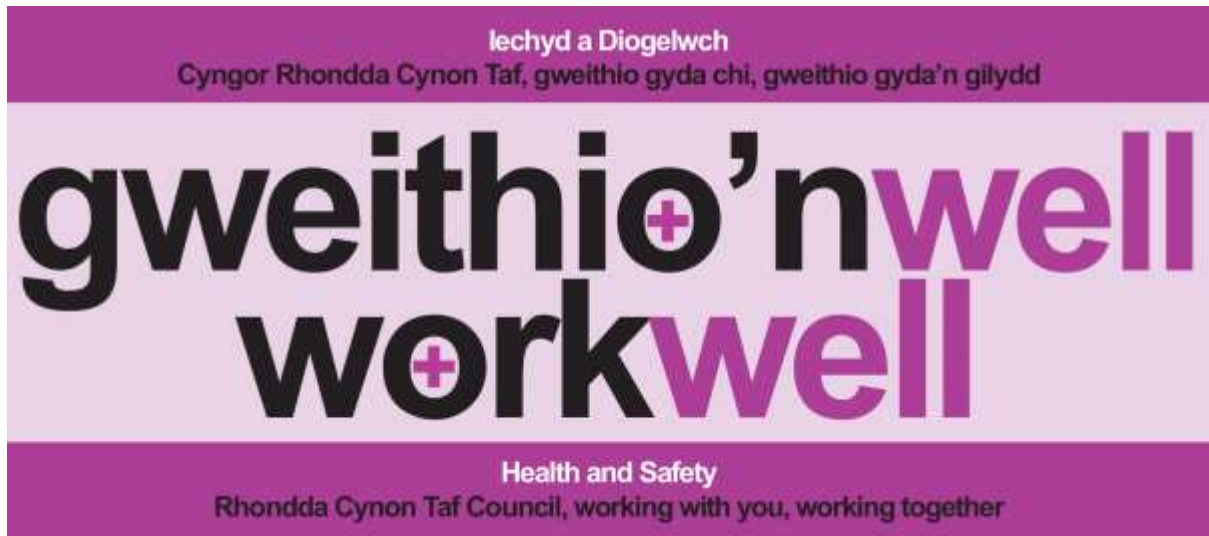


Version	7
Last Revision Date	May 2022



HS 2

Use of Personal Protective Equipment Policy

Mae'r ddogfen yma ar gael yn y Gymraeg
This document is available in Welsh



DOCUMENT CONTROL	
POLICY NAME	Use of Personal Protective Equipment Policy
Department	Human Resources
Telephone Number	01443 425536
Initial Policy Launch Date	May 1996
Reviewing Officer	Mike Murphy
Review Date	May 2024
Date of Equality Impact Assessment	2008
REVISION HISTORY	
Date	Revised By
May 1996	Gerwyn Hogben
July 2002	Gerwyn Hogben
February 2010	Mike Murphy
July 2016	Mike Murphy
July 2018	Mike Murphy
March 2021	Mike Murphy
May 2022	Mike Murphy
DOCUMENT APPROVAL	
This document has received approval from:	Date of Approval
HR Senior Management Team	
Corporate Management Team	
Cabinet	

CONTENTS

1. Introduction	1
2. Policy Statement	3
Policy Guidance	
3. Arrangements for Securing the Health and Safety of Workers.....	5
4. Procedures for Dealing with Health and Safety Issues	5
5. Training	6
6. Maintenance	6
7. New PPE.....	6
8. Record Keeping	7
9. Other Regulations	7
10. Advice	8
Appendix A - Personal Protective Equipment.....	9
Managers Checklist.....	10

1. INTRODUCTION

- 1.1 This policy statement has been produced in response to the Personal Protective Equipment at Work Regulations 1992 (as amended).

The Personal Protective Equipment at Work Regulations 1992 (PPER 1992) have been amended by the Personal Protective Equipment at Work (Amendment) Regulations 2022 (PPER 2022).

PPER 1992 places a duty on every employer in Great Britain to ensure that suitable PPE is provided to **employees** who may be exposed to a risk to their health or safety while at work.

PPER 2022 extends this duty to limb (b) workers and came into force on 6 April 2022.

This means that if a risk assessment indicates that a limb (b) worker requires personal protective equipment (PPE) to carry out their work activities, the employer must now carry out a PPE suitability assessment and provide the PPE free of charge as they do for employees.

