicle drivers must remain in their cab, or move to a designated 'safe haven', whilst a forklift is loading/unloading their vehicle.

## **Load Securing**

- 22 Loads will be adequately secure on lorry or trailer. In the case of containers, twist-locks or guides must be used.
- 23 Securing of cargo loads and containers must be completed whilst the vehicle remains stationary within a designated Dock operations area or designated cargo securing area.
- 24 No freight vehicle may exit a Dock operations area until the driver is satisfied his load is fully secure, and compliant with Jersey Road Traffic Legislation.

## **Safe Vehicle**

### **Brakes**

- 25 When the driver is out of the cab, the vehicle parking brake must be applied in all cases.
- 26 Some roll trailers used in Dock premises are not fitted with brakes by the manufacturer and are not designed to be so fitted. Tractor units used to haul such trailers must have sufficient braking capacity to stop both the haulage unit and the trailer with the trailer carrying the maximum permitted load.

### **Parking**

- 27 Vehicles and trailers should be securely parked with brakes applied or otherwise secured using chocks etc. where appropriate.
- 28 Designated parking areas, trailer parks, car parks and parking bays are provided throughout the Ports of Jersey estate, including outlying harbours, and wherever possible they should be used. No cargo operations should take place in such designated areas.
- 29 Vehicles must not be parked so as to impede traffic routes or designated pedestrian walkways.

## Maintenance

For certain categories of vehicles that are intended to be driven in Dock premises, but do not form part of dock operations (e.g. vehicles being imported or exported), the person in control of the supply of the vehicles (e.g. the cargo handling company or shipping company) has a duty to ensure such vehicles are presented in a safe condition. The duty of Ports of Jersey and/or the stevedoring contractor in relation to such vehicles (as regards whether any particular vehicle is safe to move) is limited to matters within their control.

30 Road vehicles that remain within Dock operations areas, but are of a type used on public highways, should be maintained to a standard that would meet the requirements for use on a public highway.

31 All vehicles working within Dock operations areas should be:

- a) Safe, suitable for the purpose for which they are used, regularly maintained, repaired and inspected with appropriate records held locally for reference.
- b) Provided with suitable and sufficient lighting for the task and location.
- c) Fitted with audible reversing alarms and some form of flashing beacon.
- d) Have well-constructed steps or ladders, non-slip walkways and guard rails where possible to reduce the risk of falling when people are required to climb on board (this is to include trailers where relevant).
- e) Fitted with seatbelts if either used on the road or deemed necessary by risk assessment. A seatbelt will be required where roll-over protective structures (ROPS) are fitted.

32 Where seatbelts are provided, they must be used, unless a suitable and sufficient documented risk assessment determines their use unnecessary or inappropriate and where special dispensation has been obtained from the Health and Safety at Work Inspectorate.

33 When seatbelts are required, their use must be monitored by the employer or organisation.

34 Lifting attachments for lift trucks (e.g. fork extensions) should be used in line with manufacturers' or suppliers' recommendations to ensure that all loads lifted are secure.

35 Where fitted, trailer parking brakes must be used, unless the cargo handler has undertaken a comprehensive assessment of the risks of the activity to ensure that alternative adequate control measures are in place.

## Refuelling

36 All companies refuelling vehicles within Dock premises must make safe arrangements do so.

37 Safe refuelling arrangements should take into consideration regulatory requirements and guidance on best practice (e.g. with regards to storage).

38 Safe refuelling arrangements must be demonstrable and documented.

## Safe Driver

39 All vehicle drivers on Dock premises must:

- a) Be licenced in accord with the Road Traffic (Jersey) Law (records to be maintained by their employer, and made available to Ports of Jersey on request);
- b) Be fit, authorised and competent;
- c) Have completed a site induction with their employer. This induction should include an agreement to abide by the requirements of this COP (records to be maintained by their employer, and made available to Ports of Jersey on request);
- d) Be made aware of their own health and safety responsibilities including informing employers of medical conditions that impair their ability to drive;

40 Anyone whose ability to drive a vehicle or operate lifting equipment appears to be impaired by alcohol or other drugs shall be stopped immediately, required to leave their vehicle and will be reported to the Police.

41 The incident will also be reported to the management of the company concerned and the Harbour Master, which may result in further action in accordance with a breach of this COP.

