

Personal protective equipment at work (Second edition)

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Regulations 1992 (as amended)

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Guidance on Regulations

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Introduction

1 The Personal Protective Equipment at Work Regulations came into force on 1 January 1993. They have subsequently been amended by the Police (Health and Safety) Regulations 1999 (SI 1999/860), the Health and Safety (Miscellaneous Amendments) Regulations 2002 (SI 2002/2174) and the Ionising Radiations Regulations 1999 (SI 1999/3232). This revised publication sets out changes to regulations 3, 4, 6 and 9 and provides new guidance on these changes. It also reflects the latest developments in most personal protective equipment (PPE). Part 1 sets out the Regulations, followed by guidance on each regulation. Part 2 includes more details on the types of PPE available, hazards that may require PPE to be used and advice on selection, use and maintenance.

2 The Regulations are made under the Health and Safety at Work etc Act 1974 (HSW Act) and apply to all workplaces in Great Britain.

3 The Regulations are based on European Community (EC) Directive 89/656/EEC requiring similar basic laws throughout the Community on the use of PPE in the workplace.

4 The revised guidance on the Regulations has been prepared by the Health and Safety Executive (HSE) on behalf of the Health and Safety Commission (HSC) after consultation with industry. It sets out the main steps required to comply with the Regulations.

Consulting employees and safety representatives

5 When implementing health and safety measures, which includes the selection and use of PPE, you must consult:

- (a) safety representatives appointed by recognised trade unions; and
- (b) where there are employees who are not represented by such representatives, those employees, either directly, or indirectly through elected representatives.

6 See the free HSE leaflet INDG232 *Consulting employees on health and safety: A guide to the law*.¹

7 Consultation with those who do the work and wear PPE is crucial to make sure the correct PPE is chosen and that it is used and maintained properly. Proper consultation can make a significant contribution to creating and maintaining a safe and healthy working environment and an effective health and safety culture. This can also benefit business by reducing the number of accidents and cases of work-related ill health.

Regulation

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- (a) *the Control of Lead at Work Regulations 1980;*^(a)
- (b) *[the Ionising Radiations Regulations 1999 [SI 1999/3232];*^(b)
- (c) *the Control of Asbestos at Work Regulations 1987;*^(c)
- (d) *the Control of Substances Hazardous to Health Regulations 1988;*^(d)
- (e) *the Noise at Work Regulations 1989;*
- (f) *the Construction (Head Protection) Regulations 1989.*

(a) Now replaced by the Control of Lead at Work Regulations 2002.

(b) Paragraph 3(b) words in square brackets substituted by SI 1999/3232 regulation 41(1), Schedule 9, paragraph 3.

(c) Now replaced by the Control of Asbestos at Work Regulations 2002.

(d) Now replaced by the Control of Substances Hazardous to Health Regulations 2002 (as amended).

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Clothing

8 The Regulations do not apply to the following types of clothing:

- (a) uniforms provided for the primary purpose of presenting a corporate image;
- (b) ordinary working clothes; and
- (c) 'protective clothing' provided in the food industry primarily for food hygiene purposes.

9 However, where any uniform or clothing protects against a specific risk to health and safety, for example high-visibility clothing worn by the emergency services, it will be subject to the Regulations. Weatherproof or insulated clothing is subject to the Regulations if it is worn to protect employees against risks to their health or safety, but not otherwise.

Helmets

10 The Regulations do not cover the use of PPE such as cycle helmets or crash helmets worn by employees on the roads. Motorcycle crash helmets are legally required for motorcyclists under road traffic legislation. The Regulations do apply to the use of such equipment at work elsewhere if there is a risk to health and safety, for example, farm workers riding motorcycles or 'all-terrain' vehicles should use crash helmets.

Professional sports people

11 The Regulations do not require professional sports people to use PPE such as shin guards or head protection during competition. However, they do apply to sports equipment used in other work circumstances, for example, life jackets worn by professional canoeing instructors, riding helmets worn by stable staff, or climbing helmets worn by steeplejacks.

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better protect them. However, there is no exception from the Regulations for disabled people, but PPE must be provided and worn if the risk assessment indicates that is what is required. For example, someone with one leg shorter than the other may require the manufacturer to adapt the safety shoe with a raised sole and this would be counted as manufacturing a new article of PPE. In this case, under a proposed amendment to the EC Directive, the custom-made article would not need the specific conformity assessment procedure that would normally be required for a CE mark. While the proposed amendment has still to be negotiated and transposed into UK law, enforcing authorities will not take any action against organisations who adapt PPE for legitimate reasons. The individual or company that customises an article of PPE needs to draw up a statement that contains the following:

- (a) Data allowing identification of the specific articles of PPE.
- (b) A statement that the PPE is intended for exclusive use by a particular intended user, together with the name of the intended user.
- (c) The name and address of the manufacturer.
- (d) The particular features of the PPE.
- (e) A statement that the PPE in question conforms to the principles laid down in Annex II of the PPE Directive.
- (f) A statement of the medical or technical grounds for the custom-made PPE together with the scope and number of PPE items concerned.