The employer is responsible for the maintenance, storage and replacement of any PPE they provide to employees and limb (b) workers. Employees and limb (b) workers are required to use the PPE properly following training and instruction from the employer. If the PPE provided is lost or becomes defective, employees and limb (b) workers should report that to the employer.

- 1.2 Section 230 (3) of the Employment Rights Act 1996's definition of a worker has 2 limbs:

- limb (a) describes those with a contract of employment. This group are employees under the Health and Safety at Work etc. Act 1974 and are already in scope of PPER 1992;
- limb (b) describes workers who generally have a more casual employment relationship and work under a contract for services – they did not come under the scope of PPER 1992.

PPER 2022 draws on this definition of worker and captures both employees and limb (b) workers:

'*Worker* means an individual who has entered into or works under:

- (a) a contract of employment; or

- (b) any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual;

and any reference to a worker's contract shall be construed accordingly'.

1.3 Generally, workers who come under limb (b):

- carry out casual or irregular work for one or more organisations;
- after one month of continuous service, receive holiday pay but not other rights, such as the minimum period of statutory notice;
- only carry out work if they choose to;
- have a contract or other agreement to do work or services personally for a reward (the contract doesn't have to be written) and only have a limited right to send someone else to do the work, for example, swapping shifts with someone on a pre-approved list (sub-contracting);
- are not in business for themselves (they do not advertise services directly to customers who can then also book their services directly).

As every employment relationship will be specific to the individual and employer, the precise status of any worker can ultimately only be determined by a court or tribunal.

1.4 The changes to PPER 1992 as amended by PPER 2022 with regards to limb (b) workers do not apply to those who have a self-employed status.

1.5 References to 'worker' in this policy include both employees and limb (b) workers.

1.6 For the purpose of this policy Personal Protective Equipment (PPE) is defined as follows:

'all equipment (including clothing affording protection against the weather) which is intended to be worn or held by a person at work and which protects the person against one or more risks to that person's health or safety, and any addition or accessory designed to meet that objective'.

- 1.7 A few types of equipment are not covered by the Regulations, mainly ordinary working clothes and uniforms that do not specifically protect against the risk to health and safety, including 'protective clothing' provided in the food industry primarily for food hygiene purposes.

2. POLICY STATEMENT

- 2.1 PPE must be provided when the risk presented by the work cannot be adequately controlled by other means. PPE should be regarded as the last resort to protect against risks to health and safety. Engineering controls and safe systems of work should be considered first.

Consider the hierarchy of controls below, in that order, with elimination being the most effective and PPE being the least effective:

- **elimination** – physically remove the hazard;
- **substitution** – replace the hazard;
- **engineering controls** – isolate people from the hazard;
- **administrative controls** – change the way people work;
- **PPE** – protect the worker with personal protective equipment.

All reasonable steps must be taken to secure the health, safety and welfare of workers who work with PPE.

- 2.2 It is acknowledged that any health and safety hazards will have been identified if PPE is being used and, through proper use of the equipment, any risks found are reduced to a minimum.
- 2.3 While it is generally recognised that the use of PPE can be undertaken without undue risks to health, where it is found that some workers may have a genuine reservation and concern about the use of PPE, then training must be given and information provided to enable a better understanding of the issues.
- 2.4 Where appropriate, the needs of individual workers will be accommodated, for example, someone with an allergy to latex or a pre-existing medical condition, etc.
- 2.5 Where appropriate, workers with specific cultural or religious requirements relating to PPE will be provided for.

- 2.6 The Council (or school, as appropriate) will pay for all PPE assessed as necessary for the health and safety of its workers, as well as trainees and students on work experience, and any visitors to its premises (contractors working on behalf of the Council are responsible for providing PPE to their employees).
- 2.7 PPE is only to be used for work purposes and must not be used for private purposes, such as being taken home and used for DIY projects, gardening, etc.
- 2.8 The responsibility for implementing the provisions of this policy and for the preparation of an implementation strategy rests with each Director or Head of Service.