## Working at Height

### Access to Ships

42 A safe means of access to workplaces and working positions must be provided. This includes access on to plant onshore, afloat and to ships and ships' holds.

43 Access to a ship should generally be provided by the ship's accommodation ladder or by the ship's gangway in accordance with the Merchant Shipping (Means of Access) Regulations and is the responsibility of the ship's master.

Accommodation ladders or gangways should be properly rigged and secure in accordance with Chapter 6 and 18 of the Code of Safe Working Practices for Merchant Seaman and MGN 533

44 A ship which cannot provide a means of access under the provisions above may use a link-span/ship's ramp provided that suitable control is exercised during cargo operations to ensure that pedestrians and vehicles are appropriately segregated or not using the access way at the same time.

45 Where access is provided by the ship, the shore-side employer and/or cargo handling company should also ensure that it is safe for their employees/passengers to use.

46 Where access is provided by a shore-side supplier, the duty to rig and maintain access remains with the person responsible for providing it e.g. the licenced stevedoring company.

47 If a gangway or other physical means of access is lent or loaned to the master for use as ships' equipment, then access will be deemed to have been provided by the ship, and the rigging and maintenance of that access will fall to the ships' master. The shore-side supplier still retains a duty under the HSW Law to supply the equipment in a safe condition.

## **Access Between Ships**

48 Where access between ships is necessary, the access should generally be provided by the ship lying outboard, unless there is a great disparity in freeboard when access should be provided by the ship with the higher freeboard.

## **Cargo**

49 No ships' hold should be left open for Dock operations for longer than is required.

50 Except where adequate precautions have been taken to prevent injury, no work should be performed adjacent to an open edge or hatchway if the work involves someone being in a position where they could fall or be struck by a falling object.

51 Where cargo is built up in the hold or on deck and there is a risk of people falling or being struck by moving cargo, suitable safety measures should be taken to protect them against such a fall or being struck by moving cargo.

52 When container ships are not equipped with suitable lashing platforms then suitable platforms or cages, lifted by crane and designed for use between container aisles, should be provided and used.

## **General**

53 Avoid work at height whenever possible.

54 If work at height cannot be avoided, use work equipment or other measures to prevent falls, e.g. guardrails, mobile elevating working platforms (MEWPs), container top safety frames, restraint devices.

55 All work at height must be properly planned, organised and carried out by competent workers.

56 Risk assessment must be used as a means of identifying and determining the safe distance from open edges and any additional controls required of the specific work activity involved.

57 Where work involves being within 1m of an unprotected quay edge over water, people should wear suitable PPE, e.g. lifejackets or buoyancy aids.

## **Lifting Operations**

### **Planning and Organising Lifting Operations**

58 Lifting operations must be appropriately planned. Plans must be in accordance with relevant regulatory requirements, additionally addressing the foreseeable risks involved in the operation and identify contingencies.

59 All those planning and organising lifting operations must ensure they and all their employees are trained, competent and experienced in safe lifting operations and hold a certificate of competence in accordance with Regulation 18 of the Cranes & Lifting Appliances (Jersey) Regulations 1978.

60 A safe system of work for lifting operations should include adequate arrangements for any necessary checking, inspection or examination of goods, including arrangements to ensure that the movement of the goods, or any plant carrying them, does not put any person performing such an

operation in a position of danger. Cargo must be presented to the docks in a safe and suitable condition for lifting where applicable.

61 Where loads are not marked with their weights, and the weight is not easy to estimate, the loads should be check-weighed, unless accurate information is available to determine their weight by reference to the cargo manifest or otherwise.

62 All practical steps must be taken to avoid people being struck by loads or lifting equipment and minimise the need to lift over people. Lifts should not take place over areas where people are likely to be working or passing where this can be avoided. Loads should not be suspended over occupied areas.

63 Where these situations cannot be avoided, the risks to people must be minimised by safe systems of work and appropriate precautions. Where loads are suspended, the area below them should be classed as a hazard zone and access restricted.

64 Where two or more items of lifting equipment are working the same ship, additional control methods will be required.

65 All those involved with lifting operations should stop any lifting operation that in their opinion cannot be completed safely.

66 Details of any refusal or stoppage of a lifting operation should firstly be appropriately reported to the relevant company management team, and ultimately reported to Ports of Jersey to allow further investigation.