39 The statement must be kept for at least ten years after the PPE is placed on the market.

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Regulation 5

Compatibility of personal protective equipment

Regulation

(1) *Every employer shall ensure that where the presence of more than one risk to health or safety makes it necessary for his employee to wear or use simultaneously more than one item of personal protective equipment, such equipment is compatible and continues to be effective against the risk or risks in question.*

(2) *Every self-employed person shall ensure that where the presence of more than one risk to health or safety makes it necessary for him to wear or use simultaneously more than one item of personal protective equipment, such equipment is compatible and continues to be effective against the risk or risks in question.*

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40 If more than one item of PPE is being worn, the different items of PPE must be compatible with each other. In such cases, when selecting PPE it should be ensured that all items, when used together, would adequately control the risks against which they are provided to protect. For example, certain types of half-mask respirator and goggles worn together can prevent one or both items fitting correctly, leading to increased risk of eye injury and/or respiratory exposure.

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range of CE marked equipment available. In this case, eye protection designed for chemical splash protection and for different levels of impact resistance should be selected.

44 Once a type of CE marked PPE has been selected for a given application, further advice and information may be necessary to ensure that the equipment can provide the required protection to all those who need to wear it in the given working conditions. Manufacturers and suppliers have duties under the Personal Protective Equipment Regulations 2002 and under section 6 of the HSW Act to provide information which will help the employer in this duty. This information is usually in the form of a performance specification based on the essential health and safety requirements of the European PPE Directive. This is usually demonstrated by conforming to European (EN) or International (ISO) standards. Key PPE design requirements include:

- (a) tests of PPE performance;
- (b) how the PPE should be labelled; and
- (c) what instructions should be supplied with the PPE.

45 At the end of this process, a range of potentially adequate and suitable PPE should be identified. Involving the end-users with regard to fit, comfort and wearability is likely to lead to better levels of user acceptance and therefore better protection.

46 Selection should be seen as only the first stage in a continuing programme which is also concerned with the proper use and maintenance of the equipment, and the training and supervision of employees.

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Regulation 7

Maintenance and replacement of personal protective equipment

Regulation

(1) Every employer shall ensure that any personal protective equipment provided to his employees is maintained (including replaced or cleaned as appropriate) in an efficient state, in efficient working order and in good repair.

(2) Every self-employed person shall ensure that any personal protective equipment provided to him is maintained (including replaced or cleaned as appropriate) in an efficient state, in efficient working order and in good repair.

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47 An effective maintenance system includes the following:

- (a) examination – checking for faults, damage, wear and tear, dirt etc;
- (b) testing – to ensure PPE is operating as intended;
- (c) cleaning – including disinfection if appropriate;
- (d) repair;
- (e) replacement.

48 In general, PPE should be examined to ensure it is in good working order before being issued to the user. Such examinations should be carried out by appropriately trained staff. It should not be issued if found to be defective. While

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most PPE will be provided on a personal basis, some items may be used by a number of people. There should be arrangements for cleaning and disinfecting the PPE so there are no health risks to the next person using it.

49 The responsibility for carrying out maintenance together with the details of the procedures to be followed and their frequency should be put down in writing. Where appropriate, records of tests and examinations should also be kept. The maintenance programme will vary with the type of equipment and how it is used. For example, mechanical fall-arrestors will require a regular planned preventative maintenance programme which will include examination, testing and overhaul, and record keeping. However, abrasion-resistant gloves may only require periodic inspection by the user. Manufacturers' maintenance schedules and instructions should be followed.

50 The Regulations do not forbid employers asking employees to clean their own PPE (for example people working from home) but this should be stipulated in the person's contract of employment. The employer would need to ensure proper cleaning instructions are provided so there is no damage and the employer should arrange for spot checks to ensure PPE is suitable. As section 9 of the HSW Act states 'No employer shall levy or permit to be levied on any employee of his charge in respect of anything done or provided in pursuance of any specific requirement of the relevant statutory provisions'. This would mean that any costs of the cleaning material should be borne by the employer.

51 Simple repairs can be carried out by the trained wearer, for example replacing broken laces on safety shoes. More intricate repairs should be done by personnel with the required skills and technical knowledge. Only the correct spare parts as recommended by the manufacturer should be used. It is a good idea to keep a stock of spare parts. If the technical knowledge is not available inside the business then contract services are available from most manufacturers and suppliers of PPE as well as from specialist maintenance firms.