POLICY GUIDANCE

3. ARRANGEMENTS FOR SECURING THE HEALTH AND SAFETY OF WORKERS

3.1 Action to be taken:

- carry out a risk assessment of the work activity to determine what, if any, PPE is necessary, taking into consideration the hierarchy of controls;
- carry out an assessment of any PPE deemed necessary to determine whether it is suitable;
- provide the relevant workers with the necessary PPE;
- take any necessary measures to remedy any risks found in the use of PPE as a result of the assessment;
- ensure that where two (or more) items of PPE are used simultaneously, they are compatible and are as effective used together as they are used separately;
- arrange for adequate accommodation for correct storage of PPE;
- implement steps for the maintenance, cleaning and repair of PPE;
- train workers in the safe use of PPE for all risks;
- replace, as necessary, PPE which has been provided to meet a statutory obligation, and at no cost to the worker;
- inform every worker of the risks which exist;
- reassess, as necessary, if the substances used or the work processes change;
- make arrangements to ensure that workers can report the loss of or defects in PPE.

3.2 Appendix A attached gives general guidance on the main duties of the employer and the worker under the Regulations.

4. PROCEDURES FOR DEALING WITH HEALTH AND SAFETY ISSUES

4.1 Where a worker raises a matter related to health and safety in the use of PPE, managers should:

- take all necessary steps to investigate the circumstances;

- take corrective measures where appropriate;
- advise the worker of the action taken.

4.2 Where a problem arises in the use of PPE the worker must:

- inform a responsible person immediately;
- in the case of an adverse health condition, advise the supervisor.

5. TRAINING

5.1 Users must be made aware of why PPE is needed, when it is to be used, repaired or replaced and its limitations. Instruction, training and supervision must be given in its use. As PPE is the last resort after other methods of protection have been considered, it is important that users wear it all the time they are exposed to the risk. There should be no exemptions for those jobs which take 'just a few minutes'. The use of PPE must be checked regularly and any reasons for non-use fully investigated. Safety signs should be used as useful reminders to wear PPE. These should comply with the Health and Safety (Safety Signs and Signals) Regulations.

6. MAINTENANCE

6.1 All PPE must be well looked after and be properly accommodated when not in use, for example, stored in a dry, clean cupboard, or in the case of smaller items, such as eye protection, in a box or case. PPE should be kept clean and in good repair. The manufacturer's maintenance schedule (including recommended replacement periods and shelf lives) should be followed. Simple maintenance can be carried out by the trained wearer, but more intricate repairs should only be done by specialist personnel.

6.2 To avoid unnecessary loss of time and to ensure the safety of the wearer, it is advisable that suitable replacement PPE should be readily available.

7. NEW PPE

7.1 New PPE is to be purchased from a reputable supplier and must comply with any legal requirement which is applicable to that item of personal protective equipment.

8. RECORD KEEPING

8.1 The following records should be kept:

- the results of the PPE assessment;
- actions taken as a result of the PPE assessment;
- inventory of PPE equipment and to whom each item has been supplied;
- the provision of training;
- information given to workers;
- complaints or alleged reports of discomfort, or non-suitability of the PPE discovered following use, field tests or surveys;
- action taken in respect of such complaints;
- manufacturers' advice with regard to compatibility of various items of PPE which are used together;
- replacement of PPE (with dates);
- maintenance and testing of PPE equipment.

9. OTHER REGULATIONS

9.1 The Personal Protective Equipment at Work Regulations do not apply where PPE is provided under five sets of other specific regulations. These regulations already require the use of some types of PPE to protect against certain risks. For example, the Noise at Work Regulations require the use of hearing protection where necessary. The five sets of regulations are:

- the Control of Lead at Work Regulations;
- the Ionising Radiation Regulations;
- the Control of Asbestos Regulations;
- the Control of Substances Hazardous to Health Regulations;
- the Control of Noise at Work Regulations.

10. ADVICE

- 10.1 Advice on the implementation of this policy can be obtained from the Health and Safety Team, Human Resources, Ty Elai, Williamstown, CF40 1NY, telephone 01443 425531.

Mae croeso i chi gyfathrebu â ni yn y Gymraeg /
You are welcome to communicate with us in Welsh

APPENDIX A

PERSONAL PROTECTIVE EQUIPMENT

Where danger persists after steps have been taken to prevent or control risks to safety and health in accordance with other legislation, suitable personal protective equipment (PPE) must be used.

The provision, selection and use of PPE is subject to the following conditions and duties, which concern both employer and worker:

PPE Must:

- be regarded as a last resort against risks;
- be appropriate for the risk protected against;
- take account of ergonomics;
- fit correctly;
- introduce no new/increased risk through its use;
- comply with any legal requirement which is applicable to that item of personal protective equipment.