### **Use of Lifting Equipment**

67 All cranes and lifting appliances used on the Ports of Jersey estate, including those used at the outlying harbours, must comply with the Cranes and Lifting Appliances (Jersey) Regulations 1978.

68 All lifting accessories used on used on the Ports of Jersey estate, including those used at the outlying harbours, must comply with the Chains, Ropes and Lifting Gear (Jersey) Regulations 1980.

69 Lifting operations should be stopped if wind conditions make it unsafe to continue them.

70 The following also must be considered:

- a) impact of climatic conditions, e.g. high winds, ice or unduly cold or hot weather, on the performance of lifting equipment and accessories;
- b) mist, fog and other conditions that reduce visibility;
- c) the impact of the prevailing weather on people involved in the lifting operation (crane driver, slinger, banks-man etc).

71 When lifting people, ensure that the correct type of equipment is used for the task, in accordance with specific regulatory requirements and providing an appropriate 'factor of safety' against foreseeable risk.

72 The use of lifting equipment which has not been specifically designed for lifting people should only occur in exceptional circumstances (e.g. for rescue purposes). In these cases, additional safety precautions may need to be taken.

## Lifting Equipment Used for Lifting People

73 If lifting people cannot be avoided, then lifting plant used for raising or lowering people should include:

- a) A suitable platform or cage of good construction, sound material and
- b) Adequate strength, which is properly maintained;
- c) Except in the case of ships' cargo lifts which only carry drivers at the controls of their vehicles, fencing around the platform or cage up to a height of at least 1m, constructed and arranged to prevent someone falling out or being trapped;
- d) An adequate secure foothold and handhold for someone travelling on the platform or cage;
- e) Arrangements to prevent the platform or cage tipping or spinning in a manner dangerous to any occupant, or from becoming accidentally displaced.

74 When lifting people, ensure that the correct type of equipment is used for the task and that it provides an appropriate 'factor of safety' against foreseeable risk.

75 Specially designed equipment for lifting people should be used where possible. The use of lifting equipment which has not been specifically designed for lifting people should only occur in exceptional circumstances (e.g. for rescue purposes). In these cases, additional safety precautions may need to be taken.

76 Lifting equipment used to lift people should be thoroughly examined at six-monthly intervals, or in accordance with the examination scheme.

## Maintenance of Lifting Equipment and Lifting Accessories

77 All lifting equipment and accessories should be inspected and examined by suitably trained and competent people. This includes equipment such as crane anemometers, which should be regularly maintained and calibrated.

78 People who use lifting equipment should carry out pre-use checks on the equipment and accessories they use, as well as ongoing, regular checks as part of an overall maintenance programme (e.g. the checks undertaken by an operator on their crane). Operators may be best placed to identify faults or damage to equipment. A suitable system should be in place to ensure that any defect identified is reported and action taken to prevent the lifting equipment/accessory being used until properly investigated and remedied.

79 The nature and frequency of thorough examinations should take account of any manufacturer's recommendations or otherwise take place every 6 months for lifting equipment and associated accessories used to lift people; every 6 months for lifting accessories, and every 12 months for all other lifting equipment.

80 Where one-trip slings are used in lifting operations, the employer in control of the operation should ensure that the slings are not used again for lifting operations.

81 In relation to cranes, the organisations responsible for ongoing maintenance and inspections should consider 'foreseeable misuse', such as overloading or use in high winds. This should include consideration of dynamic and static overloading that may occur from the following and how to reduce and mitigate its effects:

- Snagging where a container gets caught up during movement and creates significant momentary forces in ropes and parts of structure;

- Trying to lift the ship where a container has not been released from those beneath it but the crane driver believes that it has and the crane attempts to lift, creating significant forces for a short time;
- Jammed containers or twist locks where a container is still partially connected to those beneath it but the crane driver believes that it has been freed and the crane attempts to lift, creating significant forces for a short time;
- Twin lifting situations where the originally specified safe working load (SWL) is exceeded, reducing the factor of safety;
- Exceeding the safe working load unintentionally due to the expected weight of a load being greater than expected due to external influences.

### **Competency of Persons Operating Lifting Equipment**

82 All persons operating lifting equipment, including cranes, will ensure that they are competent to do so. This includes being able to demonstrate an individual's skill, knowledge, training and experience.