52 PPE will have a useable 'shelf life'. When it exceeds its shelf life or is so badly damaged that repair is not possible or too costly then it needs to be replaced. In certain circumstances it may be appropriate to provide a supply of disposable PPE (eg single-use coveralls). If disposable PPE is used it is important that users know when it should be discarded and replaced and how to dispose of it safely.

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Regulation 8

Regulation

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Accommodation for personal protective equipment

Where an employer or self-employed person is required, by virtue of regulation 4, to ensure personal protective equipment is provided, he shall also ensure that appropriate accommodation is provided for that personal protective equipment when it is not being used.

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53 Storage is needed as it prevents against:

- (a) damage from chemicals, sunlight, high humidity, heat and accidental knocks;
- (b) contamination from dirt and harmful substances;
- (c) the possibility of losing the PPE.

54 Accommodation may be simple, for example, pegs for weatherproof clothing or safety helmets. It need not be fixed, for example, safety spectacles could be kept by the user in a suitable carrying case, and PPE used by mobile workers such as

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On the other hand, the safe use of anti-static footwear or laser eye protection will depend on an adequate understanding of the principles behind them. The instruction and training should include both theory and practice.

Theoretical training

58 Theoretical training should include:

- (a) an explanation of the risks present and why PPE is needed;
- (b) the operation, performance and limitations of the equipment;
- (c) instructions on the selection, use and storage of PPE. Written operating procedures such as permits to work involving PPE should be explained;
- (d) factors which can affect the protection provided by the PPE such as other protective equipment, personal factors, working conditions, inadequate fitting, and defects, damage and wear;
- (e) recognising defects in PPE and arrangements for reporting loss or defects.

Practical training

59 Practical training should include:

- (a) practice in putting on, wearing and removing the equipment;
- (b) practice in inspection and, where appropriate, testing of the PPE before use;
- (c) practice in how to maintain PPE, which can be done by the user, such as cleaning and the replacement of certain components;
- (d) instruction in the safe storage of equipment.

60 The extent of the training that is required will depend on the type of equipment, how frequently it is used and the needs of the people being trained. Many manufacturers of PPE run training courses for users of their equipment and these courses may be of particular benefit to small users who do not have training facilities.

61 As well as initial training, users of PPE and others involved with the equipment may need refresher training from time to time. Records of training details should be kept to help with the efficient administration of the training programme.

62 Employers must ensure, not only that their employees undergo the appropriate training, but also that they understand what they are being taught. Employees may have difficulty in understanding their training for a number of reasons. For example, the risks (and precautions) may be of a particularly complex nature, making it difficult for employees to understand the precise nature of the protective measures they must take. English may not be the first language of some employees who may need the training to be given in a language they understand.

Regulation 10

Use of personal protective equipment

Regulation

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(1) Every employer shall take all reasonable steps to ensure that any personal protective equipment provided to his employees by virtue of regulation 4(1) is properly used.

(2) Every employee shall use any personal protective equipment provided to him by virtue of these Regulations in accordance both with any training in the use of the personal protective equipment concerned which has been received by him and the instructions respecting that use which have been provided to him by virtue of regulation 9.

(3) Every self-employed person shall make full and proper use of any personal protective equipment provided to him by virtue of regulation 4(2).

(4) Every employee and self-employed person who has been provided with personal protective equipment by virtue of regulation 4 shall take all reasonable steps to ensure that it is returned to the accommodation provided for it after use.

Guidance

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63 PPE should be used in accordance with the employer's instructions, which should in turn be based on the manufacturer's instructions for use. It should be used only after adequate training and instructions have been given to the user so they understand why, how, where and when it is to be used.

64 Supervision is also vital to ensure PPE is properly used both on and off site. It is important that those with a supervisory role are also provided with adequate training and instructions so that they have the necessary skills to carry out the job. Spot checks are a useful way of monitoring how well PPE is used and corrective action can then be taken if spot checks reveal misuse.

65 Most PPE should be returned after use to the storage place provided under regulation 8. However, there may be circumstances where the employee may take PPE away from the workplace, for example mobile workers not immediately returning to the premises may take protective footwear, overalls etc home. Equipment used or worn intermittently, for example welding visors, need only be returned at the end of the working period, shift or assignment.

Regulation 11

Reporting loss or defect

Regulation

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Every employee who has been provided with personal protective equipment by virtue of regulation 4(1) shall forthwith report to his employer any loss of or obvious defect in that personal protective equipment.

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66 Employers should make arrangements to ensure that their employees can report to them (or their representative) the loss of or defects in PPE. These arrangements should also ensure that defective PPE is repaired or replaced before the employee concerned re-starts work.

