

Safety in Docks and Outlying Harbours (Jersey)

Code of Practice

Issue 2 2024

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Introduction and application

Ensuring the effective management of occupational health and safety across dock environment requires a unified approach for Port employees, tenants, contractors and leisure users. The safety in Docks and Outlying Harbours (Jersey) provides the basis for the guidance which aims to ensure all workers operate in a safe manner resulting in a safe environment for everyone. Having first been introduced in 2016 the document has now been updated in line with the relevant UK best practice guidance, 'Safety in Docks: Approved Code of Practice guidance', (L148).

Ports of Jersey insists on a high level of understanding and co-operation from all its business partners and those working on the port estate. Each being held to their individual responsibilities under the Health and Safety at Work (Jersey) Law 1989 and subordinate legislation for the activities they are undertaking, particular care should be taken when planning and carrying out working activities considering how these activities may affect other users including members of the public, visitors and passengers.

Following the code is not compulsory but it aims to describe the 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 William Sadler

Ports of Jersey | Harbour Master

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.

Dock Premises	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.
Harbour Master	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.
Ports of Jersey	The port authority and land owner having overall legal powers in relation to Jersey dock premises and outlying harbours.
Loading	Includes unloading.
Other Cargo Handling	Cargo handling operations that include: <ul style="list-style-type: none">a. The storing, sorting, inspecting, checking, weighing or handling of cargob. The movement of cargo or vehiclesc. Securing and un-securing of a passenger accompanied vehicle on a vesseld. Marshalling of passenger accompanied vehiclese. Passenger baggage handling
Outlying Harbours	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.
Port Skills and Safety (PSS)	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.
Ship	Includes every description of vessel.
Shipping Company	A company providing shipping services.
Ships' Master	Should be taken to include any ships' officer in charge of a ship during the absence of the master.
Stevedore	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 Ports of Jersey estate are required to report and keep records of accidents, incidents and dangerous occurrences.

In the interest of health and safety, 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 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

Legal duties for managing health and safety at work

The Health and safety at Work (Jersey) Law 1989 Regulations, by definition and as best practice require employers to put in place arrangements to control health and safety risks. As a minimum, employers should have:

- a written health and safety policy (for employers of five or more people).
- assessments of the risks to employees, contractors, customers, partners, and any other people who could be affected by those activities – and record the significant findings in writing (for employers of five or more people). Any risk assessment must be 'suitable and sufficient.'
- arrangements for the effective planning, organisation, control, monitoring, and review of the preventive and protective measures that come from risk assessment.
- access to competent health and safety advice.
- arrangements to provide health surveillance where appropriate.
- arrangements to provide employees with information about the risks in the workplace and how they are protected.
- arrangements to provide instruction and training for employees in how to deal with the risks.
- arrangements to provide adequate and appropriate supervision.
- arrangements to consult with employees and their representatives about the risks at work and current preventive and protective measures.

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.

An effective way of exercising control over competence currently exists in the form of the 'Ports of Jersey Safety and Competence Management of Contractors, Code of Practice, Issue 1, March 2019'.

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 cargo.
- Where a ship's 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.
- Ship's 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 ship's 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.

13 Where shore-based employees go aboard ship, all duty holders involved, including the ship's master, should collaborate with one another to ensure that their respective duties are discharged.

14 Where work involves more than one party, e.g., when loading a vessel, it is important that everyone agrees an overall plan for the work so that everyone knows what they are doing. Unless very simple, this plan should be written down and explained to the workers involved. The plan should cover:

- the responsibilities of each party.
- how each party will do its part.
- how the different parties will interface.
- common issues and arrangements, e.g., for emergencies.
- how the work will be co-ordinated and controlled.

15 In some operations, such as ro-ro (roll-on, roll-off) movements, control may be with either shoreside management or the ships' master or, in some instances, both. In such cases, collaboration is required to avoid confusion and ensure that clearly defined procedures are followed.

