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# Corporate Health & Safety Manual

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3.24 PERSONAL PROTECTIVE EQUIPMENT

**Guidance and Procedures**

## Summary

* Managers are responsible for ensuring that risk assessments are carried out in their service areas.
* PPE should only be used where the risk cannot be controlled by something equally or more effective.
* Once it has been decided that PPE is necessary, suitable items should be selected. These should comply with the appropriate British or European Standard.
* Where a risk assessment indicates that a limb (b) worker requires PPE to carry out their work activities, a PPE suitability assessment mut be completed and PPE provided free of charge.

1. **Legal Requirements**

The Health and Safety at Work Etc. Act 1974 places a General Duty on every employer to ensure the health safety and welfare of their employees.

The Personal Protective Equipment Regulations 1992 extend that duty to assess the requirement for Personal Protective Equipment and to provide Personal Protective Equipment according to the findings of the risk assessment.

The Personal Protective Equipment at Work Regulations 2022 amends regulations 3 to 7 only of PPER 1992

Under PPER 2022, the types of duties and responsibilities on employers and employees under PPER 1992 remain unchanged but are extended to limb (b) workers, as defined in the Regulations.

1. **Important Definitions**

**Personal Protective Equipment (PPE)** is defined in the Regulations as “all equipment” (including clothing used for protection against Temperature extremes, adverse weather)” which is intended to be worn or held by a person at work and which protects them against one or more risks to their health or safety, e.g. safety helmets, gloves, eye protection, high visibility clothing, safety footwear and safety harnesses.

In the UK, 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 service – they do not currently 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 contract of employment
* 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 references to a worker’s contract shall be construed accordingly.’

The PPE at Work Regulations do not apply where the following five sets of regulations require the provision and use of PPE against various hazards. For example, gloves used to prevent dangerous chemicals penetrating the skin would be covered by the Control of Substances Hazardous to Health Regulations (COSHH) 2002 (as amended). The regulations are:

* The Control of Lead at Work Regulations 2002.
* The Ionising Radiations Regulations 2017
* The Control of Asbestos at Work Regulations 2012.
* The Control of Substances Hazardous to Health Regulations 2002 (as amended).
* The Control of Noise at Work Regulations 2005

1. **Procedures**

Personal Protective Equipment as a control measure should only be used as a last resort in the hierarchy of control measures, therefore South Tyneside Council through this policy guidance will ensure that all PPE is:

* Properly assessed before use to make sure it is fit for purpose.
* Maintained and stored properly.
* Provided with instructions on how to use it safely.
* Used correctly by employees.

Managers must ensure that there is no difference in the way PPE is provided to your workers, as defined by PPER 2022. This means assessing the risk and ensuring suitable PPE is provided, when needed, to all people that fall under the definition of worker.

***Responsibilities of Managers***

Managers are responsible for ensuring that risk assessments are carried out in their service areas. Where these risk assessments identify personal protective equipment as a means of control, they must ensure that:

* There is no interaction with other PPE or Corrective Lenses
* The individual users’ size and fit has been taken into consideration,
* A suitable number of competent staff are provided for Face Fit Testing, Hearing Protection Fit Testing for Personal Attenuation Rating (PAR).
* Storage for it is provided for each individual where required.
* The PPE is maintained properly and that a store of spare parts are kept.
* The user has been trained in its use.
* Records of issue, maintenance and training are kept.

***Responsibilities of Employees***

Where protective clothing is issued or its use is required, it must be worn and maintained in accordance with the instructions given by the employer, which should in turn be based on the manufacturer’s instructions for use, employees should therefore:

* Examine PPE issued to them before it is put on and should not be worn if it is defective or has not been cleaned.
* Report any defects or loss of personal protective equipment or clothing, to the appropriate manager as soon as possible.
* Take reasonable care not to misuse or neglect to use PPE.
* Report any concerns they may have about the serviceability of the PPE to the appropriate manager.
* Where Respiratory Protective Equipment is required for work report any significant gains or loss of weight, substantial dental work or any new facial changes (e.g. scars, moles etc.).

A limb (b) worker now has a duty to use the PPE in accordance with their training and instruction, and ensure it is returned to the storage area provided by their employer.

***Implementation***

PPE should only be used where the risk cannot be controlled by something equally or more effective. Engineering controls or safe systems of work should always be considered first. This is because PPE protects only the person wearing it, whereas measures controlling the risk at source can protect everyone. Additionally, effective protection is achieved only by suitable PPE, correctly fitted and maintained and properly used, if more than one item of PPE is being worn, the different items of PPE must be compatible with each other.