### **Slips and Trips**

#### **Approaches to Reducing Slips and Trips**

83 All parts of dock premises which are used for working ships and areas within the outlying harbours should, so far as reasonably practicable, be kept clear of loose material. In addition such materials should be cleared at appropriate intervals in the course of cargo handling.

84 Ways to reduce slip and trip risks include:

- Good housekeeping – All dock and outlying harbour users are encouraged to adopt a 'see it, sort it' culture. Ports of Jersey will follow up areas and relevant companies who have been left untidy by users of dock areas or outlying harbours.
- Loose lifting accessories must be adequately stored.
- Slopes and ramps will have a suitable surface which should where necessary be ribbed or coated so as to be slip-resistant.
- Maintain floors, steps and walkways in a good condition.
- Where surfaces do become slippery due to adverse weather or tidal conditions then they will be maintained to ensure that vehicles and pedestrians can move about safely.
- Beware of oil spillages, spilt bulk cargo and trip hazards across walkways.
- Where a vessel is a frequent visitor, work with the master to make sure trip hazards are painted a conspicuous colour.
- Consider the type of load, weather conditions and likely contaminants when selecting suitable footwear. For example, studs or chains may be required if accessing cargoes covered in ice.
- Plan pedestrian and vehicle routes to avoid contaminated areas.
- Provide adequate lighting.
- Maintain plant to prevent contamination, e.g. oil getting onto the floor.



## Rescue and Life Saving From Water

### Unguarded Quay Edges

85 At jetties and quay edges where the edges are unfenced, appropriate equipment will be provided to help people to rescue themselves from drowning, and also provision for other people to rescue those in danger without endangering themselves. The means should include:

- Handholds on the quayside at water level (at any state of the tide);
- Ladders on quay walls;
- Life-saving equipment.

### Guarded Quay Edges

86 At jetties or quays where the edges are fenced throughout the provision of life-saving equipment alone is sufficient unless:

- The public has access to the quay edge; or
- The duty holder is made aware of a risk of people falling over a fenced edge that is comparable to the risk of people falling over an unfenced edge (whether or not by means of risk assessment).

87 In these situations additional measures will be required such as handholds and/or ladders.

### Pontoons and Ship to Ship Operations

88 Where a fixed quay is not involved, e.g. ship-to-ship operation or the use of pontoons, adequate and suitable lifesaving equipment will be provided.

### Handholds

89 Handholds will be suitable for use and be protected where possible to avoid damage both to and from ships.

90 Some quays may be constructed so that the actual structure provides handholds. In deciding whether these are adequate, appropriate consideration should be given to the likelihood that someone in the water is likely to be cold, shocked, exhausted and possibly injured. Handholds will, therefore, be suitable for use in such a situation. They may take the form of chains, fibre ropes, rubber tyres, fenders or other suitable material hung from the quayside. All handholds will be properly maintained.

### Ladders on Quay Walls

91 Each ladder will be suitably protected against accidental damage, and must enable someone who reaches it to climb from the water to the quay. It should extend to 1m below the water line at any foreseeable state of the tide (or to the sea/river bed where there is less than 1m of water at the foot of the quay at low water). Suitable hand-grips will need to be provided on the quayside, designed so that they are not readily obstructed by ice or dirt. They should also be recessed or positioned to prevent tripping hazards.

92 All ladders will be properly maintained as part of a planned preventative maintenance program.

## Positioning of Handholds and Ladders on Quay Walls

93 At all quays constructed or reconstructed after 1 January 1989, handholds and ladders should each be at intervals not exceeding 30m, with handholds approximately midway between each pair of ladders, so that there is either a handhold or ladder at least every 15m.

94 At all quays constructed before 1 January 1989, the following may be considered reasonable intervals for the provision of ladders and handholds:

- Where the design of the quay provides convenient protected positions for ladders, they should be installed at intervals which do not exceed 50m and intermediate handholds should provide a means of support at intervals not exceeding 25m; or
- Where the quay is not so designed, ladders should be installed at intervals not exceeding 85m and intermediate handholds should provide a means of support at intervals of approximately 30m; or
- Where dock operations are not normally carried out, or only infrequently, and the quay is not equipped with ladders to the above standards, suitable portable ladders should be provided and securely placed fore and aft of each ship when it has moored to work.