Core elements of managing for health and safety

16 All organisations have management processes or arrangements to deal with payroll, personnel issues, finance, and quality control – managing health and safety is no different.

17 Whatever the industry, or the size or nature of an organisation, the core elements to effectively managing for health and safety are described below.

Leadership and management

18 Leaders, at all levels, need to understand the range of health and safety risks in their part of the organisation and to give proportionate attention to each of them. This applies to the level of detail and effort put into assessing the risks and the effort put into implementing controls, supervising, and monitoring.

A competent workforce

19 The competence of the workforce is vital, whether they are employees, managers, supervisors, or contractors. It ensures they recognise the risks in their activities and can apply the right measures to control and manage those risks.

An environment where people are trusted and involved

20 At its most effective, the full involvement of the workforce creates a culture where relationships between employers and employees are based on collaboration, trust and joint problem solving.

21 This is where employees and their representatives are involved in assessing workplace risks and the development and review of workplace health and safety policies in partnership with the employer.

Workplace health, safety, and welfare: A short guide for managers Leaflet INDG244(rev2) HSE Books 2007

www.hse.gov.uk/pubns/indg244.htm

[Health And Safety At Work Law Guidance](#)

Workplace Transport

22 Typical workplace transport hazards in docks include:

- movement of vehicles and other plant on and around the dock.
- loading and unloading of vehicles.
- unsecured loads on vehicles.

- trailer coupling and uncoupling in the dock and on the ship.
- unsegregated vehicle/pedestrian access, e.g., ro-ro bridges and vessel ramps.
- reversing vehicles throughout the dock including adjacent to open quay edges.
- movement of vehicles in cargo storage areas, vehicle parks, ships' holds and quaysides.
- use of vehicles with limited visibility, including straddle carriers and reach stackers.

23 To manage workplace transport risks in docks & outlying harbours effectively everyone involved should work together when considering the following three areas:

- Safe site – design and activity.
- Safe vehicle.
- Safe driver.

Safe Site – Design and Activity

Vehicle Movements

24 In areas where ships are loaded or unloaded, vehicles should avoid manoeuvring close to unprotected quay edges.

25 Where the pattern of vehicle movement presents a foreseeable risk from vehicles running over the edge of a quay or other dangerous edge, suitable barriers should be provided and maintained.

26 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.

27 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').

28 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.

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

30 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

31 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.

32 Designated pedestrian walkways within Dock operations areas are denoted by solid white lines and the walking man symbol. These must be used where available.

33 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.

34 Vehicle drivers must remain in their cab, or move to a designated 'safe haven', whilst a forklift is loading/unloading their vehicle.

Load Securing

35 Loads will be adequately secure on lorry or trailer. In the case of containers, twist-locks or guides must be used.

36 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.

37 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.

38 Where containers or other loads are moved from the loading position to a safe area nearby in the dock to be adequately secured, the control measures necessary to ensure the safety of workers and other affected parties in the vicinity should be identified through risk assessment.

39 All parties involved in the loading of vehicles should co-operate to ensure that the load is safe to be moved from the loading position.

40 It is important to differentiate between the two stages of a journey:

(a) the initial transfer of a load (i.e., from the loading/unloading position to a safe area nearby for proper securing); and

(b) the onward journey from that safe area (e.g., a road journey for delivery or to storage).

41 No matter how short a journey to/from the quayside, the load must be appropriately secure. However, it is recognised that there is a risk associated with personnel having to strap loads and apply twistlocks in cargo handling areas. The extent to which the load needs to be secured for the initial transfer stage along with other control measures required should be determined through an assessment of the risks.

42 Factors to consider will include:

- type of load (e.g., bulk, bundled etc).
- stability of load.
- method of stacking.
- type of vehicle.
- length of journey.
- road surface.
- vehicle speed.
- weather conditions.

43 Possible control measures may include:

- containment of the load using stanchions, chocks, or blocks.
- controlling pedestrian access to the vicinity.

