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CHESTERFIELD
BOROUGH COUNCIL

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The Chair and Members of
Employment and General Committee

20 July 2022

Dear Councillor,

Please attend a meeting of the EMPLOYMENT AND GENERAL COMMITTEE to be held on THURSDAY, 28 JULY 2022 at 10.00 am in Committee Room 3, Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to Items on the Agenda

2. Apologies for Absence

3. Minutes (Pages 3 - 4)

4. RPE Policy (Pages 5 - 112)

5. Minutes of the Employer Trade Union Committee (Pages 113 - 130)

6. Minutes of the Council Health and Safety Committee (Pages 131 - 138)

Yours sincerely,

Local Government and Regulatory Law Manager and Monitoring Officer

EMPLOYMENT AND GENERAL COMMITTEE

Monday, 28th March, 2022

Present:-

Councillor T Murphy (Chair)

Councillor Heather Spink	Brittain HR Partner	Councillor	K Falconer

*Matters dealt with under the Delegation Scheme

17 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA

No declarations of interest were received.

18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Davenport.

19 MINUTES

RESOLVED –

That the minutes of the Meeting of the Committee held on 24 January 2022 be approved as a correct record and signed by the Chair.

20 BANK HOLIDAYS 2022

The committee were presented with a report from the HR Partner on the proposed bank holidays in England for 2022 and a recommendation for approval.

Normally there were 8 bank holidays in England each calendar year. In 2022 it is the Queens Platinum Jubilee, and an extra bank holiday has been awarded to create a 4-day weekend to mark the celebrations.
The 9 bank holidays for 2022 were confirmed in the report.

The proposed policy had been considered and approved at the Employer Trade Union Committee on 14 February 2022.

It was recommended that the bank holidays be approved and applied across the Council.

RESOLVED –

That the bank holidays be approved.

21 MINUTES OF THE EMPLOYER TRADE UNION COMMITTEE

The minutes of the Employer/Trade Union Committees held on 17 January 2022 and 14 February 2022 were considered.

RESOLVED –

That the Minutes be received and noted.

22 MINUTES OF THE COUNCIL HEALTH AND SAFETY COMMITTEE

The minutes of the Council Health & Safety Committees held on 16 February 2022 were considered.

RESOLVED –

That the minutes be received and noted.

For publication

Respiratory Protective Equipment Policy

Meeting:	Employment and General Committee
Date:	28 July 2022
Cabinet portfolio:	Governance
Directorate:	Corporate
For publication	

1.0 Purpose of the report

1.1 This report sets out the Council's policy for the use of Respiratory Protective Equipment (RPE).

1.2 The policy has been reviewed and updated and consultation has been undertaken with Trade Unions and with employees, following concerns raised about the Council's policy position on RPE and the requirement for employees to be clean shaven.

2.0 Recommendations

2.1 The Health and Safety Committee are asked to review and endorse the updated Respiratory Protective Equipment (RPE) Policy.

3.0 Reason for recommendations

3.1 Employment and General Committee are required to approve all changes to Council policies which relate to people. The RPE policy has been revised and clearly sets out the Council's policy position on the use of respiratory protective equipment. Formal approval of the policy is now required, enabling further consultation on operational implementation of the policy to be undertaken.

4.0 Report details

Background

4.1 During the autumn of 2021, the Council initiated a series of appointments for employees to undertake face fit testing for the respiratory protective equipment which should be used when working with silica dust and asbestos.

4.2 During this time, concerns were raised by unions and by staff about the Council's RPE policy position and the requirement for employees to be clean shaven. In January 2022, it became clear that the RPE policy which was published on Aspire had not been widely consulted on and had not been seen at Employment and General Committee or formally approved by them.

4.3 An interim approach to the use of RPE was introduced in February 2022. This has ensured that safe RPE working practices are in place, whilst the Council consults on and formally adopts an RPE policy. However, this interim approach is currently preventing Housing Property Services from achieving a flexible workforce and is adversely impacting on productivity levels being achieved.

4.4 There is a need to ensure that the RPE policy is progressed to formal approval as quickly as possible, so that the necessary operational implementation plans can be created which will move us towards the development of a more flexible workforce. It is acknowledged that this cannot be achieved overnight as training and testing must take place across the workforce. The operational implementation plans will therefore be developed in consultation with Trade Union colleagues and in ongoing engagement with employees.

Development of the RPE policy

4.5 The Council has undertaken wide ranging research on the use of RPE, including reviewing both Health and Safety legislation and guidance from the Health and Safety Executive. In addition, the Council has held discussions with specialist asbestos contractors and with chartered safety and health practitioners alongside undertaking discussions with the Institution of Occupational Safety and Health.

4.6 The Council has also completed a benchmarking exercise, identifying how other organisations deal with the use of respiratory protective equipment.

4.7 Trials of alternative RPE have taken place, including the use of air fed hoods. The results of the trials were mixed.

The RPE policy and the key principles which have informed it.

4.8 The RPE Policy is attached as appendix A to this report.

4.9 In developing the RPE Policy, it has become clear that air fed hoods cannot be safely used when asbestos fibres may be present, due to specific cleaning down requirements. As technology is always developing, we will continue to review the market for a safe alternative which does not require employees to be clean shaven, but this does not exist now.

4.10 If respiratory protective equipment is identified as a requirement through a risk assessment, the use of half or full-face respirators will be the Council's main standard policy approach. This will require respirators to be tight fitting and will therefore require employees to be appropriately clean shaven to maintain their safety.

4.11 Facial hair must not exceed 8 hours growth before RPE is due to be worn.

4.12 Face fit testing must be regularly completed, and records of testing and training will be retained.

4.13 Reasonable adjustments will be considered for medical or religious grounds.

4.14 Where employees are not prepared to be clean shaven, and there is no reasonable exemption, this will be considered as a failure to follow a reasonable management instruction. This is likely to lead to action through the Council's disciplinary process.

Consultation

4.15 The Council has consulted with Trade Union Colleagues and employees in the development of the RPE Policy. Unison, Unite and GMB have worked together to carry out further research on appropriate RPE and they have consulted with employees to understand their concerns, listen to their suggestions, and find possible working solutions.

4.16 Each union has provided very helpful feedback on the policy, and they have made valid and constructive changes, many of which have been fed into the final version of the RPE Policy which is set out at Appendix A.

4.17 Each union wishes to work with the Council to develop well understood operational procedures before the policy is implemented. A series of meetings will be implemented to move this forward.

4.18 Unite and GMB unions do not support the inclusion of section 12 of the RPE policy. This details the sanctions which could be implemented if employees refuse to be clean shaven. The unions feel that staff should not be asked to work with asbestos as 'a reasonable management instruction' as they feel there is a lack of risk assessments, equipment and RAMS which are needed to make staff feel safe. These concerns will be explored further throughout the operational implementation meetings.

4.19 Unite and GMB have stated that it would be beneficial for all parties to implement a two-tier workforce, where those staff who are happy to be clean shaven work with asbestos and those who are unhappy to be clean shaven do not work on repairs where asbestos containing materials may be present. These staff would use air fed hoods to protect themselves against silica dust.

4.20 It is not likely that the Council will be able to operate cost effective services with an organisational design which is based on a two-tier workforce. Discussions on implementation of the policy will centre around the practical steps which are needed to successfully introduce the policy. Other areas of concern raised in the consultation feedback will be addressed at the operational meetings.

4.21 Unison and Unite consultation reports are attached as Appendix B and C to this report. GMB union agrees with the Unite consultation report.

5.0 Implications for consideration – Human resources

5.1 An operational implementation plan will be developed which will set out how the policy will be implemented within each service directorate.

5.2 Failure to be clean shaven when RPE is required could result in disciplinary action being taken against employees.

5.3 Exemptions to the policy may be implemented for medical or religious grounds. Reasonable adjustments will be made in such instances. Medical exemptions must be supported by occupational health or the employees GP.

5.4 Recruitment adverts, job descriptions and contracts will be updated to set out the requirement to be clean shaven when wearing RPE, for the protection of the employee's own health and safety.

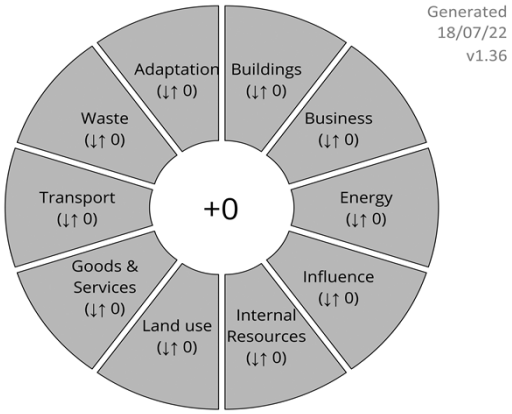
6.0 Implications for consideration – Council plan

6.1 Our employees complete repairs and maintenance activities daily which support the effective delivery of these priorities. Failure to deliver this work in a safe or productive manner will have an adverse impact on our ability to achieve the Council plan.

6.2 This policy sets out how our employees will work safely using respiratory protective equipment, so that council services and Council plan priorities can be delivered safely and productively.

7.0 Implications for consideration – Climate change

7.1 This policy does not generate any adverse impacts against climate change.



8.0 Implications for consideration – Equality and diversity

8.1 The Council is implementing a policy which will meet Health and Safety legislation, and which will help to keep our employees safe when they are undertaking repairs and maintenance work that requires the use of respiratory protective equipment.

8.2 This policy does have an adverse impact on the male workforce who must be clean shaven if the RPE is to be effective.

8.3 The policy also has adverse impacts for those employees who have medical conditions and struggle to shave or wear close fitting RPE and has adverse impacts on those people who have beards for religious beliefs.

8.4 In the case of medical or religious reasons, exemptions may be applied, and reasonable adjustments to the role will be considered in line with Council policy and process.

9.0 Implications for consideration – Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
The policy does not comply with legislative requirements	H	M	Consultation and engagement with HSE and IOSH, Trade Unions and other organisations to ensure compliance and learn from best practice	H	L
Employees refuse to comply with the policy	H	M	Consultation with employees.	H	L

and leave the organisation			Clear implementation plan developed, to ensure policy applies only when training and other implementation activities have been completed		

Decision information

Key decision number	
Wards affected	**All wards**

Document information

Report author	
Rachel O'Neil, Service Director – Digital, HR and Customer Services *Grant Ilett, Strategic Health, Safety and Risk Manager*	
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	
This must be made available to the public for up to 4 years.	
Appendices to the report	
Appendix 1	RPE Policy
Appendix 2	Unison feedback
Appendix 3	Unite feedback

Respiratory Protective Equipment (RPE) Policy

v.2.6

Date: July 2022

1. Purpose

1.1 The Policy has been designed to ensure that the Council complies with the Health and Safety at Work Act 1974 (HASAW), Control of Substances Hazardous to health (CoSHH) 2002, the Control of Asbestos Regulations 2012 and other applicable legislation, along with compliance with the Council's corporate Health & Safety Policy, Health and Safety Executive (HSE), Approved Codes of Practice, Guidance and industry guidance.

1.2 It is also to ensure appropriate distribution and issue of corporate RPE is done in a consistent and fair manner across the Council.

2. Scope

2.1 Adherence to this policy is mandatory for all Council employees and other workers. This policy applies to all employees and other workers of Chesterfield Borough Council (the Council) whether working on Council premises, Council workplaces or elsewhere on Council business and sets out the requirements and expectations of the Council in relation to respiratory protective equipment (RPE) that is worn and used for work purposes.

2.2 This policy should be read in conjunction with the corporate PPE policy.

3. Principles

3.1 PPE must always be worn. Never allow exceptions; if a job requires RPE to be worn then it must be worn. Even for those jobs that 'only take a few seconds or a few minutes'. If a risk assessment identifies RPE must be provided and used, this should be complied with and enforced. Every Council officer (Line managers/employees) have a responsibility to report any dangers and dangerous acts and omissions.

3.2 This RPE policy sets out a corporate approach to the use of use of RPE, including information on the various types of RPE that are currently available. It is for the service to determine, through their operational working practices, method statements and risk assessments which type of RPE is best suited to protect against the particular airborne hazardous substances that are potentially being encountered.

3.3 Due to the current assessment of available RPE it is Council Policy that any work involving Asbestos Containing Material (ACM), will only be conducted using close fitting respirators/ face pieces, along with other appropriate PPE as per industry guidance.

3.4 The use of close-fitting respirators requires employees and other workers to be appropriately clean shaven.

3.5 Clean shaven means an employee or other worker that is required to wear close fitting RPE, must ensure they are clean shaven for all areas of their face that is required for the face piece respirator to obtain a seal on the wearers face, see Appendix 2 for details. Facial hair must not exceed 8 hours growth before starting every shift, when RPE is to be worn. There are no exceptions to this standard.

3.6 There may be circumstances, with regards to medical conditions or religious grounds where it is not appropriate for an employee to be clean shaven; this is set out in more detail in section 11.

3.7 In general RPE should not be shared. However, there are some consumables for PPE which are not contaminated by a wearer. Such as a blower unit for a powered respirator. These pieces of equipment can be shared.

4. Respiratory hazard

4.1 Airborne substances hazardous to health can be in dust, mist, vapour or gas form (for example, wood dust, welding fumes, solvent vapours, silica and asbestos) which may not be visible.

4.2 Depending on the substance, the effects can be immediate or long term. Common short-term (or acute) health effects may include headaches, forgetfulness, drowsiness, feeling dizzy and sick, mood changes, and eye and skin irritation. Long-term (or chronic) effects may include sleep disorders, memory loss, cancer, organ damage and death.

5. Managing risks using RPE

5.1 When managing risks arising from respiratory hazards, managers should apply the most appropriate and effective control measures that are reasonably practicable.

5.2 Give preference to control measures that protect multiple people at once. Such as, local exhaust ventilation. Personal Protective Equipment (PPE) such as RPE should not be the first or only control measure considered. The hierarchy of control should be applied (refer to App. 5). RPE is the last consideration in the PPE assessment process, not the first control to be considered.

5.3 Emergency procedures must be carefully considered by management in the risk assessment process. (Reference: Regulation 8 of the Management of Health and Safety at Work Regulations). Managers must have procedures that cover all serious and imminent danger for work activities. These must be brought to the attention of all applicable employees in clear instructions, information and training.

6. Responsibilities

Service Directors / line managers.

6.1 Service Directors and line managers are responsible for ensuring this policy and guidance is adhered to at all times within their service area and amongst the teams they manage. This includes raising awareness of corporate RPE requirements with new employees during the staff induction process.