67 Employees must take reasonable care of PPE provided and report to their employer any loss or obvious defect as soon as possible. If employees have any concerns about the serviceability of the PPE, they should immediately consult their employer or the employer's representative.

Schedule 1

Relevant Community Directives

Schedule

Regulation 4(3)(e)

1 Council Directive of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (89/686/EEC), as amended by Council Directive 93/95/EEC of 29 October 1993 and Article 7 of Council Directive 93/63/EEC of 22 July 1993.

2 Council Directive 93/42/EEC concerning medical device (OJ No L169, 12 July 1993 pl).

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Schedule 2

Modifications

Schedule

Regulation 14(1)

Part I

The Factories Act 1961

Section 30 of the Factories Act 1961, amended by Schedule 2 paragraph 1, has been repealed by the Confined Spaces Regulations 1997 (SI 1997/1713).

Part II

The Coal and Other Mines (Fire and Rescue) Order 1956

The Coal and Other Mines (Fire and Rescue) Regulations 1956 (SI 1956/1768), amended by Schedule 2 paragraphs 2-4, have been revoked by the Escape and Rescue from Mines Regulations 1995 (SI 1995/2870).

Part III

The Shipbuilding and Ship-Repairing Regulations 1960

The Shipbuilding and Ship-Repairing Regulations 1960 (SI 1960/1932), amended by Schedule 2 paragraph 5, have been revoked by the Dangerous Substances and Explosive Atmospheres Regulations 2002 (SI 2002/2776).

Part IV

The Coal Mines (Respirable Dust) Regulations 1975

6 In regulation 10(a), for “dust respirators of a type approved by the Executive for the purpose of this Regulation”, substitute “suitable dust respirators”.

Part V

The Control of Lead at Work Regulations 1980

The Control of Lead at Work Regulations 1980 (SI 1980/1248), amended by Schedule 2 paragraphs 7-12, have been revoked by the Control of Lead at Work Regulations 1998 (SI 1998/543).

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Schedule

(1)	(2)	(3)
<i>Title</i>	<i>Reference</i>	<i>Extent of Revocation</i>
The Magnesium (Grinding of Castings and Other Articles) Special Regulations 1946.	SR & O 1946/2107.	Regulation 12.
The Clay Works (Welfare) Special Regulations 1948.	SI 1948/1547.	Regulation 5.
The Iron and Steel Foundries Regulations 1953.	SI 1953/1464 amended by SI 1974/1681 and SI 1981/1332.	Regulation 8.
The Shipbuilding and Ship-Repairing Regulations 1960.	SI 1960/1932; amended by SI 1974/1681.	Regulations 73 and 74.
The Non-Ferrous Metals (Melting and Founding) Regulations 1962.	SI 1962/1667; amended by SI 1974/1681.	Regulation 13.
The Abstract of Special Regulations (Aerated Water) Order 1963.	SI 1963/2058.	The whole Order.
The Construction (Health and Welfare) Regulations 1966.	SI 1966/95; to which there are amendments not relevant to these regulations.	Regulation 15.
The Foundries (Protective Footwear and Gaiters) Regulations 1971.	SI 1971/476.	The whole Regulations.
The Protection of Eyes Regulations 1974.	SI 1974/1681; amended by SI 1975/303.	The whole Regulations.
The Aerated Water Regulations (Metrication) Regulations 1981.	SI 1981/686.	The whole Regulations.

Head protection



Figure 1 Industrial safety helmet
(with fitted ear defenders)



Figure 2 Climbing helmet

Types of protection

74 There are several types of head protection:

- (a) **Industrial safety helmets** – Protect against falling objects or impact with fixed objects and offer limited resistance to flame. Helmets are also available which give protection against impact at high or low temperatures, against electrical shock from brief contact up to 440 V ac and against molten metal splash.
- (b) **Bump caps** – Protect against bumping the head (eg walking into a fixed object) and scalping, and can stop hair getting caught in machinery and moving parts. Bump caps **do not** offer adequate protection where there is a risk of falling objects or moving or suspended loads.
- (c) **Firefighters' helmets** – These are similar to industrial safety helmets, but cover more of the head and give greater protection against impact, heat and flame.
- (d) **Transport helmets** – Protect against head injuries from falling off a motorcycle or bicycle. The PPE at Work Regulations do not cover the provision of motorcycle and bicycle helmets on the road. Motorcycle crash helmets are legally required for motorcyclists under road traffic legislation. However in off-road situations, employers should provide suitable transport helmets, for example motorcycle helmets for farm workers who use all-terrain vehicles (ATVs).
- (e) **Leisure helmets** – Helmets used for activities, such as horse riding, canoeing or climbing, which protect against the risks of that particular activity.

Examples of hazards which may require head protection

75 Examples of hazards or situations where head protection may be required are:

