

The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) Formal Response to The Call for Evidence (CFE)

1. Introduction

In October 2025, the Health and Safety Executive (HSE) launched a six-week Call for Evidence (CfE) on the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER).

This formed part of the Government's wider Regulation Action Plan (RAP), which seeks to reduce administrative burdens by 25%, while maintaining high standards of protection.

The purpose of the CfE was to gather evidence on:

- Whether aspects of LOLER create unnecessary administrative burdens
- Whether elements of the regulatory framework have become outdated in practice
- Opportunities to support growth innovation and economic growth without compromising safety outcomes.

This document summarises the evidence received and set outs HSE's response and next steps.

2. Overview of Responses Received

With thanks to all those that responded, HSE received 176 responses from a broad cross section of stakeholders, including; employees, contractors, advisers and representative bodies.

Headline findings were:

- 59% of respondents indicated that LOLER remains fit for purpose,
- 59% indicated that no systems or machinery should be removed from the regulatory framework (26% said systems should be removed with no clear improvements),
- 65% indicated that the regulations were not duplicative and therefore not creating unnecessary burden,
- 64% of respondents indicated the LOLER Approved Code of Practice (ACoP) remained fit for purpose.

While a range of detailed points were raised, the overall evidence base does not demonstrate a clear or proportionate case for legislative reform at this stage when taking into consideration the cost regulatory change would place on business.

3. Key themes raised during the CFE and response

This section summarises the principal themes. Detailed individual points cannot all be reproduced here; however, all evidence was reviewed and thematically analysed.

Overall, most respondents consider the regulation fit for purpose, with improvements best delivered through clearer guidance and ACoP updates rather than legislative change.

3.1. Flexibility in the testing regime (statutory periods vs risk-based scheme of examination)

Some respondents suggested changing statutory examination intervals to both shorter or longer periods or moving to a more explicitly risk-based model. The key concern raised around the need for shorter periods was due to the perception that some products were unsafe and needed more checks.

The current regulations have a baseline test period of 6 and 12 months which should be followed unless the lifting operation has a scheme of examination in place, which dutyholders can choose to implement. Where this is the case, the regulations already provide the competent person with the ability to set appropriate examination periods (which may not be 6 and 12 months) provided this is justified by rigorous risk assessment. Any bespoke written scheme of examination prepared by the competent person must be documented appropriately and made available to inspectors if requested.

The evidence does not support legislative change, and the current goal-setting framework enables a proportionate approach.

3.2. Guidance and ACoP updates to aid clarity of regulatory application and use of AI

A significant proportion of responses focused on interpretation and scope, particularly:

- The definition of 'lifting equipment'
- Treatment of accessories and suspended loads
- Interactions with other health and safety regulations
- The use of digital technology as part of examination
- Regulatory position where loads are pulled or winches, but do not leave the ground

Evidence indicates that concerns arise from ambiguity in guidance rather than gaps or duplication in the regulations themselves.

As an example, based on comments received, if the load is 'winched' and never leaves the ground, then it's being pulled and LOLER will not apply. However, provisions within PUWER will remain applicable.

LOLER is a goal-setting regime. It establishes outcomes, rather than prescribing specific technologies or methods. Where statutory requirements are met, competent persons may use appropriate digital diagnostics or AI-enabled tools to support professional judgement.

HSE will consider opportunities, where appropriate, to support understanding of how the regulations apply.

3.3. Competency and benchmarks (Competent Person and Thorough Examination)

Competence was a central theme linking inconsistent examination intervals, variable assessment quality and duplicative testing. Evidence suggests these issues arise from variability in the interpretation of "competent person" rather than from regulatory limitations.

HSE will continue to keep this under review and as opportunities arise, clarify what competency expectations are via relevant channels for example guidance or industry partners.

4. Next Steps

In line with the government's growth agenda and the commitment to reduce administrative burdens, HSE has carefully considered whether legislative change is justified at this time. The CfE did not produce sufficient evidence to demonstrate that legislative reform would:

- Reduce burden without undermining safety outcomes
- Deliver benefits that outweigh the disruption and transitional costs

HSE will continue to monitor the evidence base as it develops but legislative reform opportunities which support the aims of the RAP, have not been identified at this time. Instead HSE will seek to improve understanding and support business with compliance through updated guidance as opportunities arise.

HSE will continue structured engagement with industry, trade associations and technical bodies, through existing work streams prioritising areas with the greatest risk and the greatest potential to reduce unnecessary burden through clearer guidance.

Monitoring will continue to ensure the regulatory approach remains proportionate, evidence-led and responsive to emerging technologies and operational practice.