6.2 Service Directors and line managers will, through the CoSHH risk assessment process, ensure a sensible, consistent approach is maintained regarding the selection and distribution of RPE to their teams.

6.3 In liaison with the Council's Corporate Health, Safety and Risk team, Service Directors and their managers will ensure that:

- they apply the hierarchy of risk control before considering RPE (RPE is the last consideration not the first).
- that an assessment be completed to determine the suitability of the RPE (this should be recorded on corporate template assessment forms)
- that employees are involved in the selection of RPE
- where more than one item of PPE is worn and used simultaneously, that the items are compatible and perform/protect as intended
- all RPE issued to employees is logged and recorded (refer to Appendix 1. PPE issue and training record)
- like any other assessment process, line managers must also consult the workforce
- employees are trained in the correct use of RPE, the hazards/risks it protects against, how to ensure the RPE remains in an efficient state and in good repair and how to report defective RPE and obtain replacement(s)
- that adequate storage facilities are provided for RPE
- RPE is adequately maintained so it remains in good, efficient working order at all times (i.e. cleaning instructions and how to correctly store to prevent RPE becoming damaged or contaminated when not in use)
- any worn, damaged or defective RPE is replaced (subject to the return of the worn, damaged/defective item) and issues/defects logs are updated accordingly.
- Managers must consider wear time for any RPE used in the workplace. All RPE will have recommended wear time periods. For example. Disposable RPE often should not exceed 15 minutes, reusable RPE up to an hour. These times are subject to manufacturers specific instructions which come with each face piece.
- where any line managers fail to risk assess RPE, they will be in breach of this policy
- Managers should ensure employees are instructed on undertaking a thorough check of the face piece (RPE) and this is recorded. Often the kit comes with a booklet to record such thorough checks. If not, Managers will

need to ensure a simple check sheet is issued with each face piece. These checks/booklets must be retained for five years. Checks should be completed monthly for weekly use. If employees only use the equipment infrequently a three monthly frequency is acceptable. (Follow manufacturer's instructions as primary guidance).

6.4 A line manager must apply the risk assessment hierarchy of control when considering control measures, RPE is the last consideration. To assist managers an explanation of what a hierarchy of control means, please refer to Appendix 5.

6.5 After the hierarchy of control is applied and RPE is still needed after implementing other controls, each type of RPE needs to be assessed as being suitable and adequate for the work activity it is intended to be used for. This applies equally when RPE is being periodically reviewed. RPE comes in different shapes and sizes. One size and type are unlikely to always meet all Council requirements due to the diversity of Council activities.

Employees and other workers responsibilities

6.6 **Employees** are all employees under an employment contract with the Council. **Other workers** includes casual workers, agency workers, voluntary personnel, Councillors (elected members) and contractors as identified within a risk assessment).

- employees and other workers must adhere to the standards and guidance within this policy at all times whilst working on Council business
- employees and other workers must wear the RPE in accordance with the information, instruction and training given
- employees and other workers are responsible for taking reasonable care of corporate RPE issued to them by the Council and for the correct inspection, use, cleaning, storage and reporting any defect or loss of such equipment in accordance with any information, instruction and training given; failure to do so can result in disciplinary or (where applicable) contract termination action
- thorough checks/inspections/tests must be completed monthly (this may increase to three monthly if used less frequently).This must be completed on all RPE face pieces. Record all checks/inspections/tests within booklets provided with face pieces or with check sheets provided (and should be stored with the equipment). Ensure all records are passed to your line manager for logging.

Construction work activity.

6.7 Under the CDM Regulations 2015, all visitors to a construction site fall under the control and supervision of the Principal Contractor. Where an employee or other worker are visitors to that site. They must comply with any additional

PPE requirements, as required by the Principal Contractor or site rules, in this instance this may include specific requirements concerning RPE.

Volunteer RPE prohibitions

6.8 Volunteers are precluded from any Council activities which require them to wear RPE. This will help ensure the Council safeguards safety and health of volunteers.

7. Respiratory Protective Equipment (RPE) – assessment process

7.1 The requirement to provide RPE is identified through a CoSHH risk assessment (RA). RPE should be considered as a last resort and clearly recorded on a corporate CoSHH RA. All RA should be completed and recorded using the relevant corporate templates.

7.2 Line managers when considering and assessing RPE in consultation with the workforce should ensure that managers responsibilities are adhered to. Noting that any RPE must meet the required EN standard. When managing any RPE risk, managers should apply the most appropriate and effective control measures that are reasonably practicable. This could for example preclude certain PPE types due to cost, when weighed against the actual risk. Managers must ensure they follow the RPE's manufacturers' instructions.

7.3 These two factors are crucial for assessing and selecting any RPE.

Adequate – It is right for the hazard and reduces exposure to the level required to protect the wearer's health.

Suitable – It is right for the wearer, task and environment, such that the wearer can work freely and without additional risks due to the RPE.

For RPE to be suitable and adequate it must be matched to the job, the environment, the anticipated airborne contaminant exposure level and the individual wearer.

7.4 There is useful additional HSE (HSG53) RPE guidance, please refer to pages 11 and 12 of Appendix 3. 'Selecting RPE adequate against the hazard'. There are various types of RPE available on the market. Refer to 'table 2 RPE types' on pages 16 and of Appendix 3.

7.5 The performance of the mask relies heavily on the quality of the fit of the face piece to the wearer's face. An inadequate fit will significantly reduce the protection provided to the wearer. RPE is available in different sizes to allow for the facial differences of workers. As people come in different shapes and sizes, it is unlikely that one particular type, or size of RPE face piece will fit everyone. Fit testing will ensure that the equipment selected is suitable for each wearer.

7.6 For the purposes of clarity. This applies to all directorates. For any work involving Asbestos Containing Material (ACM), powered respirators are not

deemed an effective control measure for controlling the hazards and risks associated with ACM, therefore it is Council Policy that Powered Respirators must not be used for any Council work activities that involve ACM. Close fitting RPE must be used for these work activities. This applies to all Council controlled workplaces and construction sites. This policy position will be reviewed periodically in line with corporate H&S policy review cycles, and any new RPE that becomes available on the market. Failure to follow this policy will be classed as a serious breach of H&S policy.

7.7 Refer to managers responsibilities section 6.3, be mindful when risk assessing workplace tasks with airborne hazardous substances, around the wear time limitations of RPE/ face pieces.

8.0 Types of RPE, see Appendix 3

Tight fitting RPE

8.1 A tight fitting RPE face piece is either a full-face mask, half face or a filtering face piece (more commonly referred to as a disposable respirator). This is the main types of RPE that the Council's policy supports.

8.2 Disposable respirators are tight fitting face pieces. They require face fit testing (on all types used by an employee/ other worker) The use of disposable respirators can be more cost effective type for certain work circumstances. You must never reuse a disposable respirator. The disposable respirator should be disposed of and new one used once the face piece has been removed or becomes contaminated. This may for example, require multiple respirators to be used in one shift. Please note, there are wear time limits on disposable respirators. Refer to the manufacturer's instructions.

Powered respirator. (e.g. Air fed hoods)

8.3 Powered respirations work by using positive pressure to force any contaminants away from the wearers breathable air. In certain service specific circumstances, the Council may support the use of powered respirators as possible reasonable adjustment alternative to fit tested respirators. Powered respirators do not require face fit testing as they do not have a close fitted seal on the wearers face. They must be used in accordance with the manufacturer's instructions. For clarity, Powered respirators can be possible reasonable adjustment options for airborne hazards with the exception of ACM as per paragraph 7.3.

9.0 Tight fitting Face Fit requirements

Face fit testing requirements

9.1 Certain H&S legislation, guidance and hazardous substance manufacturers safety data sheets makes specific reference to RPE use, and stipulate that a tight fitting RPE must be used. Please refer to the references section for links

to further reading on CoSHH, CAR and CLAW regulations (see the end of the policy document).

9.2 Face fit testing can only be carried out be a competent person, who has demonstrated that they fulfil the key components of face fit training; these are set out in Appendix 4.

9.3 Poorly fitted face pieces can create inward leakage of airborne contaminants. This is clearly not an acceptable situation for the Council, employees and other workers that might be exposed to airborne hazards (whilst under Council controlled activities). These risks must be controlled so far as reasonably practicably. A good seal must be achieved on every shift where RPE will need to be worn, not just when an employee presents themselves for face fit testing. The only way to confirm that a good seal for each individual wearer is in place is to conduct face fit testing.

9.4 When a risk assessment control measure identifies the need to wear RPE, and the RPE is tight fitting, this will require a face fit test. An employee will need to be tested for all the respirators they use. Face fit testing ensures an adequate seal or fit to the wearer. This will ensure the respirator is providing the protection it is design for and that an adequate seal has been achieved.

Repeat fit test considerations

9.5 Repeat face fit tests will be required when the wearer:

- Loses or gains weight
- Undergoes any substantial dental work
- Develops any facial changes (scars, moles, etc) around the face seal area.
- Also, when the Council's policy requires it. Council policy dictates that a face fit test must not exceed 12 months before a repeat test is conducted.

Please Note. Regular checks/inspections/tests by employees on their equipment is crucial to spot potential leakage issues with face pieces. These periodic checks must be recorded. Please refer to manager and employee responsibilities.

Clean shaven / facial hair requirements

9.6 Where an employee's job role requires them to wear tight fitting RPE as identified by RA they must be appropriately clean shaven whenever they need to wear RPE. This applies to all areas of the face that are required to achieve an adequate seal where the respirator touches the face.

9.7 Refer to Appendix 2 regarding acceptable types of facial hair.

9.8 The length of facial hair is an important consideration. Hair length must not impede vision or create new hazards when any RPE is worn. Facial hair must not interfere with the seal of the respirator or create new hazards when the respirator is worn. Therefore, beards and facial hair will need to be trimmed to a level not to create these issues.

Face fit testing records

9.9 Any records of face fit testing should be placed on the individual's central personnel files (email these to hrqueries@chesterfield.gov.uk). Managers are advised to keep a copy of the latest copy within local departmental files for ease of reference purposes.

10. Tight fitting face fit testing costs, and RPE specific responsibilities

Managers

10.1 The Council will cover all costs of face fit testing and the cost of RPE. Managers are responsible for making the necessary arrangements to ensure testing is completed. Managers should also monitor and act on any obvious changes and any declared issues reported by an employee. A fit test must be arranged at the earliest opportunity. It may be necessary to temporarily redeploy the employee until a test has confirmed a good seal is still present or pending replacement equipment being arranged.

Employees and other workers

10.2 Employees have a legal duty to comply with their employer and attend face fit testing (ref. Section 7 of the Health and Safety at Work Etc. Act 1974), and thereafter wear the RPE as instructed and maintain the equipment as trained, report hazards/dangers and report any shortcomings in the Council's control measures (Reg 14. Management of Health and Safety at Work Reg 1999, 'duties of employees').

10.3 Council policy interpretation for RPE matters means that all employees/other workers must report to their line manager any changes in facial features that they believe has caused an issue with the seal of the RPE being worn. The wearer is far more likely to identify much quicker than a manager if their face piece is not fitting correctly as they are the ones wearing it. RPE must not be misused.

11. Reasonable exemptions to the wearing of respirators

11.1 There may be religious or medical reasons that provide justifiable reasonable exemptions to the wearing of tight fitting RPE. These circumstances will be assessed on a case-by-case basis in consultation HR and the health, safety and risk team. The Council and its managers must ensure reasonable adjustments are in place to accommodate protected characteristics (in applying the Equalities Act 2010) and for potentially other medical reasons. Alternatives should be considered, such as powered respirators.

11.2 If reasonable alternatives cannot be identified, the employee must not be allowed to undertake work in an unsafe manner where RPE is required. Other duties must be considered for the employee and engagement should always be sought from Human Resources in how this is managed. As a last resort

redeployment may be considered. In this instance the Council's restructuring redeployment and redundancy policy will apply.

12. What happens if an employee and other workers refuses to be clean shaven?

12.1 The Council takes the health of their employees and other workers very seriously. It is a reasonable expectation that employees and other workers conform to acceptable facial hair requirements to ensure that RPE provided will afford the wearer the protection it has been designed for.

12.2 Requesting employees and other workers to be clean shaven, for the purpose of wearing appropriate RPE, is a reasonable management instruction. Line Managers must also be mindful that there may be a reasonable exemption for an employee to being clean shaven. Line Managers must consult HR and the Health, safety and risk team in the first instance. Please also see section 11 of this document.

12.3 If a reasonable exemption is not present and the employee continues to refuse to be appropriately clean shaven then this could lead to action being taken through the Council's disciplinary procedure.

12.4 Other workers can be refused access to the Council workplace and immediately asked to leave the Council workplace if they fail to comply with the reasonable instruction.

12.5 Refer to Appendix 2, Facial hair and FFP3 respirators.

13. RPE information, instruction and training

13.1 RPE information, instruction and training shall be provided to employees and other workers to allow them to carry out their duties as detailed within this policy and workplace risk assessment and to:

- make full and proper use of any RPE provided
- maintain, clean and store RPE effectively
- identify defects with RPE
- promptly report defective items of RPE (for replacement)
- promptly report situations whereby items of RPE have become lost.

13.2 An issue sheet has been developed for managers to issue RPE to employees and for employees to clearly agree they understand the expectations on the use of RPE. See Appendix 1.

14.0 Health Surveillance / Occupational health

14.1 Occupational health practitioners and specialists will be engaged to assist with identifying all roles that will require health surveillance. This may include Spirometry (lung function) for the purposes of RPE usage. HR and the health,

safety and risk services, along with consulting with management and the workforce will collaborate to ensure sufficient coverage is in place.

14.2 Identifying occupational health surveillance requirements is principally through the RA process. The cost of health surveillance will be covered by the Council. The budget for occupational health costs is held and managed by HR.

14.3 Employees and other workers where they are identified to be under health surveillance must attend all appointments arranged on their behalf and cooperate with the Council's occupational health provider.

14.4 All occupational health records will be held on the employees and other workers occupational health file. Employees and other workers will receive copies of these records. Employees can give their consent for these records to be released to others if they wish.

14.5 If there is still a risk to health after the implementation of all reasonable precautions, we must add the employee/other worker to a health surveillance programme.