## Lifesaving Equipment

95 Life-saving equipment should be conspicuous, properly maintained and provided at appropriate intervals.

96 Life-saving equipment will include lifebuoys, throwing lines and rescue poles.

97 What is suitable life-saving equipment will depend on the circumstances. In some situations, particularly where there is a strong tide or current, a throwing line may be appropriate either in addition to or in place of a conventional lifebuoy. Instructions for the use of each piece of life-saving equipment should be given or displayed.

## Diving Operations

### Commercial Diving

The definition of commercial diving and the minimum standard expected of commercial divers can be found in the HSE Diving at Work Regulations 1997 Approved Code of Practice and guidance.

<http://www.hse.gov.uk/pubns/books/l104.htm>

General direction 3 provides instructions for those wishing to dive inside the port limits of St Helier.

### Recreational Diving

Recreational diving can only take place in areas designated in General Direction 3. Recreational divers are responsible for their own safety and should comply with and self-authorise in accordance the Recreational Diving Projects Approved Code of Practice (ACoP 7 – Revised 2015).

## Contractor Management

### Planning and Organising for Contractor Work

98 Lessees must notify Ports of Jersey before a new works contract is started on Ports of Jersey premises, where such work could affect health and safety of other parties.

99 Contractors employed by lessees in Ports of Jersey' premises should be provided with a copy of this Code of Practice and they are expected to comply with its provisions in so far as it affects their activities.

### Authorised Contractor Scheme

100 Contractors working within Dock premises and/or on Ports of Jersey assets are required to engage in a process of assessment with the aim of becoming an Authorised Contractor. Contractors must have a Ports of Jersey Sponsor, whom will assist them through the process. A guidance document for contractors working at Ports of Jersey is available online by accessing the harbours' website [www.ports.je](http://www.ports.je).

## Permit to Work

### Application and Operation of Permits to Work

101 Ports of Jersey operates a number of permit-to-work systems. A permit-to-work system is a formal recorded process used to control work which is identified as potentially hazardous. It is also a formal means of communication between Ports of Jersey and those who carry out the hazardous work. Essential features of permit-to-work systems are:

- Clear identification of who may authorise particular jobs (and any limits to their authority) and who is responsible for specifying the necessary precautions;
- Training and instruction in the issue, use and closure of permits;
- Monitoring and auditing to ensure that the system works as intended;
- Clear identification of the types of work considered hazardous;
- Clear and standardised identification of tasks, risk assessments, permitted task duration and supplemental or simultaneous activity and control measures.

102 Ports of Jersey operate permit to work schemes for hot works, some working at height activities, underground services (permit to dig), some electrical work and confined and hazardous space work activities (Note that this is not an exhaustive list).

103 The Ports of Jersey' permit to work scheme is linked to the authorised contractor scheme and the Jersey Harbour Sponsor will advise on which permit(s) are relevant to the proposed work activity.

## Lighting

### General Lighting Requirements

104 The Port of St Helier and some of the outlying harbours operate during the hours of darkness so the need for suitable lighting in the workplace is particularly important. The quicker and easier it is to see a hazard, the more easily it is to avoid. The types of hazard present in the workplace will determine the lighting requirements for safe operation.

105 Each part of the dock premises that is being used for dock operations will be suitably and adequately lit. Lighting should be properly maintained.

106 The following should be provided:

- Well-lit stairs, pedestrian and vehicle access routes;
- Well-lit outside areas – for pedestrians and to help with activities such as loading/unloading at night, checking cargo and access to vessels;
- Well-lit areas for working on board ship (e.g. in holds);
- Adequate lighting to allow safe access to small vessels;
- Good light – use natural light where possible but try to avoid glare;
- Suitable forms of emergency lighting.

107 Obstacles and hazards which are likely to be dangerous when vehicles, lifting equipment or people move should be made conspicuous through suitable lighting and/or marking.

## **Operation and Stowage of Cargo and Equipment**

### **Reducing the Risks From Cargo Operations and Stowage**

108 Operational procedures must be developed by cargo handling companies to include adequate arrangements for landing cargo, handling cargo and for storage of goods including safe stacking.

109 Goods must be stowed in such a way that they do not obstruct any regular or designated means of access and egress of vehicles or pedestrians unless an alternative means of safe access and egress is provided.

