

WHOLE-BODY VIBRATION

Instructions for completion You can move between questions by pressing the 'Tab'/'Shift-Tab' or 'Page Up' / 'Page Down' keys or by clicking on the grey boxes with a mouse. Please type your replies within the grey boxes or click on the grey boxes labelled 'Please select' to reveal a drop down list to select an answer. A checked box means this response is selected – Yes: <input checked="" type="checkbox"/> means 'yes'.		
Please provide some background information about yourself and your organisation.		
Title:	Forename:	Surname:
Mr	Peter L	Huxtable
Address 1:	British Aggregates Association	
Address 2:	10 Brookfields	
Address 3	Calver	
Town / City:	Hope Valley	
County:	Derbyshire	
Post code:	S32 3XB	
Email:	phuxtable@british-aggregates.com	
If you work in a business please indicate what type. Quarry Operators' Trade Association		
If you have answered 'other' to type of business, please enter a category that best defines the type of business in which you work.		
If you do not work in a business, please tell us what sort of activity you are involved or interested in.		
Are you replying on your own behalf or on behalf of a firm or organisation? Members of our Association – 60 direct and 20 Associates throughout UK		
If on behalf of a firm or organisation what is its name? British Aggregates Association		
Please give us any other information about yourself that you think is important Represent the interests of the privately-owned SME quarry operator sector in the UK (approx 10% UK output) and operate out of over 100 individual quarry sites		

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A proforma for replying to the questions raised in paragraphs 21-48 of the CD					
Issue 1: HSE's draft guidance	23 - 25				
1 Do you agree with the proposal to issue the guidance on HAV and WBV as separate documents? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>					
Comment:					
2 Do you think the short guide for employers (Part 1) of the guidance should remain as part of the main guidance booklet? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>					
Comment:					
Short guide would be better as a separate publication.					
3 Is the overall structure and content of the guidance helpful? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>					
If "No" explain how the structure and content could be improved					
Issue 2: Regulation 3. Transitional Provisions (Directive Article 9)	26 – 30				
4 Do you agree that the transitional periods should be incorporated into the regulations and be available to all industries rather than be decided by HSE on a case-by-case basis? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>					
Comment:					
Transitional periods will be required by many industrial sectors as it is not yet clear how practical compliance will be achieved. Transitional periods should therefore be incorporated into the Regulations. The transitional period should be extended to 2014 for all sectors of industry. It is more than reasonable for the quarrying sectors to be given the same (longer) transitional periods as the agricultural and forestry sectors and for the same reasons.					
5 Do you agree that the transitional period should apply to second-hand and hire equipment provided it is sold or hired out for the first time before 2007? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>					
Comment:					
Issue 3: Regulation 4 and Schedule 2 Exposure Limit and Action Values (Directive Article 3) – Use of A(8) or VDV for defining the values	31 – 38				
6 Please select the option you prefer for setting the exposure limit value and exposure action value (see para. 34)					
Options	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; text-align: center;">A</td> <td style="width: 25%; border: 1px solid black; text-align: center;">B</td> <td style="width: 25%; border: 1px solid black; text-align: center;">C</td> <td style="width: 25%; border: 1px solid black; text-align: center;">D</td> </tr> </table>	A	B	C	D
A	B	C	D		