Health surveillance is required if all the following criteria are met:

- there is an identifiable disease/adverse health effect and evidence of a link with workplace exposure
- it is likely the disease/health effect may occur
- there are valid techniques for detecting early signs of the disease/health effect
- these techniques do not pose a risk to employees

14.6 Occupational health will commence when an employee starts a role that exposes them to a hazardous substance (preferably before they commence these activities) for which this policy applies, then periodically throughout employment as advised by an Occupational health practitioner or suitably competent occupational health adviser. An employee will also be assessed prior to the cessation of employment (final benchmark).

15.0 Policy monitoring.

15.1 The Policy will be reviewed when required. This may be a period not exceeding five years or when legislation requires. The policy is maintained by the health, safety and risk team.

16.0 Appendices

Appendix 1. PPE issue and training record

Appendix 2. Facial hair and FFP3 respirators

Appendix 3. HSG53 – Respiratory Protective Equipment at Work

Appendix 4. Components of face fit testing

Appendix 5. Hierarchy of control (further reading) HSE guidance

17.0 References:

- Health and Safety at Work etc. Act 1974 https://www.legislation.gov.uk/ukpga/1974/37/contents
- Management of Health and Safety at Work Regulations 1999 (as amended) https://www.legislation.gov.uk/uksi/1999/3242/contents/made
- Personal Protective Equipment (PPE) at work Regulations (2002 and as amended 2022) https://www.legislation.gov.uk/uksi/1992/2966/contents/made https://www.hse.gov.uk/ppe/ppe-regulations-2022.htm
- Control of Substances Hazardous to health https://www.hse.gov.uk/nanotechnology/coshh.htm
- Control of Asbestos at work regulations 2012 (CAR) https://www.hse.gov.uk/asbestos/regulations.htm
- Control of Lead at Work regulations 2002 https://www.legislation.gov.uk/uksi/2002/2676/contents/made
- HSE.gov.uk

PPE issue and training record

Write in the text box below the PPE equipment being trained and issued

PPE type/s (insert all make/models that training has covered):

Management have:

1 Assessed the risks to my health and safety arising from the work activities and identified I need to wear personal protective equipment.
2 Because PPE is necessary, selected appropriate items that suit the wearer, have been assessed and confirmed to the employee as being too required standard.
3 that the PPE has been supplied to me the employee at no cost.
4 I have been trained in how to use it, wear, store when not in use, how to clean and to maintain good hygiene standards; that an explanation has been made on the limitations where applicable.
5 My supervisor/manager has ensured compatibility if more than one item of PPE is worn.
6 I know where to ask and gain any replacements for defective or lost PPE.

Signed by Manager…… Date:……..

What me as the Employee (including other individuals) being issued PPE must do:

1 Use PPE in accordance with instructions and training I have been given.
2 Return PPE to its accommodation, where provided, after use.
3 Take reasonable care of your PPE and report its loss or defects to your employer/manager/single point of contact
4 Not work without PPE when it is known to be necessary.

Employee/ individual declaration statement.

I have received information, instruction and training on the use of PPE for the PPE listed above:

Print name (BOLD) ……
(Please use your full name not shortened or nicknames)

Signed: ……..Date:…….

Signed issuing officer (manager/ stores personnel)

Name: ……Date of issue:……..

Aide memoir for managers
You must ensure your make arrangements to explain, instruct and train employees and others issued PPE. The line manager is ultimately responsible for the training standards of their employees, this responsibility cannot be delegated although the issuing task can be.
Training record instructions:
A copy of this record once fully complete, should be scanned and emailed to hrqueries@chesterfield.gov.uk. Management are also encourage to retain the latest version on their local training folders/files. Records must be kept for a minimum of 3 years.

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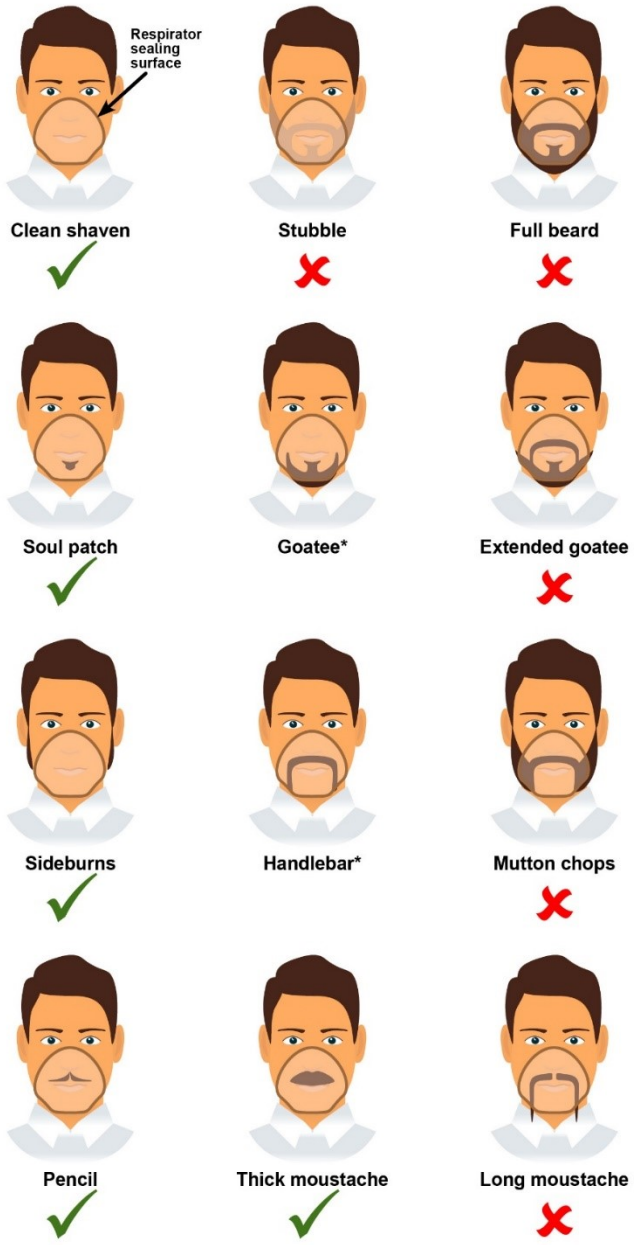
Facial hair and FFP3 respirators



*Ensure that hair does not cross the respirator sealing surface

For any style, hair should not cross or interfere with the respirator sealing surface. If the respirator has an exhalation valve, hair within the sealed mask area should not impinge upon or contact the valve.

*Adapted from The US Centers for Disease Control and Prevention, The National Personal Protective Technology Laboratory (NPPTL), NIOSH. Facial Hairstyles and Filtering Facepiece Respirators. 2017.
Available online at https://www.cdc.gov/niosh/npptl/RespiratorInfographics.html. Accessed 26/02/2020.

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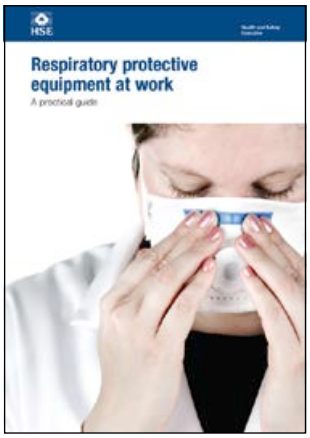
Respiratory protective equipment at work

A practical guide



This is a web-friendly version of HSG53 published 05/13

HSG53 (Fourth edition, published 2013).

You can buy the book at www.hsebooks.co.uk and most bookshops.

ISBN 978 0 7176 6454 2

This book provides guidance on the selection and use of adequate and suitable respiratory protective equipment (RPE) in the workplace, in order to comply with the law.

It tells you when you can use RPE, using a simple step-by-step approach. It helps you to decide the adequate level of protection for a given hazardous substance and how to select RPE that is suitable for the particular wearer, task and work environment. It also contains advice on how to make sure that the selected RPE keeps working effectively.

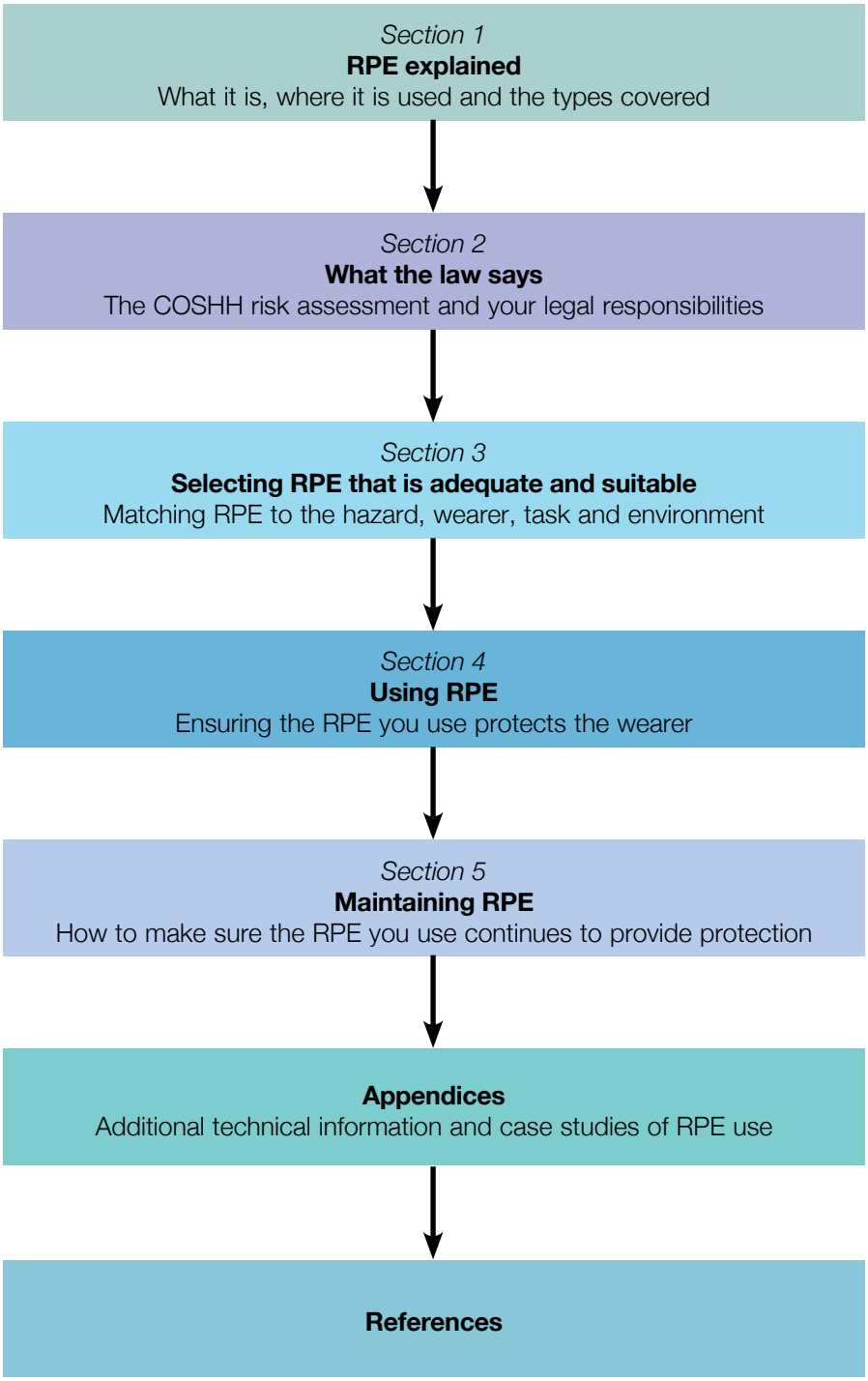
Second edition 1998
Third edition 2005
Fourth edition 2013

ISBN 978 0 7176 6454 2

This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance.

Contents

Overview of this guide



Introduction

1 Many workers wear respirators or breathing apparatus to protect their health in the workplace. These devices are collectively known as respiratory protective equipment (RPE). Respirators filter the air to remove harmful substances and breathing apparatus (BA) provides clean air for the worker to breathe.

2 This guide will help those who have responsibility for the use of RPE at work. You may be an employer or self-employed. It supports the Approved Code of Practice (ACOP) to the Regulations that apply (see paragraphs 36–39).

3 Those responsible for managing staff health and safety, safety representatives, health and safety specialists, manufacturers and suppliers of RPE will find this guide useful.

What is in this guide and how to use it

4 As an employer, you have a legal responsibility under all the Regulations listed in paragraphs 36–39 to control substances hazardous to health in your workplace, and to prevent and adequately control your employees' exposure to those substances. Provision of RPE may be necessary as part of your control regime.

5 The guide assumes you are considering the use of RPE based on your COSHH risk assessment (Control of Substances Hazardous to Health Regulations 2002).[1] The hazard and risk information gathered in your COSHH risk assessment is required to select the correct RPE.

6 The guide contains practical guidelines to help you select the correct RPE and manage its use in your workplace to ensure effective protection. The process of selection and management of RPE is split into key steps. The guide has been colour-coded to help direct you through the process (see 'Overview of this guide').

7 This guidance has been prepared by the Health and Safety Executive (HSE) in consultation with industry: employers, trade unions and trade associations.

Figure 1 RPE types

Section 1 RPE explained

8 Work activities may result in harmful substances contaminating the air in the form of dust, mist, vapour, gas or fume. For example, when:

- cutting a material such as stone or wood;
- using a product containing volatile solvents;
- handling a dusty powder;
- welding stainless steel.

9 Workers may also need to work in areas where oxygen levels are or may become low, for example:

- confined spaces, such as a trench, silo or tank.

10 RPE is a particular type of personal protective equipment (PPE) designed to protect the wearer from breathing in harmful substances or from oxygen-deficient atmospheres when other controls are either not possible or insufficient on their own.

RPE types

11 There are many different RPE types designed to:

- protect the wearer from a variety of hazards;
- suit a variety of work situations;
- match the specific requirements of the wearer.

Warning: Respirators **must not** be used in oxygen-deficient atmospheres. You will require suitable breathing apparatus and should seek professional advice. The HSE publication L101 *Safe work in confined spaces*[2] provides further information.

12 RPE is available in different sizes to allow for the facial differences of workers. Gender, ethnicity, build and many other factors mean that one size of facepiece will not fit everyone. Figure 1 shows some of the common types of RPE. Appendix 1 details the different types of available RPE.

13 RPE must be both adequate and suitable:

- **Adequate** – It is right for the hazard and reduces exposure to the level required to protect the wearer's health.
- **Suitable** – It is right for the wearer, task and environment, such that the wearer can work freely and without additional risks due to the RPE.

