



MWR Solicitors
A legal guide

HEALTH & SAFETY:

Personal protective equipment
regulations



Contents

Personal Protective Equipment	4
Risk Assessments	4
Selecting Suitable PPE	5
Training Issues	5
Maintaining PPE	6
Storage of PPE	6
Employees' Responsibilities	6
Varieties of PPE	6

PERSONAL PROTECTIVE EQUIPMENT

Once it has been established that control measures or safe systems of work cannot be used to eradicate the need for personal protective equipment then employers are duty bound to provide it. The equipment must be suitable for the job in hand and provide the necessary level of protection. Employers also need to ensure that everyone knows how to choose it, wear it and look after it properly.

The definition of what personal protective equipment is very wide. It can be anything from a simple pair of gloves or earplugs, to complex breathing apparatus.

This area is governed by the Personal Protective Equipment at Work Regulations 1992. This requires employers to carry out a risk assessment to identify any hazards that are present in the job or task before work begins, and ensure that workplace risks are reduced before any personal protective equipment is issued to employees. Other regulations also require personal protective equipment.

- The Control of Substances Hazardous to Health Regulations 1999 (COSHH) (as amended)
- The Noise at Work Regulations 1989
- The Construction (Head Protection) Regulations 1989
- Health & Safety (miscellaneous Amendments) Regulations 2002

RISK ASSESSMENTS

A risk assessment is required under the PPE regulations. These assist in deciding whether or not the existing control measures are sufficient or whether PPE is required. Employers must first attempt to eliminate the risk or control the risk. If there is then still a need for personal protective equipment it must be provided. Measures to eliminate or control the risk are preferred because they provide protection for everybody rather than an individual.

If PPE is required it must be provided free of charge. Employers are also responsible for maintaining the equipment and providing sufficient information and training to employers as to its use.

SELECTING SUITABLE PPE

The following must be considered when selecting PPE.

- The hazard
- The working environment
- Compatibility of the equipment and its use together
(i.e. when there is more than one piece to use)
- The person being exposed

Employers must also consider the nature of the job and the demands it places on the worker. This includes:

- Physical effort required to do the job.
- Method of work involved.
- Length of time equipment needs to be worn.
- Need for visibility when wearing.

Wherever possible employees must be consulted with regard to any introduction of PPE. After all it is the worker that knows how the job operates best.

Since July 1995 all PPE supplied must carry the "CE mark". This is a safety requirement.

The PPE must be certified by an independent inspection body that shows the equipment meets minimum safety requirements.

However, PPE provided before June 1995 that does not carry the CE mark can still be used provided it offers adequate protection.

The golden rule is that the PPE must fit the worker, not the worker adapting to fit the equipment.

TRAINING ISSUES

This is not as simple as showing an employee how to put particular equipment on. The training must cover not only the proper use of PPE but also why it is needed, the limitations placed upon it, the proper use of it and when it should be repaired and replaced. This means that it is not just the wearer of the equipment but also the managers and supervisors that need to be trained.

Refresher training or demonstrations in the wearing of PPE may also be required.

MAINTAINING PPE

Maintenance should include, where necessary, cleaning, replacement, repair, testing and disinfecting. Records should be kept of all tests and examinations. The maintenance program required will depend upon the types of equipment used.

PPE should always be examined by specially trained staff before being handed to workers. PPE should be kept clean, particularly, if it is not issued on a personal basis.

STORAGE OF PPE

At a very basic level PPE should be stored in an area that is adequate to protect it from damage or contamination.

There must also be in place a system for employees to report the loss of PPE and defects.

EMPLOYEES' RESPONSIBILITIES

Employees should look after PPE in accordance with any training instructions they have been given and are responsible for reporting, to the employer, any damage to the PPE.

VARIETIES OF PPE

This can cover everything from hearing protection, eye protection, respiratory protection and foot protection to hand and body protection.

There were 96,000 self reported lower limb injuries in 2008/9. There is a particular hazard to feet in manual handling activities.

The information in this booklet is only intended as a short guide to the Procedure. For further information or advice please feel free to contact our office details of which can be found on the back of this guide.

OUR SERVICES

Accident claims
Employment law
Wills & Probate
Conveyancing
Family law

CONTACT US

MWR Solicitors
No.6 Cannon Street
Preston
PR1 3PY

Telephone: 01772 254201
Fax: 01772 202976
www.mwrlaw.com