### **General Equipment Storage**

110 All dock premises and outlying harbours will, so far as reasonably practicable, be kept clear of loose material. Such materials should be cleared by those responsible for them, at regular intervals.

## **Confined and Hazardous Spaces**

### **Reducing the Risk in Confined and Hazardous Spaces**

111 Ports of Jersey define a confined space as any space of an enclosed nature where there is a risk of death or serious injury from specified risks which may be present, may become present or are introduced by the work activity. This includes, but is not limited to:

- Risk of fire or explosion;
- Risk of asphyxiation due to gasses;
- Fumes or the lack of oxygen;
- Risk of heat exhaustion;
- Risk of drowning;
- Risk of entrapment in flowing solids.

112 Ports of Jersey define a hazardous space as a space potentially of an enclosed nature where a hazardous situation(s) exists. These are usually spaces which include but are not limited to:

- Restricted access and egress;

- Restricted movement;
- Need for a specific rescue plan;
- Need for specific rescue equipment;
- Risk of slips, trips and falls;
- Risk of entrapment;
- Limited visibility;
- Moving machinery;
- Harmful atmospheres;
- Harmful or nuisance dusts;
- Moving away from the point of entry.

113 Every effort should be made to avoid entering confined or hazardous spaces wherever practicable. This should include establishing whether the work activity can be carried out in another way to avoid entry or work in a confined or hazardous space.

114 Where work in a confined or hazardous space is unavoidable, the risks will need to be assessed and control measures implemented in accordance with relevant regulation, guidance and/or best practice. Ports of Jersey operates a permit to work scheme for confined and hazardous space work.

## **Dangerous Goods**

### **General Dangerous Goods Requirements (See Appendix 2)**

115 Dangerous Goods travelling by sea must comply with the International Maritime Dangerous Goods (IMDG) Code in respect of classification, labelling, placarding, marking, packing, securement, compatibility and documentation.

116 Prior to the entry of dangerous goods into a cargo operations area from either land or sea, notification should be given to the Harbour Master.

117 The normal period of notice will be 48 hours, although this may be varied at the discretion of the Harbour Master.

118 The details to be given to the Harbour Master as prior notification are - proper shipping name, class (and division where applicable), UN number, packaging group and total quantity. The Harbour Master may vary the information he requires.

119 Stowage of dangerous goods and parking of vehicles, trailers and units carrying dangerous goods in a cargo operations area should comply with the segregation principles in the IMDG Code and an effective system of control must be established.

## **Emergency Planning**

### **Emergency Planning General Requirements**

120 Ports of Jersey are responsible for the overall emergency plan for Dock premises and outlying harbours in conjunction with the Emergency Services.

121 Tenants, cargo handling companies and other port users should develop emergency plans for the areas under their control which link in to the Ports of Jersey plan. They should consult and advise the Ports of Jersey accordingly, submitting a copy of their plan for record.

122 Suitable arrangements should be made by employers within Dock premises and outlying harbours for the provision of first aid equipment and trained first aiders commensurate with their area of control.

123 In general work should not resume after an emergency until the area is declared safe. If there are any doubts ask for assistance from the Emergency Services.

### **Rescue From an Isolated Position**

124 Where a person works in an isolated position such as a crane cab or deep bulk cargo hold, a practical method of rescue should be developed so that person can be rescued if they become incapacitated. The Emergency Services and/or the Ports Safety Officer is able to provide assistance with developing these plans.

## **Personal Protective Equipment (PPE)**

### **General Requirements**

125 Certain areas within Ports of Jersey such as restricted cargo operations areas and quaysides have specific designated PPE requirements. These requirements will be clearly displayed with appropriate signage at entrances to relevant areas and must be complied with by all workers and visitors.

126 For areas within the outlying harbours that have designated specific PPE requirements, there remains the duty on employers to assess the risks to the health and safety of their employees and if, after implementing other controls PPE is still required, employers must provide this for their employees free of charge.

## **Failure to Comply with the Code of Practice**

### **Failure to Comply Process**

127 Directly observed or reported occurrences of deficiencies, disregard for, or blatant failure to comply with, the applicable conditions and guidance contained within this Code Of Practice may result in the following actions being taken against the company, individual or association concerned:

- a) Suspension of an individual's security ID pass, prohibiting them from entering Dock premises or use of an outlying harbour for a period of time determined by the Harbour Master;
- b) Legal action taken by Ports of Jersey legal representation, the States of Jersey Police, Customs and Immigration Service or Health and Safety at Work Inspectorate.