14 The two main types of RPE are respirators and breathing apparatus:

- **Respirators (filtering devices)** use filters to remove contaminants from the air being breathed in. They can be either:
  - non-powered respirators – relying on the wearer's breathing to draw air through the filter; or
  - powered respirators – using a motor to pass air through the filter to give a supply of clean air.

- **Breathing apparatus** needs a supply of breathing-quality air from an independent source (eg air cylinder or air compressor see Figure 2).

15 Respirators and BA are available in a range of styles, dividing into two main groups:

- **Tight-fitting facepieces (often referred to as masks)** rely on having a good seal with the wearer's face. These are available as both non-powered and powered respirators and BA. A face fit test should be carried out to ensure the RPE can protect the wearer (see paragraphs 71 and 72).
- **Loose-fitting facepieces** rely on enough clean air being provided to the wearer to prevent contaminant leaking in (only available as powered respirators or BA). Examples are hoods, helmets, visors, blouses and suits.

RPE filters

16 A key component of any respirator is the filter. Filters are available for solid or liquid particles, vapours and gases (see Table 1). They can be an intrinsic part of the device or come separately so they can be changed on a reusable respirator.

17 It is vital that you choose the correct filter, which will be effective against the hazard. Appendix 2 gives more detail on filter types.

Breathing apparatus

18 There are different types but all:

- will supply air from an independent source such as a compressed air cylinder or air compressor;
- can be used against a range of airborne hazards and in different atmospheres.

Figure 2 One type of breathing apparatus

Section 2 What the law says

Deciding to use RPE

19 The laws governing the control of harmful substances in the workplace, and their supporting ACOP, say that you should only use RPE after you have taken all other reasonably practicable measures to prevent or control exposure. By going through the risk assessment process required by these laws, you can determine whether the use of RPE is necessary in your workplace. If you write your justification for using RPE on your risk assessment record you should remember the reasons behind your chosen control regime and be able to adapt it in the future as necessary. If you have fewer than five employees you are not legally required to record your risk assessment.

20 You should only select and use RPE:

- where an inhalation exposure risk remains after you have put in place other reasonable controls (residual risk);
- while you are putting in place other control measures (interim measures);
- for emergency work or temporary failure of controls where other means of control are not reasonably practicable;
- for short-term or infrequent exposure, such as during maintenance work, where you decide that other controls at the source of the exposure are not reasonably practicable.

21 There are situations where specialist advice may be needed to select the right RPE. These include:

- emergency escape – where you need to provide RPE for safe exit from an area where hazardous substances may be released suddenly after control systems fail;
- emergency rescue.

22 Under the law, RPE is the last line of protection. Remember, RPE can protect **only** the wearer and if it is used incorrectly, or is poorly maintained, it is unlikely to provide the required protection. Note also that RPE can be uncomfortable to wear and may interfere with work, which can lead to incorrect use.

Consulting employees and safety representatives

23 When implementing health and safety measures, including the selection and use of RPE, you must consult either:

- safety representatives appointed by recognised trade unions;
- employees, either directly, or indirectly through elected representatives.

24 You will find helpful guidance in INDG232 *Consulting employees on health and safety: A brief guide to the law.*[3]

Specific requirements for RPE use

25 RPE at work should:

- adequately control inhalation exposure to provide the wearer with effective protection;
- be suitable for the intended use;
- be CE-marked (see paragraphs 33–35) or of an approved type/standard approved by HSE;
- be used by properly trained people who are supervised;
- be properly stored, cleaned and checked regularly to ensure it remains effective.

26 **Adequate** RPE is right for the hazard and reduces exposure to the level required to protect the wearer's health.

27 **Suitable** RPE is right for the wearer, task and environment, such that the wearer can work freely and without additional risks due to the RPE.

28 Employers should make sure the selected RPE is of the right size and can correctly fit the wearer. For tight-fitting facepieces the initial selection should include a fit test (see paragraphs 71 and 72).

29 In addition, you must ensure that reusable RPE undergoes thorough examination and, where appropriate, testing at suitable intervals. This should be monthly, or every three months if used less frequently. This will not only make sure the RPE protects the wearer but will also extend the life of the equipment and so maximise your investment.

30 You should record RPE examinations and tests – and, where appropriate, any repairs made – and retain them for at least five years. The records will help to keep track of the equipment's maintenance.

31 You should test the quality of air supplied to BA at least once every three months (see Appendix 3).

32 For RPE to be effective, you should integrate its use into normal workplace activities. You should also ensure that RPE is used according to the manufacturer's instructions, as poor working practices or improper use can significantly reduce its effectiveness.

Figure 3 Examples of CE marking

CE marking

33 RPE used at work must be manufactured in accordance with the Personal Protective Equipment Regulations 2002.[4] In practice, this means you need to use CE-marked equipment. The CE mark on RPE tells you that the equipment has met the minimum legal requirements for its design.

34 This marking appears as the letters 'CE' and a four-digit code that identifies the body responsible for checking manufacturing quality (see Figure 3).

35 CE marking does not indicate that an RPE device is automatically adequate and suitable for use in your workplace. It is your responsibility to select the correct RPE to meet your specific requirements.

The Regulations

36 The Health and Safety at Work etc Act 1974[5] and the Management of Health and Safety at Work Regulations 1999[6] require you to provide and maintain a safe working environment, so far as is reasonably practicable. They set out the basic requirements for you to follow.

37 In addition to the COSHH Regulations 2002, RPE may need to be used to satisfy requirements in the following pieces of legislation. You will need to consider whether any of these Regulations apply to you and comply with any specific requirements they contain on RPE:

- Control of Asbestos Regulations 2012;[7]
- Control of Lead at Work Regulations 2002;[8]
- Ionising Radiations Regulations 1999;[9]
- Confined Spaces Regulations 1997.

38 These Regulations are supported by Approved Codes of Practice. ACOPs give practical guidance on compliance and have a special status in law. If you are prosecuted for a breach of health and safety law, and it is proved that you did not follow the relevant provisions of the code, you will need to show that you have complied with the law in some other way or a court will find you at fault.

39 For RPE use that is not covered by any of the above Regulations, employers and employees have duties under the Personal Protective Equipment at Work Regulations 1992.

Accidents involving RPE

40 You should report accidents involving RPE and diseases resulting from exposure to hazardous substances by completing the appropriate online report form at www.hse.gov.uk/riddor. You should consult L73 *A guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995*[10] for specific details.

Section 3 Selecting RPE that is adequate and suitable

Introduction

41 This guide is for those who need to manage exposure where it cannot be avoided. Your risk assessment will help you decide if controls are required for airborne workplace hazards such as dust, mist, vapour, gas or fume. RPE may be required because there are no other suitable controls or if the controls are not sufficient on their own.

42 You will require RPE that is adequate and suitable to ensure the wearer is protected.

This means:

- **Adequate** – It is right for the hazard and reduces exposure to the level required to protect the wearer's health.
- **Suitable** – It is right for the wearer, task and environment, such that the wearer can work freely and without additional risks due to the RPE.

43 To select RPE that will protect the wearer you will need a basic understanding of:

- the hazardous substance and the amount in the air (exposure);
- the form of the substance in the air (eg gas, particle, vapour);
- the type of work being carried out;
- any specific wearer requirements, such as other PPE or a need for spectacles.

44 Figure 4 illustrates a process you can follow to gather this information and select the most suitable RPE options.

45 If there is a likelihood of the atmosphere in which the RPE will be used being deficient in oxygen, or if the concentration of substance in the air could be life-threatening, specialist BA is required. Only those with appropriate training should use this type of BA. The use of RPE in oxygen-deficient atmospheres is not covered in this guide and specialist advice may be needed.

Selecting RPE adequate against the hazard

Identifying the exposure hazard

46 You will have been through the COSHH risk assessment process to identify the hazardous substances in your workplace. As a reminder, there are two key areas to consider:

- Products you use at work that are hazardous substances will come with a safety data sheet (SDS) provided by the supplier. Any product classed as 'dangerous for supply' must come with this sheet by law and it should contain information on:
  - health hazards (product labelling);
  - forms of the substances contained in the product;
  - type of RPE necessary for its use.
- Work activities, such as cutting or heating materials, may generate harmful substances, which contaminate the air in the form of dusts, mists, gases or fumes. Further information on these substances is given in a series of *COSHH essentials* guidance sheets.[11]

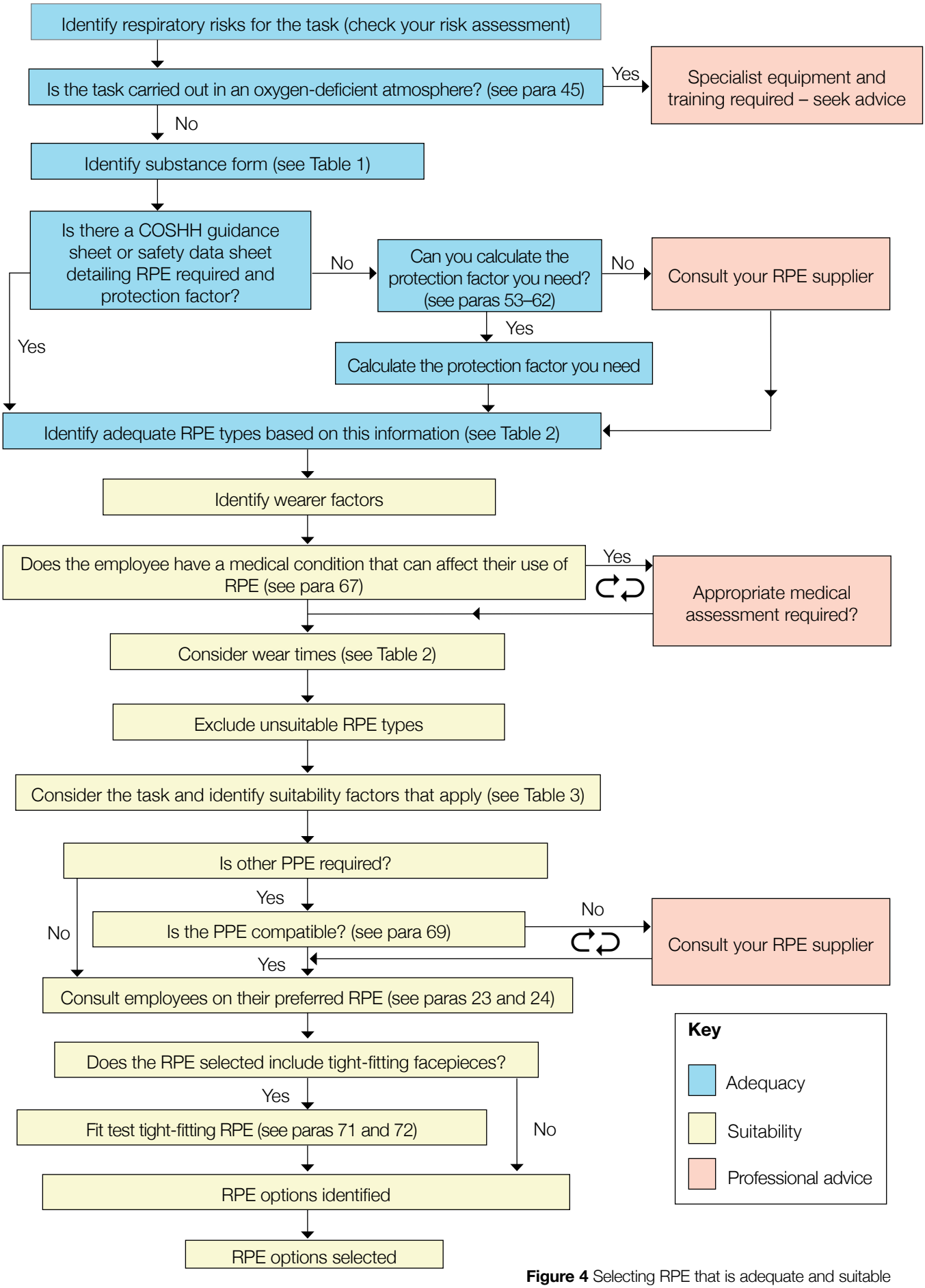


Figure 4 Selecting RPE that is adequate and suitable

Forms of substance

47 Hazardous substances can be present in the air as particles (solid or liquid), vapour or gas. Under certain conditions, they can exist in more than one form at the same time (eg during paint spraying). You need to identify the form of the hazardous substances in the air to select the right RPE (see Table 1). Note that:

- solid and liquid forms will be present as particles;
- fine sprays and mists are made up of liquid particles (droplets);
- fumes are very fine solid particles and not gas or vapour;
- smoke, fume and airborne liquids require RPE that is suitable for use against particles.

48 In addition to the above, volatile liquids may under certain conditions become airborne as both particles and vapour.

Table 1 Examples of the different forms of hazardous substances

Form	Properties	Examples
Solid particles	Particles of solid material, including aerosols, dusts, fibres, smokes and fume	Asbestos dust Engine exhaust particles and fume Lead dust and fume Stone dust Welding fume Wood dust Smoke Fungal spores and parasites Bacteria and viruses Flour
Liquid particles	Fine sprays, mists and aerosols made up of small droplets of liquid	Sprayed liquids: ■ paints ■ pesticides ■ powder coating mix ■ liquid jetting Mists: ■ chrome acid ■ cutting fluids ■ oil mist
Vapour	Gaseous forms of a solid or liquid	Solvent vapour Mercury vapour
Gas		Carbon monoxide Engine exhaust gases Sewer gas Chlorine

Matching filters to the substance and its form

49 There are various types of respirator and they all rely on filter material to remove the hazard. The filter material will be different depending on the hazardous substance and its form. There are two basic filter types available:

- particle filters;
- gas/vapour filters.

Remember that airborne liquids in the form of fine sprays and mists and solid materials, including dusts, fibres, smoke and fume, require a particle filter.

50 As air is breathed in, it passes through the filter(s), removing the contaminants before they reach the lungs. The respirator can either:

- be made of the filter material;
- have a filter(s) fitted to it; or
- use a motor to pass air through the filter(s) that may be separate from the facepiece.

51 Remember:

- Particle filters do not protect against gas or vapour.
- Gas/vapour filters do not protect against particles.
- Neither filter type can be used in oxygen-deficient atmospheres.

52 Some situations require a combination of filters suitable for the different substances or forms present. A full explanation is given in Appendix 2.