The need for PPE should be identified as part of a risk assessment. This should take into account the particular risks involved and for the circumstances of its use. PPE need not be provided where risks are sufficiently low that they can be considered adequately controlled.

Once it has been decided that PPE is necessary, suitable items should be selected. These should comply with the appropriate British or European Standard.

***Selection***

When selecting PPE, the managers will take into account the nature of the job and the demands it places on the worker. This will involve considering the physical effort required doing the job, the methods of work, how long the PPE needs to be worn and requirements for visibility and communication. Users are often best placed to know what is involved and they should be consulted. STC endorses the principle of choosing PPE which will give minimum discomfort to the wearer. Uncomfortable equipment is unlikely to be worn.

If more than one item of PPE is being worn, the different items of PPE must be compatible with each other. For example, wearing certain types of hard hat may impair the effectiveness of ear defenders. In such cases it should be ensured that both items are of such a design that when used together they will adequately control the risk against which they are provided to protect.

***Limb (b) Workers***

If a risk assessment indicates that a limb (b) worker requires PPE to carry out their work activities, the employer must 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. As a worker they are required to use the PPE properly following training and instruction from the employer. If the PPE provided is lost or becomes defective, they should report that to the employer.

***Exemptions for Sikhs***

Sections 11 and 12 of the Employment Act 1989 provide an exemption from the need to wear head protection in any workplace, including construction sites, for turban-wearing Sikhs, with certain limited exceptions for high-risk tasks.

The exemption applies to any turban-wearing Sikh in the workplace whether they are an employee or not, for example visitors.

It applies solely to turban wearing members of the Sikh faith, the exemption applies only to head protection and Sikhs are required to wear all other necessary PPE under these regulations.

***Storage / Accommodation***

Suitable storage facilities must be provided for PPE to be safely stored or kept when it is not in use.

The storage should be adequate to protect the PPE from contamination, loss or damage, for example harmful substances, damp or sunlight. Where PPE may become contaminated during use, the accommodation should be separate from any provided for ordinary clothing and where necessary be suitably labelled.

Where quantities of PPE are stored, equipment which is already in use should be clearly segregated from that which is waiting repair or maintenance.

***Maintenance***

A system of maintenance is needed to ensure that the PPE continues to provide the degree of protection for which it was designed. Maintenance includes:

* Cleaning.
* Disinfection.
* Examination.
* Replacement.
* Repair and testing.

The responsibility for maintenance must be laid down together with the details of the procedures to be followed and their frequency. The maintenance programme will vary with the type of equipment and the use to which it is put. Manufacturers’ maintenance schedules and instructions should normally be followed.

Members of staff must report any loss, damage, or obvious defect in PPE to their manager.

The manager must take appropriate action to rectify the situation.

***Training***

Managers must ensure that training includes an explanation of the risk which the PPE is designed to control - people are more likely to wear and use equipment properly if they are told why, it should be used. Practical training needs to take full account of the following:

* Practice in putting on, wearing and removing the equipment.
* Practice and instruction in inspection and, where appropriate, testing of the PPE before use.
* Practice and instruction in the maintenance that can be undertaken by the user, such as cleaning and replacement of certain components.
* Instruction in the safe storage of equipment.
* In addition, employees must also be given clear instructions in how they can obtain PPE. If disposable PPE is used, it is important that users are told when it should be discarded and replaced.

***Record Keeping***

Managers should keep following records.

* PPE selection assessments.
* Information, instruction and training provided.
* Records of maintenance and inspection of PPE (other than that designed to be disposable and/or of limited life).
* Records of any fit testing.

1. **Links to Guidance**

Health & Safety Executive - Personal protective equipment (PPE) at work - <https://www.hse.gov.uk/ppe/index.htm>

Personal Protective Equipment at Work - <http://www.hse.gov.uk/pubns/priced/l25.pdf>

HSE Guidance Respirator Protective Equipment at Work <https://www.hse.gov.uk/pubns/priced/hsg53.pdf>

Guidance Respirator Protective Equipment at Work (Face Fit Testing)

<https://www.hse.gov.uk/pubns/indg479.pdf>

The Health and Safety at Work Etc. Act 1974 - <http://www.legislation.gov.uk/ukpga/1974/37>

Personal Protective Equipment at Work Regulations 1992 <https://www.legislation.gov.uk/uksi/1992/2966/contents/made>

The Personal Protective Equipment **(Amendment)** Regulations 2022- <https://www.legislation.gov.uk/uksi/2022/8/contents/made>

Employment Act 1989 - <https://www.legislation.gov.uk/ukpga/1989/38/section/11>

1. **Review**

These guidance and procedures will be reviewed on an annual basis.

## Document approved by: H&S Policy Review Group

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