

DERBYSHIRE COUNTY COUNCIL

MEETING WITH CABINET MEMBER, HEALTH AND COMMUNITIES

28 July 2015

Report of the Strategic Director, Health and Communities

TRADING STANDARDS SAFETY SURVEY – STEP LADDERS

1. Purpose of Report:

To advise the Cabinet Member, Health and Communities of the results of a trading standards product safety into the safety of step ladders on sale in Derbyshire.

2. Information and Analysis:

- 2.1 As has already been reported, Derbyshire Trading Standards Service regularly samples products on sale in Derbyshire to check compliance with product safety legislation. One such product area was the safety of step ladders and other similar products. This followed a complaint from a disabled Derbyshire resident who purchased a step ladder from a mail-order company having responded to a 'glossy advert' in a Sunday supplement magazine. This particular ladder was specifically advertised as a 'safety step-ladder'. The complainant had bought the ladder for £69.95 so that he could safely change light bulbs in his home. However, when he used the step ladder he found that it wasn't strong enough and threatened to collapse.
- 2.2 Relevant standards for assessing the safety of any ladder manufactured or supplied within the EC include the European Standard for 'portable ladders'; EN 131. This standard specifies the design, construction and labelling of ladders as well as instructions for use that ladders must comply with and includes, amongst others, the following:

General Requirements

- Materials
- Design
- Surface finish
- Hinges (turning points)
- Opening restraints
- Rungs/steps/platforms
- Extending and sectional ladders (eg telescopic ladders)

Testing Requirements

- Strength and bending test of stiles

- Lateral deflection
- Load and torsion tests on rungs, steps and platforms
- Tests of opening restraints, hinges, locking devices and feet.

In other words the Standard is designed to ensure that any portable ladder (extending, step, platform, loft, combination, telescopic ladders) are safe for use in foreseeable circumstances. The standard also allows for different materials including aluminium, steel, plastic and timber.

2.3 In response to the complaint, Derbyshire Trading Standards made a test purchase of the ladder in question and submitted both it and the complainant's ladder for testing against the European Standard. Enquiries established that the only test laboratory available in the UK was the British Standards Institute (BSI) so in fact arrangements were made to have the ladders tested by an accredited test house in Hungary as this was cheaper. The examination confirmed that neither of the samples complied with the Standard and thus the ladders were in breach of the General Product Safety Regulations (GPSR). Following an investigation, Officers felt that the company concerned had not taken sufficient precautions to avoid breaching the Regulations, and so a decision was taken to prosecute the company. The company pleaded guilty at Derby Magistrates Court and were fined a total of nearly £6,500 which included £3,000 in fines, £3,300 in costs and compensation of £69.95¹.

2.4 A survey of ladders on sale in Derbyshire was undertaken during 2013-14 and four ladders including three step-ladders and a telescopic ladder were submitted to British Standards Institute in January 2014 in order to assess their safety in relation to the GPSR. Rather than pay for the ladders to be tested against all relevant clauses of the European Standard, it was requested that they be tested against a selection of structural requirements which intelligence suggested the samples were likely to fail. The four ladders sampled were as follows:

1. A two tread mild steel step stool with folding legs that are braced
2. A three tread, mild steel step stool with folding legs that are braced
3. A four tread platform, mild steel with braced folding legs, and
4. An aluminium 3.75m 13-rung 12-section telescopic extending ladder

2.5 All four ladders were deemed to have failed the standard and were thus considered to be in breach of the General Product Safety requirements. A summary of the main issues of concern is as follows

1. Two tread step-stool

- The permanent distortion to the step when a vertical load applied was 2.5 mm was applied which was in excess of the 1.5 mm (0.5%) allowed

¹ See Media report: <http://www.derbytelegraph.co.uk/Firm-court-disabled-man-sold-unsafe-safety-ladder/story-15812900-detail/story.html>

- The permanent distortion to the platform when a vertical load applied was 3.0 mm was applied which was in excess of the 1.5 mm (0.5%) allowed.

2. Three tread step-stool

- The permanent distortion to the step when a vertical load applied was 4.0 mm was applied which was in excess of the 1.5 mm (0.5%) allowed
- The permanent distortion to the step when a vertical load applied was 5.5 mm was applied which was in excess of the 1.5 mm (0.5%) allowed
- The thickness of load bearing parts was 0.879mm whereas it should have been a minimum of 0.9 mm

3. Four tread platform-ladder

- When a force was applied to the ladder foot it became detached and was no longer functional and safe in operation.
- The bottoms end stiles became fractured/cracked when a force was applied to them
- The thickness of the load bearing steel was 0.884 mm which was less than the required 1.0 mm
- The depth of the platform was found to be 200.05mm which was less than the required minimum of 250 mm.

4. 13 rung telescopic ladder

- The ladder rotated 26° 57' clockwise when submitted to the torsion test whereas the maximum rotation is 18°
- The ladder rotated 24° 30' anti-clockwise when submitted to the torsion test whereas the maximum rotation is 18°
- There was permanent distortion which impaired the use of the locking devices when tested

2.6 All the companies involved in the supply of the unsafe ladders were investigated and the relevant Home Authorities informed. In two instances the ladders were no longer being supplied and in the other two cases the companies concerned agreed to remove the ladders from sale. Three of the businesses agreed to sign a Home Office 'Simple' Caution and in one instance the decision was taken to instigate legal proceedings against the company concerned because it was felt that the breach merited a prosecution. This was primarily because they had not commissioned any independent testing of the ladders and had relied upon a safety report from their Chinese supplier that indicated that they had had the ladder tested to the wrong standard. The company pleaded guilty and were given a 2 year conditional discharge ordered to pay prosecution costs of £3,599.

2.7 The Trading Standards Division will continue to monitor the safety of products on sale in Derbyshire. Guidance on the safe use of ladders is available from the Health and Safety Executive via the following website:

<http://www.hse.gov.uk/pubns/indg455.pdf>

3 Other Considerations:

In preparing this report the relevance of the following factors has been considered; human resources, legal, financial, prevention of crime and disorder, equality of opportunity; environmental, health, human resources, property and transport considerations.

4 Background Papers:

None

5 Key Decision:

No

6 Call-in:

Is it required that call-in be waived for any decision on this report?

No

7 Officer's Recommendation:

That the Cabinet Member, Health and Communities notes the activities undertaken to assess the safety of goods on sale to the public in Derbyshire.

**David Lowe
Strategic Director
Health and Communities**