Deciding on the protection factor

53 You need to ensure that the RPE you select can protect the worker from the hazardous substance in the air around them. Your decision will depend on the amount in the air and its form (eg particles, vapour). There are various types of respirator and BA available. The protection they offer will be determined by a number of things, including the protection factor. In simple terms, this is the ratio of hazardous substance outside the RPE to the amount inside the RPE.

54 To help you, each RPE type and class is categorised by an assigned protection factor (APF). The APF is a number rating that indicates how much protection that RPE is capable of providing. For example, RPE with an APF of 10 will reduce the wearer's exposure by at least a factor of 10 if used properly, or, to put it another way, the wearer will only breathe in one-tenth or less of the amount of substance present in the air.

55 There are only a few number ratings used, so RPE APFs will be either: 4; 10; 20; 40; 200 or 2000. When calculating the protection factor, **always** choose an APF above the calculated value.

56 When choosing an RPE device with an APF capable of providing the wearer with adequate protection, check the following:

- Does the SDS provide advice on the required APF?
- Is there advice on the required APF in *COSHH essentials*?
- Does the substance have a prescribed workplace exposure limit (WEL)? If so, you need to make sure the wearer is protected to a level below the WEL (see EH40 *Workplace exposure limits*).[12]

57 In addition, for hazardous substances that are classed as carcinogens or mutagens, or are a potential cause of occupational asthma, exposure needs to be reduced to as low a level as is reasonably practicable. It is also important to remember that work activities involving micro-organisms may be high risk even with limited exposures. There is further specific guidance on RPE choice for biological agents in Appendix 6.

58 If there is no advice on the required APF in the SDS or in *COSHH essentials*, you can calculate the required protection factor using the WEL and the quantity of the substance in the air. Find out the amount of substance in the air by taking exposure measurements in your workplace. Figure 5 gives an example of how to calculate the required protection factor.

Substance – Toluene (a common solvent)

- Measured airborne toluene concentration: 350 ppm (parts per million) within an eight-hour time-weighted average (TWA).
- Toluene WEL: 50 ppm (from EH40).
- Required APF to reduce to WEL = 350/50 = 7.

Select RPE device with an APF above the required protection factor. In this case an APF of 10 will be required.

Figure 5 Example of a calculation to find required APF

59 If there is more than one hazard present, you will need to find out the protection factor for each and choose RPE based on the highest protection factor required.

60 If you are unable to take exposure measurements in your workplace, or if the substance does not have a WEL, your RPE supplier may be able to advise you on the required APF for your situation.

61 As an alternative, the Scottish Centre for Healthy Working Lives has developed an online tool, in conjunction with HSE, to assist you in selecting RPE, based on the same methods used to develop *COSHH essentials: Easy steps to control health risks from chemicals.*[13] There is a link to this tool on HSE's web pages: www.hse.gov.uk/respiratory-protective-equipment/resources.htm. A paper is also available, detailing the methodology.[14]

62 Now you have identified the hazardous substance(s) you need to protect your workers from, its form, and the required APF, you are in a position to consider what types of RPE device can provide them with adequate protection. Table 2 lists a range of types, but before you make your final choice you need to consider suitability factors, which are detailed in the next section: 'Selecting RPE suited to the wearer, task and environment'.

Table 2 RPE types

Adequacy/suitability	**Respirators**						
RPE type							
	Disposable half mask – particle filter*	**Reusable half mask – particle filter**	**Reusable half mask – gas/ vapour filter**	**Full face mask – particle filter**	**Full face mask – gas/vapour filter**	**Powered mask**	**Powered hoods/helmets**
Effective for particles	✔	✔	✘	✔	✘	✔ **	✔ **
Effective for gas/vapour	✘	✘	✔	✘	✔	✔ **	✔ **
Continuous wear time	Less than 1 hr	Less than 1 hr	Less than 1 hr	Less than 1 hr	Less than 1 hr	More than 1 hr	More than 1 hr
APF4 types	✔	✔	✘	✔	✘	✘	✘
APF10 types	✔	✔	✔	✔	✘	✔	✔
APF20 types	✔	✔	✘	✘	✔	✔	✔
APF40 types	✘	✘	✘	✔	✘	✔	✔
APF200 types	✘	✘	✘	✘	✘	✘	✘
APF2000 types	✘	✘	✘	✘	✘	✘	✘
Page reference	29	30	31	32	33	34	35

* Sometimes referred to as a filtering facepiece or orinasal respirator.

** Only protects against particle or gas/vapour when the appropriate filter is fitted.

Table 2 Continued

Adequacy/suitability	Breathing apparatus		
RPE type			
	Fresh air hose	**Constant flow airline**	**Demand valve**
Effective for particles	✔	✔	✔
Effective for gas/vapour	✔	✔	✔
Continuous wear time	Unassisted less than 1 hr Assisted/powered more than 1 hr	More than 1 hr	More than 1 hr
APF4 types	✘	✘	✘
APF10 types	✔	✔	✘
APF20 types	✘	✔	✘
APF40 types	✔	✔	✘
APF200 types	✘	✔	✘
APF2000 types	✘	✘	✔
Page reference	36	37–41	42

Selecting RPE suited to the wearer, task and environment

Suitability factors

63 In addition to making sure the RPE you use is adequate to control the hazards, you need to ensure it is suitable for:

- the individual wearer;
- the tasks they are doing;
- the environment in which they are working.

64 Table 3 gives some of the key suitability factors to consider and paragraphs 23 and 24 discuss consulting employees and safety representatives – involving the wearer in the choice will help you select the most appropriate RPE (see also paragraph 75). Appendix 1 gives a full list of RPE types.

65 For example, it is recommended that continuous wear time for tight-fitting (unpowered) RPE is less than an hour, after which the wearer should take a break. Otherwise, the RPE can become uncomfortable to wear, leading to loosening or removal of the mask in the work area. In these situations, where RPE is required to be worn continuously for long periods, powered respirators or airline BA, for example a loose-fitting facepiece such as a hood or helmet, are better options.

66 Other common factors about the **wearer** you need to consider are:

- Do they have facial hair or markings that could prevent a good seal between the wearer's face and the RPE?
- Do they have any pre-existing medical conditions?
- Do they wear spectacles or contact lenses?

67 It is important to know that some pre-existing medical conditions (examples include breathing disorders such as asthma, skin allergies, or even heart problems) may restrict or prevent some workers wearing any RPE, or certain types of RPE. You will need to ensure that workers are fit to wear the selected and required RPE. If unsure, you (the employer) should arrange for appropriate medical assessment.

68 There are a number of factors you need to consider for the **task**, including:

- work-rate;
- wear-time;
- vision requirements.

69 Other head-worn PPE can potentially interfere with RPE, preventing one or more of the components from working correctly (eg eye protection, ear protection and safety helmets – see Figure 6). Where possible, choose equipment where the different forms of protection required are combined (often referred to as integrated or combined PPE), eg eye, face, head and respiratory protection provided by a powered helmet respirator.

70 You also need to consider the workplace **environment**, for example temperature or humidity.

Carrying out a fit test

71 If you are considering RPE with a tight-fitting facepiece, you should make sure that each wearer undergoes a fit test. Remember, people come in different shapes and sizes, so facial differences will mean that one kind of RPE is unlikely to fit all. The differences are even more significant between men, women, and people of different ethnicity. If the RPE does not fit, it will **not** protect the wearer.

72 Facepiece fit testing is a method of checking that a tight-fitting facepiece matches the wearer's facial features and seals adequately to their face. It will also help to identify unsuitable facepieces that should not be used. Remember that tight-fitting RPE will only provide effective protection if the wearer is clean shaven, so they should also be clean shaven when fit tested.

Figure 6 Some head-worn PPE can potentially interfere with RPE and vice versa

You should carry out a fit test as part of the initial selection of the RPE – see Appendix 4 for further details. If RPE is used frequently it is good practice to ensure repeat fit testing is carried out on a regular basis.

Further information

73 Appendix 5 features some case studies that show how to choose adequate and suitable RPE. There is further specific guidance on choosing RPE for radioactive and biological hazards in Appendix 6. If you are still unsure, you should seek professional advice.

Table 3 Suitability factors to consider

Suitability factor	Why	Solution	
Work rate	Higher work rates may increase breathing and sweating, which can affect the performance of some types of RPE. Higher breathing rates can cause contaminants to leak in, and sweating can cause facepieces to slip and leak.	Light work rate	Sedentary work: assembly or sorting of light materials, arm and leg work, drilling. Most RPE would be suitable.
		Medium work rate	Sustained hand and arm work: sawing, planing or chiselling wood, plastering, filing, work with pneumatic breaker, intermittent handling or carrying moderately heavy material, shovelling, sledgehammer work, concrete block laying, pushing or pulling heavily laden hand-cart. Consider more comfortable RPE such as powered respirators or loose-fitting devices.
		Heavy work rate	Heavy manual work: shovelling or digging, climbing, ramps or ladders. Powered respirators or BA are recommended.
Wear time	Unpowered tight-fitting masks become uncomfortable to wear for long periods and wearers may be tempted to loosen or remove the RPE.	Wear time more than 1 hr	Using powered RPE with tight-fitting masks or loose-fitting facepieces will help minimise fatigue and discomfort.
Abnormal temperature or humidity	In hot and humid conditions, wearing RPE increases heat stress, sweating and discomfort.	Extreme heat	Using powered respirators or airline BA would help to minimise these problems. Proprietary cooling devices are available but consume a lot of compressed air.
	Airflow associated with powered respirators or airline BA can cause chilling effects.	Extreme cold	Proprietary heating devices are available but consume a lot of compressed air.
Facial hair and markings	Affects where a face mask seals to the face and will cause leakage.	1 Beard, stubble or any hair in the region where a face mask seals 2 Deep cuts or scars, wrinkles, moles, warts present in the face seal area	Consider the use of loose-fitting facepieces, which do not rely on a tight seal in this region.

Table 3 Continued

Suitability factors	Why	Solution
Spectacles	Spectacles with side arms are incompatible with full face masks as they break the face seal and they may also interfere with the fit of half masks.	RPE manufacturers can supply special frames, which fit inside their masks. It is the responsibility of the employer to find and provide an appropriate solution.
Vision	If you need to see fine details when wearing RPE, but don't need to protect the eyes from the airborne hazard, RPE types which include face protection (full face masks, visors, hoods) may not be ideal because they can be prone to scratching, misting and surface contamination.	Consider half mask RPE, provide adequate lighting, or choose designs that resist scratching and internal misting. Powered respirators or airline BA are more resistant to misting. Some types include 'tear-off' consumable visors.
Communication	All RPE affects your ability to communicate.	If your work requires clear and precise communication you should use RPE incorporating proprietary communication devices (ranging from simple speech diaphragms to complex radio intercom systems), or other suitable forms of communication.
Flammable or explosive atmospheres	RPE can be a source of ignition.	If you cannot avoid working in potentially flammable or explosive atmospheres, including oxygen-enriched atmospheres (levels above 21%), you may need to use intrinsically safe, light alloy-free and antistatic RPE.
Use of air power tools	Air jets from power tools (pneumatic or electric) can make RPE valves leak.	Shield tools or seek alternative design. Use RPE designs with valves remote from tool exhaust location.
	Connecting air-powered tools and your RPE to the same air supply will affect RPE performance.	Ensure that your compressor can supply enough air for both at the same time.
Contact lenses	Wearers may suffer discomfort or, if the lenses are dislodged, the wearer may remove the RPE to replace them while still in the hazardous area.*	Use spectacles (in mask if necessary) instead.
Mobility	Snagging and damage to trailing hoses. Added bulk of fan units/air cylinders in tight spaces.	Ensure adequate inspection regime and consider other RPE types.

* The lenses can also jam in the RPE valves, leading to loss of protection.

Section 4 Using RPE

74 For RPE to be effective, its use should be integrated into normal workplace activities. You need to make sure that control measures, including RPE, are properly used and are not made less effective by bad work practices, inadequate training or improper use.

75 Your employees need to use RPE in accordance with the manufacturer's instructions and the training and instruction you provide. If RPE is not worn properly, it will not provide the required protection. It is often best, if possible, to give a choice of several adequate and suitable RPE to wearers so they can choose the one they find most comfortable.

Management and supervision

76 Employers are responsible for implementing and managing RPE selection and use, or delegating that responsibility to another trained person. Support can be provided by internal or external health and safety professionals.

77 You should also ensure those wearing RPE follow the measures you put in place. These are some of the key factors for users of RPE to remember:

- Users of tight-fitting facepieces should have passed a fit test for the particular RPE device they are using.
- Hair, spectacles or other PPE can break the seal on tight-fitting facepieces, allowing the user to breathe in hazardous substances.
- Valves on reusable RPE need to be maintained and replaced.

78 In addition, users should remember that the RPE will only be effective if it is worn and used in accordance with the manufacturer's instructions.

79 Users should check their RPE every time they use it – this is known as a 'pre-use check'. The check will cover a variety of things, dependent on the type of RPE, so users should follow the manufacturer's instructions. Common things to look out for include making sure that:

- the nose bridge on disposable RPE is adjusted to ensure a proper seal;
- all the straps are used;
- any hoses are connected properly;
- battery-powered RPE is fully charged.

80 For RPE with tight-fitting facepieces, the user should carry out a 'fit check' of the seal when the device is first put on. For reusable masks this can be done by placing a hand over the filter or inlet valve(s) and breathing in. If there is a good seal, the user will experience the mask sucking in toward their face. The wearer should hold their breath for ten seconds and the facepiece should not loosen. If it does, the facepiece should be readjusted and the seal checked again. Do not use RPE if a good seal cannot be achieved. The RPE manufacturer's instructions will provide details of how to perform a fit check.

Training

81 All people involved in the selection, use, storage and maintenance (if required) of RPE require training. An appropriate training programme could cover the following areas:

- Why RPE is needed.
- The hazards, risks and effects of exposure.
- What RPE is being provided.
- How RPE works.
- Why fit testing is required (if relevant).
- How to wear and check the RPE correctly.
- Fit checking before use.
- What maintenance is required and when.
- Where and how it should be cleaned and stored.
- How to report/tackle any problems.
- Employee and employer responsibilities.
- Use and misuse of RPE.

82 The wearer needs to be clean-shaven around the face seal to achieve an effective fit when using tight-fitting facepieces. Training is a good opportunity to make employees aware of this. If workers have beards, or are unable to be clean-shaven, a tight-fitting device will not be suitable so an appropriate loose-fitting device should be chosen.

83 Your RPE supplier should provide information on the training required to use and maintain their products. Anybody selecting, using or maintaining RPE should be competent. You should be able to demonstrate this by reference to records of appropriate training.