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ELV EAV Please select one:	A(8) A(8) <input checked="" type="checkbox"/>	VDV VDV <input type="checkbox"/>	A(8) VDV <input type="checkbox"/>	VDV A(8) <input type="checkbox"/>
Issue 4: Regulation 5 Determination and assessment of risks (Directive Article 4)				39 – 43
7	Do you agree that, where available, suitable published WBV information could be used by employers to produce risk assessment rather than their needing to measure vibration exposure? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>			
Comment: The use of published WBV data would simplify assessment for SME operators and manufacturers should provide information matched to specific operating conditions (speed, ground conditions, equipment maintenance state and age etc) to provide simple published generic data. This approach needs the full support and endorsement of the Quarry Inspectorate and manufacturers' data needs to be to an agreed standard EU format.				
8	Do you feel that generic risk assessments would be useful if industry is prepared to contribute to the cost (para 39)? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>			
Comment: The independent quarry sector would not have funds to provide this data which should be essentially provided by manufacturers and the HSE; pooling of data and information from larger organisations; and independent research. It would perhaps be a useful use of monies from the Aggregates Levy Sustainability Fund.				
9	Do you agree that measurement may be necessary in situations described in paragraph 40? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>			
Comment: This needs to be kept to an absolute minimum consistent with maintaining a monitor and update on the generic tables provided.				
10	Do you agree that the employer or one of his employees could carry out the vibration exposure assessment using relevant published WBV information? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>			
Comment: The code of practice and guidelines should be adequate to ensure compliance with a satisfactory assessment.				
11	Do you agree that the employer or one of his employees could be trained to carry out WBV measurements on his machines? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>			
Comment: Guidance on assessment must be kept as simple and straightforward as possible. There should be no requirement for assessment of VDV and all references to VDV should be removed from the guidance given on assessment. For most SMEs the use				

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of external consultants is more likely than the use of in-house personnel.	
12	Do you agree with HSE's guidance on the necessary competence to carry out a risk assessment and when the services of a consultant may be needed?
Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	
Comment:	
13	Do you agree that risk assessments should be updated on a needs basis rather than at fixed intervals e.g. every 2 or 3 years?
Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	
Comment:	
Issue 5: Regulation 6(4) Derogations (Directive Article 10)	44 – 45
14	Do you think the decision on whether the weekly averaging derogation can be used should be delegated to individual employers rather than by application to HSE?
Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	
Comment:	
Issue 6: Regulation 7 Health surveillance (Directive Article 8)	46 – 48
15	Do you agree that formal health surveillance is not appropriate for WBV?
Yes (i.e. not appropriate): <input checked="" type="checkbox"/> No (i.e. appropriate): <input type="checkbox"/>	
Comment:	
16	Do you agree with the proposal in guidance that a simpler, voluntary system of health monitoring covering risks from manual handling and posture as well as WBV exposure should be used where risks are high?
Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	
If "No" what alternative proposals do you have?:	
General	
17	Are there any general comments you would like to make about the regulations or guidance?
Comment:	

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<p>The whole subject of vibration assessment is complex and raises many so far unanswered questions. There are practical problems and problems with reproducibility for a quantitative and meaningful test regime. These are particularly onerous on smaller SME operators. As there is little or no substantive evidence of a causal link between WBV and lower back problems the use of generic data should be sufficient coupled with good maintenance of machines and roadways and awareness training of management and operatives.</p> <p>We strongly oppose the use of VDV for the EAV or ELV on off-highway use of loaders and lorries etc. We believe all references to VDV measurement should be excluded from the Regulations and Guidance for quarry off-highway activity as we understand that measurement in the field has given inconsistent results. We are concerned that any requirement to measure or record VDV as part of an assessment is of little value, unnecessarily complicates the process and could potentially be used in future injury claims even where compliance with an A(8) ELV can be demonstrated. This would be unnecessarily onerous and particularly disadvantageous to SME operators.</p>	
18	In your view how well does this CD represent the different policy issues involved in this matter – <i>Very well, Well, Not well, Poorly?</i> well
Comment:	
19	Is there anything you particularly liked or disliked about this consultation exercise?
Comment:	
Confidentiality: Please indicate below if you do not wish details of your comments to be available to the public. (NB if you do not put a cross in the box they will be made public. This takes precedence over any automatic notes on e-mails that indicate that the contents are confidential.) Please treat my response as confidential. <input type="checkbox"/> (X means confidential) Alternatively, to treat your comments on a particular section as confidential, please insert bracketed text '(Treat as confidential)' within that section response.	
<i>Please note that names and addresses will be removed before this form is transferred to and stored in the HSE library.</i>	
Please save with a distinctive document name and return by e-mail to: wbv.vibration.directive@hse.gsi.gov.uk	