Duties of employers

Employers must:

- consult with users in selecting and specifying equipment;
- consider workplace risks;
- consider demands of the job/physical effort;
- seek medical advice in cases of individual wearer problems.

Duties of workers

Workers must:

- take reasonable care of the PPE provided;
- immediately report loss of, or defect in/damage to, the PPE;
- consult employer in the event of any concern regarding the use of PPE.

Maintenance and replacement of PPE

Employers must:

- ensure that PPE is in good working order when issued;
- where appropriate, provide for cleaning, disinfecting, examining, repair, testing and record keeping;
- follow manufacturers' maintenance schedules and instructions; any departure from them being discussed beforehand;
- ensure intricate repairs are carried out only by trained personnel;
- carry a sufficient stock of spare parts made available to wearers.

Use of PPE

Employers must:

- take all reasonable steps to ensure that PPE is properly used.

Workers must:

- make full and proper use of the PPE provided.

Accommodation for PPE

Employers must:

- provide safe storage for PPE when it is not in use;

- ensure segregation of equipment stored for repair and equipment stored awaiting re-issue.

Workers must:

- when not in use, store PPE in the accommodation provided.

Information, instruction and training

Employers must:

- inform users of risks present and why PPE is needed;
- instruct/train on operation, performance and limitations of the PPE provided;
- instruct/train on selection, use and storage of PPE;
- instruct/train on factors which may affect the protection provided and provide refresher training as necessary.

It is advisable to keep records of training details.

Charging for the use of PPE

The employer cannot charge for the provision of PPE required for use at work. (Note: The Council will provide all necessary PPE to workers, as well as trainees and students on work experience, and visitors to its premises, free of charge; however, the PPE must only be used at work and not for any purposes outside of work, for example, at home doing DIY).

MANAGERS CHECKLIST

	✓ As Appropriate		
	N/A	Yes	No
<ul style="list-style-type: none"> Have you ensured that a risk assessment has been carried out to determine the need for personal protective equipment for both employees and limb (b) workers (refer to paragraphs 1.1 – 1.5), including taking into consideration the hierarchy of controls (refer to 2.1)? 			
<ul style="list-style-type: none"> Has action been taken as a result of the assessment to ensure workers have been issued with suitable personal protective equipment? (except where and to the extent that such risk has been adequately controlled by other means which are equally or more effective). 			
<ul style="list-style-type: none"> Is the personal protective equipment appropriate for the risks and conditions involved? 			
<ul style="list-style-type: none"> Is the personal protective equipment capable of fitting the wearer correctly? 			
<ul style="list-style-type: none"> Does the personal protective equipment control the risks involved without increasing the overall risk? 			
<ul style="list-style-type: none"> Does the personal protective equipment comply with any current legal requirement which is applicable to that item of personal protective equipment? 			
<ul style="list-style-type: none"> If personal protective equipment is not issued on a personal basis, do workers have clear instructions where to obtain it? 			
<ul style="list-style-type: none"> If more than one item of personal protective equipment is to be worn, are the items compatible and are they as effective when used together as they are when used separately? 			
<ul style="list-style-type: none"> Is the personal protective equipment: <ul style="list-style-type: none"> (a) inspected regularly? (b) cleaned regularly? (c) maintained regularly? (d) repaired or replaced when necessary? 			

	✓ As Appropriate		
	N/A	Yes	No
• Have workers been instructed to report loss or defect in any item of personal protective equipment?			
• Have workers been instructed to change personal protective equipment that is past its stated life?			
• Is appropriate storage accommodation provided for personal protective equipment when not in use?			
• Have workers received adequate training in: (a) the wearing of personal protective equipment? (b) the use of personal protective equipment? (c) the maintenance of personal protective equipment? (d) the purpose of personal protective equipment?			
• Are appropriate records being kept?			
• Where appropriate, are the needs of individual workers accommodated, for example, someone with an allergy to latex or a pre-existing medical condition?			
• Has consideration been given to any religious or cultural requirements of the employee? (e.g., Sikhs and hard hats?)			
• Have workers been instructed that personal protective equipment is to be used for work purposes only and not for any private purposes?			
• Are there monitoring procedures in place to ensure that the requirements of the policy are being met?			

Completed by: _____
(Signature)

Confirmed by: _____
(Signature)

Name: _____
(Print)

Name: _____
(Print)

Designation: _____

Designation: _____

Date: _____

Date: _____