Fit testing

84 If you are using RPE with tight-fitting facepieces you should make sure each wearer has a fit test (see paragraphs 71 and 72). This is needed to ensure the selected facepiece can fit the wearer correctly.

85 You can use the fit test as a training opportunity, as it allows you to highlight to the wearer the consequences of poor fit and improper use on the effectiveness of the RPE device.

86 It is also good practice to have a system to ensure repeat fit testing is carried out on a regular basis. This is especially important when RPE is used frequently as a primary means of exposure control, eg annual testing for workers involved in licensed asbestos removal. If there are any changes to a person's face through, for example, weight loss/gain, scars etc, a repeat fit test will be necessary.

Awareness

87 You may want to consider publicising the use of RPE in your workplace on notice boards and via other communication systems.

Designated areas

88 You may also want to designate areas where RPE is needed as 'RPE zones'. This will make it clear where RPE is required. You should note that designation of RPE zones is mandatory in certain circumstances under the Control of Asbestos Regulations 2012.

Dos and don’ts

89 General dos and don’ts are given in the following tables, to highlight key considerations for using RPE. These are reminders for the wearer but, as the employer, you should ensure that your employees follow good practice.

Table 4 Non-powered respirators

Dos	Don’ts
■ Always ensure the respirator is in good working order before putting it on, even when new. ■ Always use **all the straps** provided, making sure they are correctly positioned and adjusted. Follow the manufacturer’s instructions. ■ Always fit two identical filters to a twin-filter respirator. ■ Always clean and store the RPE properly, paying special attention to the valves on reusable RPE. ■ Change filters as instructed by the manufacturer. ■ Ensure the other PPE you need to wear is compatible with the respirator.	■ Never use in oxygen-deficient atmospheres. ■ Never use a particle filter to protect against gases/vapours or gas/vapour-only filters against particulates. ■ Never use if dirty, damaged or incomplete.

Table 5 Powered respirators

Dos	Don’ts
■ Always ensure the respirator is in good working order before putting it on, even when new. ■ Always use **all the straps** provided, making sure they are correctly positioned and adjusted. Follow the manufacturer’s instructions. ■ Always check the fan is providing enough airflow before you use the device. ■ Always fit identical filters to a multi-filter unit. ■ Always change all the filters on a multi-filter unit together. ■ Always clean and store the RPE properly, paying special attention to the valves. ■ Change filters as instructed by the manufacturer. ■ Ensure the other PPE you need to wear is compatible with the respirator.	■ Never use in oxygen-deficient atmospheres. ■ Never use particle-only filters against gas/vapour, or gas/vapour-only filters against particulates. ■ Never use if dirty, damaged or incomplete, or if not providing enough air. ■ Never keep working if the fan stops or the flow rate falls. Leave the work area immediately.

Table 6 Breathing apparatus

Dos	Don’ts
■ Always ensure the breathing apparatus is in good working order before putting it on, even when new. ■ Always look after your supply hose during use – your life may depend on it. ■ Always use **all the straps** provided, making sure they are correctly positioned and adjusted. Follow the manufacturer’s instructions. ■ Ensure that an adequate clean air supply is available for all users. ■ Ensure that the compressed air quality meets the minimum requirements of BS EN 12021.[15] ■ Always plan your exit from the contaminated area so you don't run out of air. ■ Ensure the other PPE you need to wear is compatible with the BA.	■ Never place the hose inlet near to potential sources of contamination, eg vehicle exhausts. ■ Never use the equipment without the waist belt. ■ Never use a light-duty airline hose where there is any potential for crushing by vehicles or passers-by etc. ■ Never keep working if the airflow rate drops or any warning devices are activated. Leave the work area immediately.

Section 5 Maintaining RPE

Maintenance

90 Maintenance is a requirement for all RPE, except for disposable (single use) RPE, and should be carried out by properly trained personnel. Thorough maintenance, examination and tests should be carried out at least once a month. However, if the RPE is used only occasionally, an examination and test should be carried out before use and, in any event, the interval should not exceed three months. Emergency escape-type RPE should be examined and tested in accordance with the manufacturer's instructions.

91 There are five key points you should follow when carrying out RPE maintenance:

- Follow the manufacturer's instructions.
- A competent person should carry out the work.
- Keep records (see Figure 7 for an example).
- Ensure the intervals for maintenance are appropriate.
- The maintenance programme should reflect the complexity of maintaining the RPE.

92 Ideally, any parts that require replacing will be sourced from the original manufacturer of the RPE. This will ensure any replacement parts continue to allow the equipment to operate as originally intended and perform to the standards that ensure the RPE offers the protection stated by the manufacturer.

93 You must keep records of examination and testing, and any repairs made, for at least five years.

94 Key maintenance tasks include:

- changing any replaceable filters;
- cleaning the device;
- valve maintenance and replacement;
- checking the straps for damage;
- checking the battery charge and flow rate for powered devices.

95 Filters only have a limited capacity, or can become clogged, making breathing difficult. Replaceable filters should be changed when necessary to make sure the RPE device can remain effective. See Appendix 2 for more information.

96 Cleaning a reusable facepiece is required to remove contamination, moisture build-up and microbes. The manufacturer should provide advice on cleaning and inspection of the RPE, including on the appropriate cleaning materials and disinfectants to use. The use of cleaning products other than those recommended by the manufacturer may cause problems with the RPE.

97 Cleaning and drying should be carried out in a clean area to avoid contamination of the RPE.

Disposal

98 Contaminated RPE, or components, or any of the materials used to clean or disinfect the RPE, may need to be considered as hazardous waste. This will depend on the specific substances and the amounts involved. In some cases, specific legislation may apply. If in doubt, seek specialist help.

Storage

99 Remember that all RPE requires clean storage facilities. The following is a general guide:

- RPE should be stored in accordance with the manufacturer's user instructions in order to prevent contamination, damage and deterioration.
- RPE should be cleaned before being stored to prevent the storage area becoming contaminated.
- Provide storage that is easily accessible so that RPE can be safely stored during breaks.

Air quality

100 Air supplied to BA should meet minimum quality requirements, in line with the latest British Standard. Your RPE or air compressor supplier should be able to advise you on how to meet these requirements. Further guidance on compressed air quality is given in Appendix 3.

Monthly Respiratory Protective Equipment Maintenance Record							
Company/section							
Make	**Serial No**		Date	/ / 20XX	/ / 20XX		
		FULL FACE MASK	Cleanliness				
			Filter check				
			Facepiece/seal				
			Visor				
			Head straps/buckles				
			Valves/seals				
Model	**Issued to**						
		HALF FACE MASK	Cleanliness				
			Filter check				
			Facepiece/seal				
			Head straps/buckles				
			Valves/seals				
			Maintenance needed				
			Date action complete				
			Fit for use? Y/N				
			Signature				

Figure 7 Example maintenance record

Appendix 1 RPE types

1 The following pages detail the different types of available RPE. By going through Section 3 of this guide, 'Selecting RPE that is adequate and suitable', you can find out which RPE is appropriate for your workplace.

2 You may find you have several options. Remember, you can also use equipment that provides higher protection than the minimum you need.

3 In some cases, more than one hazard and/or form of substance in your workplace requires the use of RPE and special consideration of the filter type for respirators is required in these cases (see 'Combined filters' section in Appendix 2).

4 Table 3 provides information on the suitability aspects relating to the wearer and task. Cross-reference these with the types of RPE you have identified as adequate. This will allow you to choose the most appropriate RPE for your individual situation – one that is both adequate and suitable. Again, you may find you have more than one adequate and suitable option; in that situation, the choice is yours. Involving the wearer will help you select the most appropriate RPE.

5 Each RPE type detailed on the following pages has photographs to illustrate its typical appearance. Individual models from various manufacturers may differ in style and detail.

Figure 8 Disposable half mask respirators

Classification of RPE	Protection factor
FFP1	4
FFP2	10
FFP3	20

Work rate	Medium (all classes)	
Continuous wear time	Less than 1 hour	
Effective against	Solid or liquid particles	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
	✔	✔
Applicable standards	BS EN 149	

Important information, which applies to all these types.

Dispose of masks marked NR (not reusable) after a single shift (8 hours).
P1 and P2 filters are not recommended for fumes unless stated. (See general dos and don'ts Tables 4–6.)

Figure 9 Reusable half mask respirators – particle filter

Classification of RPE	Protection factor
Half mask + P1 filter	4
Half mask + P2 filter	10
Half mask + P3 filter	20

Work rate	Medium (all classes)	
Continuous wear time	Less than 1 hour	
Effective against	Solid or liquid particles	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
	✔	✔
Applicable standards	BS EN 140 mask and BS EN 143 filter; BS EN 1827	

Important information, which applies to all these types.

P1 and P2 filters are not recommended for fumes unless stated. Always clean and store the mask properly – pay special attention to the valves. (See general dos and don'ts Tables 4–6.)

Figure 10 Reusable half mask respirators – gas/vapour filter

Classification of RPE	Protection factor
Gas	10
FFgas	10
FMgas	10

Work rate	Medium (all classes)	
Continuous wear time	Less than 1 hour	
Effective against	Gas or vapour	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
	✔	✔
Applicable standards	BS EN 140 and BS EN 14387; BS EN 405; BS EN 1827	

Important information, which applies to all these types.

Never use it to protect against particles, unless a particle filter is incorporated. If a P1 particle filter is incorporated the protection factor will be reduced to 4. (See general dos and don'ts Tables 4–6.)

Figure 11 Full face mask respirators – particle filter

Classification of RPE	Protection factor
P1	4
P2	10
P3	40

Work rate	Medium (all classes)	
Continuous wear time	Less than 1 hour	
Effective against	Solid or liquid particles only	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
	✘	✔
Applicable standards	BS EN 136 mask and BS EN 143 filter	

Important information, which applies to all these types.

Always clean and store the mask properly – pay special attention to the valves. Badly perished and deformed exhalation valves will be incapable of sealing. (See general dos and don'ts Tables 4–6.)

Figure 12 Full face mask respirators – gas/vapour filter

Classification of RPE	Protection factor
Gas	20

Work rate	Medium (all classes)	
Continuous wear time	Less than 1 hour	
Effective against	Gas or vapour	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
	✘	✔
Applicable standards	BS EN 136 mask and BS EN 14387 filter	

Important information, which applies to all these types.

Never use it to protect against particles, unless a particle filter is incorporated. If a particle filter is incorporated the protection factor will be reduced to 4 if P1 or 10 if P2. (See general dos and don'ts Tables 4–6.)

Figure 13 Powered respirators with masks

Classification of RPE	Protection factor
TM1	10
TM2	20
TM3	40

Work rate	Medium to heavy (all classes)	
Continuous wear time	More than 1 hour	
Effective against	Solid or liquid particles, gas or vapour depending on filter type	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
Half mask fit test option	✔	✔
Full face mask fit test option	✘	✔
Applicable standards	BS EN 12942	

Important information, which applies to all these types.

In the event of the fan failing, a degree of protection is still offered but the wearer should exit to a safe area. (See general dos and don'ts Tables 4–6.)

Figure 14 Powered respirators with hoods/helmets

Classification of RPE	Protection factor
TH1	10
TH2	20
TH3	40

Work rate	Medium (all classes)
Continuous wear time	More than 1 hour
Effective against	Solid or liquid particles, gas or vapour depending on filter type
Fit testing required	No
Applicable standards	BS EN 12941

Important information, which applies to all these types.

Never keep working if the fan stops or the flow rate falls – leave the work area immediately. (See general dos and don'ts Tables 4–6.)

Figure 15 Fresh air hose (FAH) breathing apparatus

Classification of RPE	Protection factor
Assisted FAH with half mask	10
Unassisted FAH with full face mask	40
Assisted/powered FAH with full face mask	40
Powered FAH with hood	40

Work rate	Unassisted – medium	
	Assisted/powered – heavy	
Continuous wear time	Unassisted – less than an hour	
	Assisted/powered – more than 1 hour	
Effective against	Solid or liquid particles, gas or vapour	
Fit testing required	Yes (except hood)	
Fit testing options	**Qualitative**	**Quantitative**
Half mask	✔	✔
Full face mask	✘	✔
Applicable standards	BS EN 138 and BS EN 269	

Important information, which applies to all these types.

Always anchor the hose inlet in clean air.
Much higher inhale and exhale resistance can be experienced with this type of mask and can lead to removal by the wearer due to the discomfort. (See general de-rating in Tables 4–6.)

Figure 16 Constant flow airline breathing apparatus with a mask – light duty

Classification of RPE	Protection factor
IA	10
2A	20
3A	20
4A (full face mask only)	40

Work rate	Medium to heavy (all classes)	
Continuous wear time	More than 1 hour	
Effective against	Solid or liquid particles, gas or vapour	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
Half mask fit test option	✔	✔
Full face mask fit test option	✘	✔
Applicable standards	BS EN 14594	

Important information, which applies to all these types.

Always clean and store the mask properly – pay special attention to the valves. Badly perished and deformed exhalation valves will be incapable of sealing. (See general dos and don'ts Tables 4–6.)

Figure 17 Constant flow airline breathing apparatus with a mask

Classification of RPE	Protection factor
IB	10
2B	20
3B	20
4B (full face mask only)	40

Work rate	Medium to heavy (all classes)	
Continuous wear time	More than 1 hour	
Effective against	Solid or liquid particles, gas or vapour	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
Half mask fit test option	✔	✔
Full face mask fit test option	✘	✔
Applicable standards	BS EN 14594	

Important information, which applies to all these types.

Always clean and store the mask properly – pay special attention to the valves. Badly perished and deformed exhalation valves will be incapable of sealing. Never use light duty supply tubes. (See general dos and don'ts Tables 4–6.)

Figure 18 Constant flow airline breathing apparatus with hoods/helmets – light duty

Classification of RPE	Protection factor
IA	10
2A	20
3A	40
4A	40

Work rate	Medium to heavy (all classes)
Continuous wear time	More than 1 hour
Effective against	Solid or liquid particles, gas or vapour
Fit testing required	No
Applicable standards	BS EN 14594

Important information, which applies to all these types.

Always ensure you have an adequate supply of clean compressed breathing air before use.
Always look after your supply tube during use – your life may depend on it. (See general dos and don'ts Tables 4–6.)