## **Appendices - Appendix 1**

### **Relevant Jersey Health And Safety Legislation and Guidance**

Health and Safety at Work (Jersey) Law 1989

Explosives (Jersey Law 1970

Harbour (Jersey) Regulations 1962

Electricity at Work (Jersey) Regulations 1983

Employers' Liability (Compulsory Insurance) (Jersey) Law 1973

Explosives (Safety Provisions) (Jersey) Regulations 1972

Highly Flammable Liquids (Jersey) Regulations 1979

Liquefied Petroleum Gas (Jersey) Regulations 1984

Cranes and Lifting Appliances (Jersey) Regulations 1979

Chains, Ropes and Lifting Gear (Jersey) Regulations 1979

Freight Containers Safety Convention (Jersey) Regulations 1994

The Safe Use of Rider-Operated Lift Trucks Approved Code of Practice (ACoP 6)

Recreational Diving Projects Approved Code of Practice (ACoP 7)

Management of Exposure to Asbestos in Workplace Buildings and Structures Approved Code of Practice (ACoP 8)

Safety in the Use of Machinery Approved Code of Practice (ACoP 10)

## Appendices - Appendix 2

The following points are to assist with the clarification of the 'Dangerous Goods' section of this Code of Practice.

### 1. Vessels carrying Dangerous Cargo arriving at St Helier

- a) Vessels carrying explosives are required to give the Harbour Master 48 hours' notice or such notice as is reasonable in the case of a voyage of less than 48 hours before the ship enters harbour. (Regulation 29 of Harbours (Jersey) Regulations 1962).
- b) Certain categories of explosives are exempted as stated in Regulation No 28 of Harbours (Jersey) Regulations 1962
- c) For vessels carrying dangerous cargoes other than explosives, notification will be given by their respective freight or shipping agents.
- d) The appropriate international signals for carrying, loading and discharging dangerous cargo are required to be displayed.

### 2. Records of Dangerous Cargo

#### a) For Scheduled Ro - Ro and Schedule Lo - Lo Carriers

Hazardous Cargo Stowage Plans and/or lists for each voyage are to be kept in the appropriate shipping companies freight, or cargo handling, office. A copy of the Hazardous Cargo Manifest is to be emailed to Jersey Coastguard by the loading port freight office on the vessels departure from that Port.

#### b) For Tankers

Notification must be given by shipping agents using The Berthing Application Form at least 24 hours in advance. This form should include details of each type and quantity of petroleum product being imported.

#### c) For vessels carrying IMDG Class 1 (Explosives)

Any vessel carrying IMDG Class 1 Cargo except those categories which are exempt by Regulation No 28 of Harbours (Jersey) Regulations 1962, are required to comply with the following:  
The Owner, Master or Agent of the explosive ship shall, before entering the harbour, inform the Harbour Master of the quantity by weight of the explosive carried in the ship, using the Berthing Application Form. The booking should not be accepted without a copy of the Explosives (Jersey Law 1970 Import Licence.

### 3. Dangerous Cargo being shipped out of the Port of St Helier

#### a) For all Cargo except Class 1 and Petroleum Spirit

Dangerous cargo arriving at a cargo operations area by road, must be declared on entry, to ensure it is allocated an appropriate trailer bay number or holding area in accordance with IMDG Code requirements for segregation. The cargo position in the trailer park or quayside is to be recorded. The cargoes location must be known at all stages until the cargo unit has been shipped out of the island. The Hazardous Cargo Manifest is to be forwarded to Jersey Coastguard upon the vessel's departure.

#### b) For Class 1 Cargo

Class 1 (Explosives) Cargo except those exempt by Regulation No 28 of Harbours (Jersey) Regulations 1962: require 48 hours' notice of entering the cargo operations area and must be loaded onto a vessel immediately as required by Regulation 32 of the above Regulations. Berthing times are specified by Regulation 31. Explosives cannot be held within the Port of St Helier.

#### c) For Petroleum Spirit & Liquefied Gas

The Shipping Agent must complete the Berthing Application Form at least 24 hours in advance. In the cargo description section indicate loading and a description and quantity of the cargo to be loaded. These forms are kept by Jersey Coastguard.



