



HS Broadcast – PPE

I was recently asked the question as to whether staff could use their own Personal Protective Equipment. They had an individual who did not like the work boots that had been provided and so he went out and bought a pair that he liked and fitted him well. This scenario could equally apply to any PPE such as hard hats, jackets / vest, safety glasses, etc.

On the face of it, as an employer you may think that this is simply saving you money. Not only will you save the expense of purchasing items needed, there's also less administration involved. However, my advice here is that you need to consider whether the equipment is suitable.

The applicable legislation is the Personal Protective Equipment at Work Regulations 1992 (PPEWR). Regulation 4 states that employers have a duty to "ensure that suitable PPE is provided" to employees who need it.

Therefore please remember that while it is ok for your employee to use PPE which you have not supplied, you do have a duty to ensure it is provided and correct for the job.

The requirement to provide suitable PPE is not as simple as it sounds. It all comes back to risk assessment, where the hazard is identified and there is an examination of the risk to identify the level and extent of protection required. For example, are safety goggles needed to protect from fumes or just flying particles? If high visibility clothing is needed, must it be Class 2 or 3 (Class 3 is a higher standard)?

In addition, the items must be suitable for the task, environment and time period in which they will be worn. These are all things that the employer must consider.

Therefore, when considering the suitability of existing PPE you should check:

- If it is appropriate for the conditions, and whether the level of protection matches the need identified in the risk assessment
- If it is of the correct standard, has a CE mark, is in good condition and within any wear time or use-by date
- If applicable, that you can obtain spare parts, e.g. filters to fit a half-face respirator
- If it is a good fit (including a face-fit test for respiratory protection), and that if more than one piece of equipment needs to be worn, the items are compatible; and
- It does not introduce any additional hazards to the wearer.

You should have a periodic formal inspection programme in place, and document that an inspection has taken place for some types of PPE, e.g. harnesses, lanyards and life jackets. Ensure that any second-hand PPE is put through the same inspection process before use. Please remember that hard hats could have hidden damage from past accidents so you may consider it wise to buy a new one if in any doubt.

Always make a record of the PPE as if it was issued on the date of the inspection. Note the item's origin, make, model and specification in the further information section of your record and the reason for it being issued.