- 44 All parties involved in the loading and unloading of vehicles should co-operate to ensure that foreseeable risks are identified, and appropriate control measures are identified and used.
- 45 For the onward journey, the load should be properly secured to the lorry or trailer.

Safe Vehicle

Brakes

- 46 When the driver is out of the cab, the vehicle parking brake must be applied in all cases.
- 47 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

- 48 Vehicles and trailers should be securely parked with brakes applied or otherwise secured using chocks etc. where appropriate.
- 49 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.
- 50 Vehicles must not be parked so as to impede traffic routes or designated pedestrian walkways.

Suitability of Structures for use by vehicle

- 51 Structures used by vehicles should be of adequate strength to be used safely.
- 52 Ramps should not be used at a slope greater than that for which they were designed. In general, no plant or other heavy vehicle should use a ramp with a slope of more than 10% unless a competent person is satisfied that the vehicle can safely be moved on that ramp, and if necessary, the surface of the ramp has been suitably treated to provide sufficient grip.

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.

- 53 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.
- 54 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.

55 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.

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

57 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.

58 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

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

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

61 Safe refuelling arrangements must be demonstrable and documented.

62 Petroleum or liquefied petroleum gas (LPG) powered vehicles should be refuelled in a safe well-ventilated area and not in any confined space.

63 The Ports of Jersey Code of Practice for Bunkering of Vessels by road tanker should also be adhered to where necessary.

Safe Driver

64 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;

65 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.

66 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.

67 Drivers should follow safe working practices.

68 Employers should monitor these practices.

69 Drivers should be provided with the correct PPE.

70 Drugs mentioned above will include prescription drugs where they impair the employee's ability to drive or operate equipment.

Working at Height

71 Working at height is one of the biggest causes of work-related fatalities and major injuries. HSE L148 112.

72 Many of the activities carried out in docks could lead to a fall from height. These activities may be during routine operations, maintenance activities or unexpected or unplanned activities. In docks, the added hazard of working near water means a fall may lead to the risk of drowning. HSE L148 113.

73 Typical falls from height hazards in docks include:

- access to and from vessels by accommodation ladders, quayside ladders and gangways.
- container working – lashing and unlashings.
- loading and unloading some types of cargo, such as pipework, timber packs etc, can result in open edges from ships' decks, and from the cargo itself.
- access to and from places of work onboard vessels (holds, hatches, decks etc).
- falls from vehicles and trailers during loading/unloading and sheeting.
- maintenance and unplanned work.
- working adjacent to open edges of docks, wharves etc.
- falls from plant and machinery.
- mooring points (e.g., 'dolphins').

74 Before any work is carried out at height the risk should be determined and appropriate control measures put in place

Access to Ships

75 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.

76 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.

77 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.

78 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.

- 79 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.
- 80 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.
- 81 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.
- 82 Shore-based equipment which is at least as safe as a properly rigged and secured ship's accommodation ladder or gangway should be provided and used where the use of ships' equipment is impossible or unsafe, especially where ships' decks are significantly below or above the level of the quay, wharf, dock, or jetty.
- 83 Each end of a gangway or accommodation or other ladder should provide safe access to a safe place, or to an auxiliary safe access. Where necessary, bulwark ladders should be provided, securely rigged, and used.
- 84 Where no safer means of access can be provided, a system of fixed ladders should be provided onshore where there is regular need for them. Any such ladders should be adequately protected from damage by ships, by recessing, fendering or otherwise.
- 85 Where means of access passes over water and there is a significant risk of a person falling into the water and drowning from or at either end of the means of access, or from the quayside or ships' deck immediately adjacent to the means of access, suitable safety nets should be securely rigged to minimise this risk. Suitable and sufficient attachment points for nets should be provided.
- 86 Other risks to consider include;
- prevailing environmental conditions (e.g., high winds, rain, snow, poor visibility etc) that may present additional hazards when working at height.
 - changes to cargo condition.
 - cargo movement.
 - vessel movement due to tide, loading or unloading.
- 87 Consider emergency evacuation and rescue procedures, for example where a person works in an isolated position such as a deep cargo hold or a crane cab. See section 'Emergency planning' for more detail.

Access Between Ships

- 88 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.
- 89 Pilot ladders should only be used to provide access between a ship with high freeboard and a barge or similar ship with low freeboard.
- 90 A safe means of access to workplaces and working positions should be provided.
- 91 Pilot ladders should only be used in exceptional circumstances where no other practicable means of access are possible. Ladders should be secured so that they are firmly held against twist, turnover or tilt.

92 Consider emergency evacuation and rescue procedures.

93 Other risks to consider include extreme weather (e.g., high winds, rain, snow, poor visibility etc) that may present additional hazards when working at height.

Cargo

94 No ships' hold should be left open for dock operations for longer than is required.

95 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.

96 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.

97 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

98 Avoid work at height whenever possible.

99 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.

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

101 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.

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

103 Equipment for work at height must be properly inspected and maintained.

104 Where access to the workplace requires a worker to pass over cargo, then a safe means of access must be provided.

105 A safe means of access to workplaces and working positions should be provided. This includes access on to plant onshore and to ships and ships' holds.

106 If there is still a risk of falls, use work equipment that minimises the distance and consequences of a fall, e.g., nets, airbags, fall arrest systems.

107 Adverse weather may pose additional hazards that should be taken into account.

Fencing at dock edges

108 Except for straight and level quaysides, fencing should be provided at all dock, wharf, quay, or jetty edges from which people may fall into water, and where they must pass within 1 m of the edge, or the configuration

of the quay or the arrangement of walkways is such that they are more than ordinarily liable to fall over such an edge.

109 Fencing should be provided throughout every open side of narrow access ways, whether the fall would be into water or not.

110 These provisions do not apply to areas where there is no work activity being undertaken, subject to any foreseeable risk to members of the public.

111 Secure and adequate fencing should be provided where risk assessment has found this to be needed.

112 Particular consideration should be given to:

- Every break, dangerous corner and other part or edge of a dock, wharf, jetty, or quay.
- Open sides of a gangway, footway over a bridge, caisson (large watertight chamber), or dock gate; and
- any other place where someone working or passing might fall.

113 Secure fencing should consist of an upper rail and an intermediate rail. In certain circumstances, e.g., the presence of children, a higher standard of protection will be required. The rails may where necessary consist of taut wire, taut chain, or other taut material.

114 Dock premises should be provided with adequate and suitable rescue and lifesaving equipment and means to escape from danger, e.g., handholds on the quayside at water level, ladders on quay walls and life-saving appliances.

115 Take into account the risks to lone workers.

116 Take into account the risks to members of the public where public access is possible or foreseeable, even if there is no dock work activity being undertaken.

Lifting Operations

117 Loading and unloading at docks involves the use of a wide range of lifting equipment. This may include gantry cranes, slewing cranes, forklift trucks or other similar machinery. Poorly planned lifting operations can create significant risks to people working in the area.

118 Typical hazards from lifting operations include:

- failure of lifting equipment.
- falling loads; and
- workers being crushed by a moving load or lifting equipment.

Planning and Organising Lifting Operations

119 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.

- shifted loads.
- changes to the centre of gravity of the load.
- jammed containers or failure of twist locks.
- bad weather.

- movement of the ship, e.g., when carrying out tandem or simultaneous lifts.

120 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 and Lifting Appliances (Jersey) Regulations 1978.

121 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.

122 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.

123 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.

124 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.

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

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

127 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.

128 Operations which include the use of ships' equipment or plant must be planned and executed safely. Dutyholders should make pre-use checks concerning the safety of the plant, so far as it is within their control. In particular, before any employer of shore workers authorises their employees to use ships' equipment and accessories, they should arrange for it to be checked before use and check any associated certificates of test or thorough examination.

129 Walkways leading to ships should wherever practicable reach the ships' access without having to pass beneath overhead operations.

130 Loads should not be placed on hatch coverings, unless specifically designed for that purpose, without the authority of the ship's master or their authorised/competent representatives.

131 Items with a centre of gravity significantly away from their apparent centres in any plane should be appropriately marked to facilitate safe slinging, lifting, and securing.

132 Operational procedures should include means for establishing the gross weight of each load to be lifted. Where reasonably practicable, this information should be marked on the load together with any other information necessary for its safe handling.

133 Lifting equipment must be suitable for the proposed use, including any unexpected forces to which the lifting equipment might be subjected. The equipment used should provide an appropriate 'factor of safety' against foreseeable risks, particularly where people are being lifted.

134 No hold should be left open for dock operations for longer than is required.

135 Operational procedures should include adequate arrangements for landing cargo and for storage of goods including safe stacking. Goods should be stowed on board ship in such a way that they do not obstruct any regular means of access unless an alternative means of access is provided.

Use of Lifting Equipment

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

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

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

139 Always use suitable lifting equipment to securely lift cargo. Lifting equipment and accessories should be suitable for their intended use, e.g., paper reels should be handled with equipment such as reel clamps.

140 If a ship's lifting equipment is to be used, ensure that it is suitable and subject to a pre-use examination. Check the ship's documentation of thorough examination.

141 Cargo handling equipment, for example a forklift truck, that is lifted on to or off ships by crane or derrick should be provided with suitable points for the attachment of lifting gear. Such equipment should be marked with its gross weight.

142 Tank containers should not be lifted directly with the forks of forklift trucks, because of the risks of instability and of damaging the container with the ends of the forks. Tank containers may be lifted using forklift trucks fitted with suitably designed side or top lifting attachments, but care must be exercised due to the risk of surge in partly filled tanks.

143 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).

144 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.

Lifting Equipment Used for Lifting People

145 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.

146 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.

147 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

148 The employer (in control of the operation) should check the condition of all lifting equipment and accessories so far as reasonably practicable to do so and consider the use to which they are to be put.

149 This applies to all lifting equipment and accessories including multi-trip and one-trip slings, intermediate bulk containers (IBCs) and also rope, webbing or chains used in pre-slung loads.

150 So that the shoreside employer may comply with their obligations, they should provide and maintain a system of work which in the case of wire rope slings includes checking the test certificates for the wire rope from which the slings were made, where these are available. Where they are not available, the employer should, where possible, otherwise verify that a test has been carried out.

151 One-trip slings should be disposed of at the end of the trip and should never be reused.

152 Lifting appliances should not be used to drag loads.

153 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.

154 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.

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

156 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.

Cranes used in dock operations

157 The employers in control of operations and/or dutyholders should have in place robust, proactive planned maintenance regimes for cranes, including an assessment of design life, post-supply structural modifications and actual use patterns.

158 Safety critical parts of the crane should be identified and have maintenance and testing regimes in place to monitor such parts, in line with suggested testing and maintenance intervals.

159 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.

160 Dutyholders must consider the role, scope, time, and access afforded to companies carrying out thorough examinations of cranes, particularly with regard to how schemes are determined and how it can be ensured that necessary safety critical parts are included in such schemes. Dutyholders must consider how to proceed where conflicting expert advice is received and keep records of such conflicts.

161 Dutyholders must consider the importance of involving crane operators and maintenance staff in plans for new purchase and/or modifications to existing cranes and crane working practices.

Competency of Persons Operating Lifting Equipment

162 All persons operating lifting equipment, including cranes, are to be competent to do so, demonstrable with their skill, knowledge, training, and experience.

Slips and Trips

Approaches to Reducing Slips and Trips

163 Typical slip and trip hazards in docks include:

- working on uneven, wet, or icy surfaces on loads.
- adverse weather conditions.
- badly stowed mooring ropes, lashing gear and other equipment.
- use of inappropriate flooring or surfaces on walkways, ramps, and access steps.
- discarded packaging and pallets.
- deck fittings and pipework on ship.
- poor or unsuitable lighting in work areas.

164 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.

165 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

166 Given the nature of dock premises, it is important to ensure that there are adequate and suitable provisions in place to facilitate the rescue of anyone who falls into the water from the quayside. This section does not apply to disused or redundant docks, but employers/duty holders may have duties under article 5 of the Health and Safety at Work (Jersey) Law 1989 in respect of these. (HSE L148 210)

Unfenced Quay Edges

167 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.

Fenced Quay Edges

168 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).

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

Pontoons and Ship to Ship Operations

170 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

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

172 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

173 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.

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

Positioning of Handholds and Ladders on Quay Walls

175 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.

176 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

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

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

179 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

180 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>

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

Recreational Diving

182 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

183 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.

184 Contractors employed by lessees in Ports of Jersey's 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

185 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 ports.je.

Permit to Work

Application and Operation of Permits to Work

186 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.

187 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).

188 Ports of Jersey's 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

189 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.

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

191 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.

192 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.

How to reduce risks from dusty cargo

Health Risks

193 Exposure to dust should be avoided. If this is not possible then it should be adequately controlled. The level of control of exposure required will depend on the potential health effects of the dust. Some ways to control exposure include:

- design tasks to reduce the amount of dust generated.
- restrict staff entry to dusty areas such as warehouses especially during tipping, loading, and pushing activities.
- use totally enclosed, continuous handling systems – these usually provide the best control and should be used whenever reasonably practicable.
- suppress dust with sprays of water or other binding agents.
- ensure all equipment used to reduce dust exposure is properly maintained and in efficient working order.
- provide suitable air-filtration systems to the cabs of all vehicles used to handle dusty cargoes.
- provide and use respiratory protective equipment (RPE) – this should be suitable for its purpose, maintained and compatible with other protective equipment worn. This should only be as a last resort after other measures have been taken.

- provide adequate information, instruction, and training to workers so that they are aware of the health risks and are able to use control measures properly; and
- provide health surveillance for workers.

Explosion Risk

194 Possible control measures include:

- maintaining good housekeeping, i.e., avoiding or minimising the build-up or release of dust.
- the use of suitably maintained local exhaust ventilation systems.
- excluding or controlling any sources of ignition, e.g., use of protected lighting.
- the use of permit to work systems for activities such as hot work in affected areas.

195 Due to the specialist nature of this topic, further guidance should be sought from UK HSE ACOPs and guidance. And, HSE Safety notice: Hydrogen sulphide (H₂S) in cargo and slop tanks (03/05/2023).

Musculoskeletal disorders

196 Dock workers carry out a number of activities which, if not properly managed, may lead to a variety of musculoskeletal disorders (MSDs).

197 MSDs include back pain and muscle injuries and are often the result of poor handling techniques or tasks involving repetitive movements and/or excessive force. Injuries can also be caused by the vibration created by some vehicles – this is known as whole-body vibration. Some people may not fully recover from MSDs, and they can greatly affect an individual's quality of life.

198 Where MSD hazards can be found in docks:

- manual manoeuvring of lifting gear and attachments or slung loads.
- handling of twistlocks and unlocking poles.
- lifting/manoeuvring of lashing bars.
- breaking out pre-packed or palleted loads.
- storage and warehousing activities.
- hauling mooring ropes.
- vibration transmitted through the seat or feet of employees who drive mobile machines, such as tugs and other similar vehicles, over uneven ground or on rails.
- use of pneumatic lashing systems.

How to reduce MSD risks

199 For manual handling:

- Use mechanical aids such as motorised winches for hauling mooring ropes of large ships, vehicle-mounted hydraulic hoists, portable roller conveyors, pallet trucks, scissor lifts and customised trolleys.
- Consider whether a load can be changed to make it easier to carry, for example smaller packages, providing handles or handholds.
- Adopt safe lifting techniques.
- Consider the ergonomics of dock machinery and equipment when specifying and purchasing.
- Ensure sufficient provision of training and instruction in manual handling techniques.

200 For whole-body vibration:

- Select and use appropriate machinery for the job.
- Maintain plant and equipment, e.g., cranes and lift trucks. Maintenance should include seats, suspension, and visibility through windows.
- Maintain roadways, quays, container park surfaces and rails.
- Take account of vibration information when buying or hiring equipment.
- Reduce exposure, e.g., through job rotation.
- Provide health surveillance for workers where appropriate.
- Provide drivers with information on how to reduce risks to their health.

Operation and Stowage of Cargo and Equipment

Reducing the Risks From Cargo Operations and Stowage

201 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.

202 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

203 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

204 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.

205 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.

How to reduce the risks in confined spaces

206 Where a confined space on a ship is involved, co-operation between the shoreside employer and master is essential to ensure that all relevant risks are managed, and duties are adequately discharged.

207 Risk assessments and control measures to consider will include:

- testing for noxious fumes or flammable atmospheres and how these can be vented or removed.
- the risk of liquids or gases flooding in and how to stop or limit this, e.g., lock valves shut.
- the lack of oxygen and the need to provide breathing apparatus.
- the job being done, and the equipment being used, e.g., welding gear that will reduce the amount of oxygen in the room, chemical cleaners that may require ventilation, gases released when disturbing residues, using appropriate electrical equipment in ignition risk areas etc.
- the person identified to do the job, e.g., training, physical ability, pre-existing medical conditions, and any personal protective equipment (PPE) needs etc.
- the need for rescue arrangements – this should cover the necessary equipment, training, and practice drills. Ensure that the equipment provided is actually suitable for the space.
- the use of permit-to-work systems – these are a formal check to ensure that all elements of the safe system of work are in place before people are allowed to enter the confined space.
- communications – ensure workers inside a confined space have a mechanism for communicating with others inside and those outside, especially if they cannot be physically monitored.

208 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.

209 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.

210 On each occasion for the same confined space the risks will need to be reassessed as things may have changed, the task and equipment being used may be different and it may not be the same person doing the work.

Dangerous Goods

General Dangerous Goods Requirements (See Appendix 2)

211 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.

212 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.

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

214 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.

215 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

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

217 There are written emergency plans in case of a major incident at the dock that could involve risks to the public, rescuing employees or co-ordinating emergency services.

218 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.

219 In emergencies people are more likely to respond reliably if they:

- are well trained and competent – do not forget the needs of people with disabilities and vulnerable workers. Appropriate awareness should also be provided for people such as visiting drivers, ships' crew, contractors, and passengers.
- take part in regular and realistic practice – consider extending training and familiarisation of the plan to outside agencies that may need to be called on.
- have clearly agreed, recorded, and rehearsed plans, actions, and responsibilities – nominate competent people with clearly defined roles and functions to take control. Decide which other key people are needed, such as a nominated incident controller, someone who is able to provide technical and other site-specific information if necessary, or first-aiders.

220 Points to consider in an emergency plan include

- Consider what might happen, how the alarm will be raised and how to activate procedures. Do not forget night and shift working and weekends.
- Plan what to do – include contact details and how to call the emergency services. Consider drawing up a simple plan showing the location of hazardous items.
- Define evacuation routes and identify where rescue equipment is kept.
- Plan essential actions such as emergency plant shutdown, isolation or making processes safe. Clearly identify important items like shut-off valves and electrical isolators etc.
- Take account of the potential fire risks on board vessels, particularly those associated with hazardous cargoes.
- In responding to an emergency event, ensure the response is managed so that rescuers are not put at unnecessary risk.
- Plan for rescuing people from the scene, or evacuating them and treating their injuries, or providing them with shelter and comfort, or arranging for an orderly return to the scene when it is safe.

- Consider establishing containment areas for personnel.

221 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.

222 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

223 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

224 Making the workplace safe includes providing instructions, procedures, training, and supervision to encourage people to work safely and responsibly. Even where engineering controls and safe systems of work have been applied, some hazards might remain. In these cases, employers have duties concerning the provision and use of PPE at work, and employees have a duty to use PPE correctly and in accordance with instructions

225 PPE must only be used as a last resort. If a risk assessment identifies PPE is required after implementing other controls, employers must provide this for their employees free of charge.

226 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.

227 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.

228 PPE is equipment that will protect the user against health or safety risks at work. It can include items such as life jackets, safety helmets, gloves, eye protection, high-visibility clothing, safety footwear and safety harnesses. It also includes respiratory protective equipment (RPE).

229 When selecting suitable PPE, consider:

- Who is exposed and to what?
- How long are they exposed for?
- How much are they exposed to?

230 To ensure the suitability of PPE:

- As best practice, it is recommended that products which are CE/UKCA are chosen where appropriate. If in doubt, seek further advice from a specialist adviser and explain the job to them.
- Choose equipment that suits the user – consider the size, fit and weight of the PPE and the health of the user. If the users help choose it, they will be more likely to use it.

- Make sure that if more than one item of PPE is being worn, they can be used together, e.g., wearing safety glasses may disturb the seal of a respirator, causing air leaks.
- Instruct and train people how to use it. Explain why it is needed, when to use it, what its limitations are and know how to detect and report any faults.
- Ensure that the right replacement parts that match the original are used, e.g., respirator filters, and have replacement PPE available.
- Clarify who is responsible for maintenance and how it is to be done.
- Ensure PPE is properly looked after and stored when not in use, in accordance with the Personal Protective Equipment (Jersey) Regulations. If it is reusable, it must be cleaned and kept in good condition.

231 Never allow exemptions from wearing PPE for those jobs that 'only take a few minutes.

Lone Working

232 Lone workers are those who work by themselves without close or direct supervision so additional controls may be needed to reduce risks to acceptable levels. Think about and deal with any health and safety risks before people work alone.

233 Establishing a healthy and safe working environment for lone workers can be different from organising the health and safety of other employees.

234 There are no absolute restrictions on working alone but it will depend on the risks faced by the individual.

235 It will often be safe to work alone. However, the law requires employers to think about and deal with any health and safety risks before people are allowed to do so.

236 There are some high-risk activities where at least one other person may need to be present. Examples include crane operators; engineering staff and security staff; some high-risk confined space working where a supervisor may need to be present, as well as someone dedicated to a rescue role; and electrical work at or near exposed live conductors where at least two people are sometimes required.

237 Consider:

- whether there is a need to assess areas of risk (including violence, manual handling), the medical suitability of the individual to work alone and any risks arising from the nature of the workplace itself.
- whether there are any particular requirements for training and the levels of experience needed.
- what systems might be needed to supervise and keep in touch with lone workers.

238 Depending on the risks, some lone workers may require extra control measures, which may include instruction, training, supervision, protective equipment, rescue procedures etc. Employers should check that control measures are used, and procedures reviewed from time to time to ensure they are still adequate.

First Aid

239 While there is no prescriptive legal requirement to provide first-aid in the workplace, other than for construction sites, it is recommended that appropriate first aid arrangements to ensure employees receive immediate attention if they are injured or take ill at work. The first aid needs and arrangements will depend on the particular circumstances in the dock.

240 As a minimum, there should be:

- a suitably stocked first aid box.
- an appointed person to take charge of first aid arrangements.
- information for all employees giving details of first-aid arrangements.

241 Make an assessment of the hazards and risks in the workplace and establish an appropriate level of first-aid provision. The assessment may also indicate that a first-aid room should be provided.

242 Qualified first aiders must have the right training and a certificate valid for three years – after that, a refresher course and re-examination is necessary.

Failure to Comply with the Code of Practice

Failure to Comply Process

243 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.