Figure 19 Constant flow airline breathing apparatus with hoods/helmets

Classification of RPE	Protection factor
IB	10
2B	20
3B	20
4B	40

Work rate	Medium to heavy (all classes)
Continuous wear time	More than 1 hour
Effective against	Solid or liquid particles, gas or vapour
Fit testing required	No
Applicable standards	BS EN 14594

Important information, which applies to all these types.

Always ensure you have an adequate supply of clean compressed breathing air before use.
Always look after your supply tube during use – your life may depend on it.
Never use light duty supply tubes for normal airline applications. (See general dos and don'ts Tables 4–6.)

Figure 20 Constant flow airline breathing apparatus with full suit

Classification of RPE	Protection factor
IA or 1B	10
2A or 2B	20
3A or 3B	20
4B	40
Classes 1, 2, 3, 4 and 5	200
Class 1C	200

Work rate	Medium to heavy (all classes)
Continuous wear time	More than 1 hour
Effective against	Solid or liquid particles, gas or vapour
Fit testing required	No
Applicable standards	BS EN 14594 (Class A and B); BS EN 1073-1 (Class 1 to 5); BS EN 943-1 (Class 1C)

Important information, which applies to all these types.

Always ensure you have an adequate supply of clean compressed breathing air before use.
Always look after your supply tube during use – your life may depend on it.
Never use light duty supply tubes for normal airline applications. (See general dos and don'ts Tables 4–6.)

Figure 21 Demand valve breathing apparatus

Classification of RPE	Protection factor
Positive pressure demand airline – full face mask	2000
Positive pressure self-contained demand – full face mask	2000

Work rate	Heavy (all classes)	
Continuous wear time	More than 1 hour	
Effective against	Solid or liquid particles, gas or vapour	
Fit testing required	Yes	
Fit testing options	**Qualitative**	**Quantitative**
Half mask fit test option	✔	✔
Full face mask fit test option	✘	✔
Applicable standards	BS EN 14593 (airline); BS EN 137 (self-contained)	

Important information, which applies to all these types.

Always make sure the mask fits you.
Always plan for work breaks in situations requiring prolonged use – this allows users to drink and avoid dehydration effects. (See general dos and don'ts Tables 4–6.)

Appendix 2 Filters

1 Filters are classified in relation to the form of the hazardous substance(s) they can be used against – either particles, gas/vapour, multi-gas or combined (particle and gas/vapour).

2 If the filter is also usable with powered respirators then they will also be marked 'TH' (turbo hood) for hood devices or 'TM' (turbo mask) for mask devices.

3 **Particle** filters do **not** trap gases or vapours, or give any protection against oxygen-deficient atmospheres.

4 **Gas/vapour** filters do **not** protect against particles, or give any protection against oxygen-deficient atmospheres.

5 Note that particle filters are not effective against mist or spray of organic solvents. Seek advice from the manufacturer.

Particle filters

6 Particle filters trap and hold particles (dust, mist, fume, smoke, micro-organisms) from the air flowing through them. Large particles are easier to trap than small ones. These filters can be used against both solid particles and liquid particles (mists, fine sprays and aerosols).

7 Particle filters are classified according to their efficiency. The filter (or the facepiece it is built into) will be marked with the letter P (for particle) and a number to indicate efficiency, or the level of protection provided:

- P1 = Low efficiency.*
- P2 = Medium efficiency.*
- P3 = High efficiency.

8 Filters are additionally marked:

- NR = Not reusable – Designed for a single work shift (eight hours) and must be disposed of safely at the end.
- R = Reusable.

* Do not use against fume unless specified by manufacturer.

Gas/vapour filters

9 These filters are designed to remove gases or vapours as specified by the manufacturer.

10 Gas/vapour filters are classified according to their capacity and the type of substance they can be used against.

11 Their capacity refers to how much of the specified contaminant they can hold (as measured in a laboratory test at set conditions):

- Class 1 = Low capacity.
- Class 2 = Medium capacity.
- Class 3 = High capacity.

Warning: The capacity identification on gas/vapour filters is not a good indicator of when substances are likely to break through (see Appendix 2, paragraph 19).

12 The filter (or the mask it is built into) will be marked with a number to indicate this capacity rating, and a letter to indicate the type of substance they are suitable for (see Table 7). Gas/vapour filters also have a standard colour coding. For example, a mask or filter marked as 'B2 – Grey' would protect against inorganic gases and vapours and have a medium capacity.

Multi-gas filters

13 A multi-gas filter is one that is suitable for more than one type of gas or vapour. They will be marked for the types of gases/vapours for which they are suitable (eg A1B2 = Organic vapour filter with capacity class 1 and inorganic gases filter with capacity class 2).

14 Multi-gas filters are an option for employers who have different gases and vapours at their sites. Multi-gas filters are more expensive to buy than single-type filters, and tend to be heavier.

Warning: If you use multi-gas filters, you should take extreme care – be certain that the use of this filter against mixtures of gases/vapours (either at the same time or one after the other) will not result in exposure. Always seek clear instructions from the manufacturer on how this filter may be used safely in your workplace and on replacement intervals. If performance against mixtures of gases is needed, it may be safer to consider BA.

Combined filters

15 Filters are available for situations where protection is needed against both particles and specific gases or vapours. This type of filter will carry markings for particles and vapours, eg A2P3 = Organic vapour filter with capacity class 2 and high-efficiency particle filter.

Table 7 Filter types

Filter types				
Colour code	**Type**	**For use against**	**Class**	**Other information**
White	P	Particles	1 2 3	European standard: EN 143
Brown	A	Organic gases and vapours, boiling point above 65 °C	1 2 3	European standard: EN 14387
Grey	B	Inorganic gases and vapours	1 2 3	European standard: EN 14387 Do not use against carbon monoxide
Yellow	E	SO_2 and other acid gases	1 2 3	European standard: EN 14387
Green	K	Ammonia and its organic derivatives	1 2 3	European standard: EN 14387
Red & white	Hg P3	Mercury	–	European standard: EN 14387 Includes P3 particle filter Maximum use time 50 hours No class number
Blue & white	NO P3	Oxides of nitrogen	–	European standard: EN 14387 Includes P3 particle filter Single use only No class number
Brown	AX	Organic gases and vapours, boiling point at or below 65 °C	–	European standard: EN 14387 Single use only No class number
Violet	SX	Substance as specified by the manufacturer	–	European standard: EN 14387

When to change filters

Particle filters

16 Particle filters will become clogged and make breathing difficult, possibly resulting in face seal leaks.

17 The following is recommended:

- For TH and TM type filters for fan-assisted respirators, change as instructed by the manufacturer.
- For replaceable filters, it would be good practice to mark the filter visibly with the date it was taken out of the packaging and fitted to the RPE; an in-house replacement date can be added to this marking.

18 Changing particle filters – **hints and tips**:

- Do not use if the shelf-life expiry date on the filters has passed.
- Change when filters are damaged or visibly contaminated.
- Change when they become harder to breathe through. This can happen quickly if the wearer is exposed to very high dust concentrations.

Gas/vapour filters

19 Gas/vapour filters have a limited capacity for removing gases/vapours, so after a time the gas or vapour will pass straight through. This is known as breakthrough. When breakthrough occurs, the RPE offers no protection.

20 Filter life is very difficult to predict because it depends on a large number of factors. They don't last forever.

21 The following is recommended:

- **Filter capacity 1** – Change at least every two days or as instructed by the manufacturer; but if the filter is used for protection against a:
  - carcinogen;
  - respiratory sensitiser;
  - potential carcinogen;
  - substance that may cause allergy or asthma symptoms or breathing difficulties if inhaled;

  change every day, or as instructed by the manufacturer.
- **Filter capacity 2** – Change at least once a week or as instructed by the manufacturer.
- For **capacity 3 and TM/TH type filters**, you should change as instructed by the manufacturer.
- For replaceable filters, it is good practice to mark the filter visibly with the date it was taken out of the packaging and fitted to the RPE; an in-house replacement date can be added to this marking.

22 Changing gas/vapour filters – **hints and tips**:

- Change filters as instructed by the manufacturer; for example, AX filters are single use only and mercury (Hg) filters have a maximum use time of 50 hours.
- Change before any expiry date marked on the filter.
- Do not use if the expiry date on the filters has passed.
- Change when damaged or visibly contaminated.
- Change before the contaminant can be smelled or tasted.
- Change before the filter life indicated in your risk assessment.

Appendix 3 Quality of air for breathing apparatus

Air quality

1 Air supplied to breathing apparatus (BA) should be clean and safe to breathe, whether it is supplied via a fresh air hose or a source of compressed air.

Fresh air hose

2 You should securely anchor the inlet for fresh air hose BA in an area that is free of contaminant. This can usually be achieved by siting the inlet well away from the work area (eg in free air outside the building), and upwind of any local sources of airborne contamination (eg vehicle exhaust).

Compressed air

3 Compressed air for BA normally originates from a compressor system. The maintenance, examination and testing of compressors should be carried out according to the manufacturer's instructions. The siting of air inlets to compressors should follow the same principles as for fresh air hose. However, because compressors themselves can generate and concentrate a wide range of contaminants, you should take extra care in assuring air quality.

4 As the BA wearer's life and health depend on the air supplied by the compressor, you should ensure that the air supplied meets the quality requirements in British Standard BS EN 12021 *Respiratory protective devices. Compressed air for breathing apparatus*,* in addition to the pressure and airflow rate requirements of the BA manufacturer.

5 Compressors which are moved from site to site, such as those used by the emergency services or on construction sites, will require a higher standard of maintenance and should be sited so that the quality of air they provide is not compromised by nearby contaminants.

* BS EN 12021 states: 'Compressed air for breathing apparatus shall not contain any contaminants at a concentration which can cause toxic or harmful effects. In any event all contaminants shall be kept to as low a level as possible and shall be far below the national exposure limit. Combination effects of more than one contaminant shall be taken into account.' (1999)

Periodic testing of air quality

6 The purpose of periodically testing air quality is to make sure that the control measures you have put in place are delivering the air quality required by BS EN 12021. You should base the frequency of such tests on a risk assessment, but they should take place at least every three months, and more often when the quality of air cannot be assured to these levels.

7 As part of the risk assessment, if a mobile compressor is being used consideration should be given as to how often the air supply should be checked when the compressor is moved. Testing for these components may be carried out using any appropriate method, eg:

- simple colour change tubes;
- on-line gas testers;
- sample collection for laboratory analysis elsewhere.

8 The supplier of your compressor or BA should be able to advise you on the best method for you. You should keep records of air quality tests for five years.

Appendix 4 Fit testing

1 Facepiece fit testing is a method of checking that a tight-fitting facepiece matches the wearer's facial features and seals adequately to their face. It will also help to identify unsuitable facepieces that should not be used. You should carry out a fit test as part of the initial selection of the RPE. Remember that tight-fitting RPE will only provide effective protection if the wearer is clean shaven, so they should also be clean shaven when fit tested.

2 The performance of tight-fitting facepieces depends on achieving a good contact between the wearer's skin and the face seal of the facepiece. People's faces vary significantly in shape and size so it is unlikely that one type or size of RPE facepiece will fit everyone. Inadequate fit will significantly reduce the protection provided to the wearer. Any reduction in protection can put the RPE wearer's life in danger or may lead to immediate or long-term ill health.

3 Fit testing can also serve as a useful training tool for teaching the wearer how to put on their facepiece correctly. Correct fitting of the facepiece at all times is vital to prevent exposure.

4 A fit test does not remove the need for correct and careful day-to-day fitting of the facepiece, which should always include a fit check (see paragraph 80).

5 A fit test should be carried out:

- as part of the initial selection of the RPE;
- where an untested facepiece is already in use.

6 It is good practice to have a system in place that ensures you carry out repeat fit testing of RPE on a regular basis. This is especially important when RPE is used frequently as a primary means of exposure control, eg annual testing for workers involved in licensed asbestos removal. You may find it useful to keep records of fit testing.

7 You should always conduct a repeat fit test if the wearer:

- loses or gains weight;
- undergoes any substantial dental work;
- develops any facial changes (scars, moles etc) around the face seal area.

8 Where facepieces are issued on an individual basis it is recommended that the wearer is fit tested using their 'own' facepiece. Where this is not practicable, or pooled equipment is used, then a test facepiece that exactly matches the wearer's 'own' facepiece (model, size and material) should be used.

9 When considering fit testing give thought to whether the wearer will need to use other PPE to ensure it is compatible and does not interfere with the protection offered by the RPE.

10 There are two basic types of RPE fit testing: qualitative and quantitative.

Qualitative fit testing

11 Qualitative fit testing is a pass/fail test based on the wearer's subjective assessment of any leakage from the face seal region, by sensing the introduction of a test agent. These tests are suitable for half masks. They are not suitable for full face masks. Examples of qualitative fit testing methods are:

- method based on bitter- or sweet-tasting aerosol;
- method based on odour compounds.

Quantitative fit testing

12 Quantitative fit testing provides a numerical measure of the fit, called a fit factor. These tests give an objective measure of face fit. They require specialised equipment and are more complicated to carry out than qualitative methods. Quantitative methods are suitable for full face masks (but can also be used for half masks). Examples of quantitative fit testing methods are:

- laboratory test chamber;
- portable fit test devices, such as a particle counting device.

Competence

13 RPE fit testing should be conducted by a competent person. Competence can be demonstrated through achieving accreditation under the Fit2Fit RPE Fit Test Providers' Accreditation scheme. This scheme has been developed by the British Safety Industry Federation (BSIF) together with industry stakeholders and is supported by HSE. The scheme is not compulsory and you are free to take other action to comply with the law.

14 Further details on fit testing are available on the HSE website and the Fit2Fit scheme can be found at: www.fit2fit.org.

Appendix 5 Selecting adequate and suitable RPE: Some case studies

Case study 1 Cutting kerbstones made of concrete for a new road section

(This case study makes use of* COSHH essentials *guidance.)

Work details

1 Kerbs are being laid on a 300-metre section of road. Traffic calming measures have been specified in the design, requiring the kerbs to be laid at different angles over short sections to create narrow sections with rights of way. Standard kerb will be supplied to site and cut to size.

2 Water suppression will be used to damp down the dust. There is no mains water available so water bottles with a pump will be used. The cutting will take approximately five minutes and will be intermittent.

Hazard

3 Cutting kerbs, paving or blocks can produce enormous amounts of dust (stone dust). The stone dust will contain some very fine dust called **respirable crystalline silica (RCS**). Exposure to RCS dust can cause serious health problems such as:

- silicosis;
- lung cancer;
- chronic obstructive pulmonary disease.

Information available

4 There is no safety data sheet (SDS) but COSHH guidance sheet CN6 *Cutting paving and kerbstones with rotary cutters*[16] has been identified.

5 It recommends respiratory protective equipment (RPE) with an assigned protection factor (APF) of 20. The RPE needs to be worn with other personal protective equipment (PPE) – goggles and hearing protection are required.

6 RPE that is **adequate** for this task (see Appendix 1) includes:

- disposable half mask respirator – protection factor of 20;
- reusable half mask respirator – particle filter with protection factor of 20.

Suitability

7 The masks available are tight-fitting facepieces. The two workers who will be undertaking the task are generally clean-shaven, have no facial markings and do not wear spectacles, so they can wear RPE of this type.

8 They do require other PPE and it is therefore essential that it is compatible. A hard hat with ear defenders attached so as not to interfere with the RPE device's straps, and eye protection that does not interfere with the device's nose bridge, are selected.

9 Due to the intermittent nature of the work and normal workplace temperature – given this is done in the open air – tight-fitting facepieces will suffice.

10 The workers should be fit tested for the RPE selected.

Decision

11 As the work is of short duration it is decided that the disposable half mask respirator will be used provided the two workers can get an adequate fit.

Case study 2 Printing factory switch to new adhesive for higher specification contract

(This case study makes use of the safety data sheet.)

Work details

12 A new contract has been won for high quality print. To achieve the quality of product a new screen-printable adhesive is being used.

13 The work requires a single operator to work on the machine producing the prints. Local exhaust ventilation (LEV) is being used to extract the harmful substance at its source. The operator will need to enter the capture zone of the LEV area for ten minutes every hour. Although the LEV will control vapour release within the work area the operator may receive some low-level exposure.

Hazard

14 The adhesive is supplied in containers with the following ingredients and labelling, as seen in Figure 22, below:

Ingredient CAS No	**% by Wt**
Copolymer of vinyl acetate and acrylic ester Trade Secret	40–70
Water 7732-18-5	15–40
Isopropyl alcohol 67-63-0	<0.3
Vinyl acetate 108-05-4	<0.2
Nonylphenoxypoly(oxyethylene)ethanol 9016-45-9	<0.1

Vinyl acetate 108-05-4 Grp 2B: Possible human carcinogen, International Agency for Research on Cancer.

Free vinyl acetate monomer is of concern for this task for those who enter the work area.

Figure 22 An actual example from a safety data sheet

Information available

15 SDS provides advice on RPE to be used with this product. It recommends using a half facepiece or full face filtering respirator with organic vapour filter cartridges.

16 RPE that is **adequate** for this task (see Appendix 1) includes:

- reusable half mask respirator – gas/vapour filter;
- full face mask respirator – gas/vapour filter.

Suitability

17 The masks available are tight-fitting facepieces. The workers who will be undertaking the task are generally clean-shaven, have no facial markings and do not wear spectacles, so they can wear RPE of this type.

18 Due to the intermittent nature of the work and normal workplace temperature, tight-fitting facepieces will suffice.

19 The workers should be fit tested for the RPE selected.

Decision

20 As the work is of short duration it is decided that the reusable half mask respirator with type A2 gas/vapour filter will be used provided the workers can get an adequate fit.

Case study 3 Small ferrous jobbing foundry casting metal products to order

(This case study makes use of exposure measurements.)

Work details

21 A small foundry supplies metal products to order. The products are produced from scrap metal. An important part of the process is the grinding off of the rough edges to get the finished product (fettling). The work usually requires four operators to work on the finished products with grinders.

22 LEV is being used and employees will be working for up to eight hours during this task. Although the LEV will reduce exposure within the work area the nature of the work will mean that high exposure levels of dust will always be present.

Hazard

23 The workers will be exposed to dust. This is identified as ferrous foundry particulate, which is a complex combination of silica and metal oxides. Because scrap metal is used the dust may contain heavy metals. Painted metal is not accepted by the plant to reduce the potential for lead exposure.

Information available

24 EH40[12] lists a workplace exposure limit (WEL) for ferrous foundry particulate as follows:

- Inhalable dust – 10 mg/m³.
- Respirable dust – 4 mg/m³.

25 Exposure measurements are routinely carried out by the company for this particular area of the plant. Exposures up to 45 mg/m³ have been measured.

26 The protection factor required for this type of task can be calculated as follows:

- Protection factor = Measured airborne concentration/WEL.
- Protection factor = 45/4 = 11.25.

27 An APF of greater than 11.25 is required, so an RPE device of APF20 should be used.

28 RPE that is **adequate** for this task (see Appendix 1) includes:

- Disposable half mask respirator – Protection factor of 20.
- Reusable half mask respirator – Particle filter with protection factor of 20.
- Powered (fan-assisted) respirator with mask – Particle filter with protection factor of 20.
- Powered (fan-assisted) respirators with hood – Particle filter with protection factor of 20.

29 COSHH guidance sheets are available for fettling operations for small and large castings. The work tends to be for larger type casting and the guidance sheet FD8 *Fettling large castings*[17] advises powered or constant flow airline breathing apparatus respirators for this type of work, with an APF of at least 40. However, the exposure measurements suggest this level of protection is not required.

Suitability

30 The workers who will be undertaking the task are generally clean-shaven, have no facial markings and do not wear spectacles, so they can wear any RPE type. However, the work is being carried out for more than one hour and is a heavy manual task so a powered respirator is most suitable.

Decision

31 Given the nature of the work, a powered respirator with hood and particle filter with protection factor of 20 is chosen to make the wearer as comfortable as possible. This RPE can also offer eye protection during the grinding activities if fitted with a suitable visor.

Appendix 6 Selecting RPE for radioactive or biological hazards

1 This appendix gives specific advice for situations where you need to provide respiratory protective equipment (RPE) to restrict exposure to:

- radioactive particles and gases for work covered by the Ionising Radiations Regulations 1999;[9]
- biological agents defined in COSHH as micro-organisms – bacteria, viruses, fungi, the agents causing transmissible spongiform encephalopathies, and other internal parasites – that create a hazard to human health.

Choosing RPE for radioactive substances

2 Some materials used in the workplace, such as zircon, baddeleyite sands and zirconia, are radioactive to low levels. If these materials are handled in such a way as to create dust, there may be an inhalation hazard.

3 Examples of work activities that might require the use of RPE because of the presence of radioactive dust are:

- handling/use of sands containing natural radionuclides in foundries and during the production of refractory products;
- production and machining of some thorium alloys;
- casting of lead/bismuth alloys;
- repointing of thoriated tungsten welding electrodes;
- handling of dusty ores of natural uranium and thorium.

4 The RPE you select should be capable of giving adequate protection both against the radioactivity and against other risks to health that these substances may pose.

Choosing RPE for biological agents

5 RPE may be needed to control exposure if your COSHH assessment reveals that your workers come into contact with:

- people or animals that are infected with micro-organisms transmitted by the airborne route, eg working with a patient infected with tuberculosis and carrying out procedures involving contact with respiratory discharges, such as producing a sputum specimen;
- micro-organisms transmitted by the airborne route via an aerosol as a result of the type of work, eg cleaning an area with a high-pressure hose that could be contaminated with micro-organisms.

6 When in an airborne state, micro-organisms can be classed as particles, so they can usually be removed by filter-type RPE. You should always use equipment fitted with the highest efficiency filter possible (protection factor of at least 20) to control exposure down to the lowest levels.

7 There are some tasks that may require the selection of different types of RPE:

- Due to the length of time the task can take, those carrying out post-mortem examinations on people infected with tuberculosis might find a powered respirator is most suitable, in addition to using general extraction in the room to control exposure.
- For those cleaning cooling towers using high-pressure hoses, a powered respirator with full facepiece or hood/blouse might be most suitable to control exposure to legionella bacteria, because of the associated work rate and wet conditions

Maintaining RPE

8 Treat all used RPE as potentially contaminated and keep it separate from other RPE until it has been monitored and, if necessary, decontaminated. Reusable equipment should normally be thoroughly decontaminated and cleaned.

9 You should provide appropriate systems, equipment and training to restrict the exposure of employees involved in maintenance of contaminated RPE.

10 For radioactive substances:

- If contamination cannot be removed from facepieces and internal surfaces of RPE, these items should be disposed of as radioactive waste.
- Disposable RPE and components should be monitored before disposal and, if necessary, treated as radioactive waste.

11 For biological agents:

- Manufacturers can tell you about compatible cleaning and disinfecting processes and materials for their equipment.
- If the equipment is stored in a dirty state, micro-organisms have the chance to grow on the equipment surface; this is especially true of used filters, which can act as a breeding ground for micro-organisms if stored in moist warm conditions, creating an exposure hazard the next time the equipment is handled or used.
- Non-reusable equipment should be disposed of as contaminated waste (eg by incineration, or sterilisation and disposal to a landfill).

References

1 *Control of substances hazardous to health (Fifth edition). The Control of Substances Hazardous to Health Regulations 2002. Approved Code of Practice and guidance* L5 (Fifth edition) HSE Books 2005 ISBN 978 0 7176 2981 7 www.hse.gov.uk/pubns/books/l5.htm

2 *Safe work in confined spaces. Confined Spaces Regulations 1997. Approved Code of Practice and guidance* L101 (Second edition) HSE Books 2009 ISBN 978 0 7176 6233 3 www.hse.gov.uk/pubns/books/l101.htm

3 *Consulting employees on health and safety: A brief guide to the law* INDG232(rev1) HSE Books 2008 ISBN 978 0 7176 6312 5 www.hse.gov.uk/pubns/indg232.pdf

4 *Personal protective equipment at work. Personal Protective Equipment at Work Regulations 1992. Guidance on Regulations* L25 (Second edition) HSE Books 2005 ISBN 978 0 7176 6139 8 www.hse.gov.uk/pubns/books/l25.htm

5 *The Health and Safety at Work etc Act 1974 Ch37* The Stationery Office 1974 ISBN 978 0 1054 3774 1

6 *Management of health and safety at work. Management of Health and Safety at Work Regulations 1999. Approved Code of Practice and guidance* L21 (Second edition) HSE Books 2000 ISBN 978 0 7176 2488 1 www.hse.gov.uk/pubns/books/l21.htm

7 *Work with materials containing asbestos. Control of Asbestos Regulations 2012. Approved Code of Practice and guidance* L143 HSE Books 2006 ISBN 978 0 7176 6206 7 www.hse.gov.uk/pubns/books/l143.htm

8 *Control of lead at work. Control of Lead at Work Regulations 2002. Approved Code of Practice and guidance* L132 (Third edition) HSE Books 2002 ISBN 978 0 7176 2565 9 www.hse.gov.uk/pubns/books/l132.htm

9 *Work with ionising radiation. Ionising Radiations Regulations 1999. Approved Code of Practice and guidance* L121 HSE Books 2000 ISBN 978 0 7176 1746 3 www.hse.gov.uk/pubns/books/l121.htm

10 *A guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. Approved Code of Practice and guidance* L73 (Fourth edition) HSE Books 2012 ISBN 978 0 7176 6459 7 www.hse.gov.uk/pubns/books/l73.htm

11 *COSHH essentials* guidance publications www.hse.gov.uk/pubns/guidance/rseries.htm

12 *EH40/2005 Workplace exposure limits: Containing the list of workplace exposure limits for use with the Control of Substances Hazardous to Health Regulations 2002* Environmental Hygiene Guidance Note EH40 (Second edition) HSE Books 2011 ISBN 978 0 7176 6446 7 www.hse.gov.uk/pubns/books/eh40.htm

13 *COSHH essentials. Easy steps to control health risks from chemicals* www.hse.gov.uk/coshh/essentials/index.htm

14 Garrod ANI, Rajan-Sithamparanadarajah R and Vaughan N 'An innovative approach to respiratory hazard control' 2004 J Int Soc Respir **21** 103–113 (*Note*: The graph given in this reference on p106 is incorrect; refer instead to the technical basis for *COSHH essentials* available from the COSHH website)

15 BS EN 12021:1999 *Respiratory protective devices. Compressed air for breathing apparatus* British Standards Institution

16 *CN6 COSHH essentials in construction: Silica. Cutting paving and kerbstones with rotary cutters – Control approach R Respiratory Protective Equipment (RPE)* www.hse.gov.uk/pubns/guidance/cn6.pdf

17 *FD8 COSHH essentials for foundries: Silica. Fettling large castings – Control approach R Respiratory Protective Equipment (RPE)* www.hse.gov.uk/pubns/guidance/fd8.pdf

Further information

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk. You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

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Qualitative Face Fit Training

RPE fit testing should be conducted by a competent person. To be competent the person should have adequate knowledge, and have received adequate instruction and training in the following areas.

1. Selection of adequate and suitable RPE
2. Examination of RPE and the ability to identify poorly maintained face pieces
3. Ability to correctly fit a face piece and perform pre-use fit checks
4. Ability to recognise a poor fitting face piece
5. The purpose and applicability of face Fit Testing
6. The purpose of the fit test exercises
7. Preparation of face pieces for fit testing
8. How to carry out diagnostic checks and face piece and fit test equipment
9. Capabilities and limitations of the fit test equipment
10. How to perform a correct fit test with the chosen method
11. Be aware of and know how to prevent and correct problems during testing
12. Interpretation of fit test results
13. An understanding of differences between Fit factor, workplace protection factor, assigned protection factor and nominal protection factors
14. HSE regulations and the Approved Codes of Practice relating to fit testing.

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Management of risk when planning work: The right priorities

Risks should be reduced to the lowest reasonably practicable level by taking preventative measures, in order of priority. The table below sets out an ideal order to follow when planning to reduce risk from construction activities. Consider the headings in the order shown, do not simply jump to the easiest control measure to implement.

1) Elimination	Redesign the job or substitute a substance so that the hazard is removed or eliminated. For example, dutyholders must avoid working at height where they can.
2) Substitution	Replace the material or process with a less hazardous one. For example, use a small MEWP to access work at height instead of step ladders. Care should be taken to ensure the alternative is safer than the original.
3) Engineering controls	Use work equipment or other measures to prevent falls where you cannot avoid working at height. Install or use additional machinery such as local exhaust ventilation to control risks from dust or fume. Separate the hazard from operators by methods such as enclosing or guarding dangerous items of machinery/equipment. Give priority to measures which protect collectively over individual measures.
4) Administrative controls	These are all about identifying and implementing the procedures you need to work safely. For example: reducing the time workers are exposed to hazards (eg by job rotation); prohibiting use of mobile phones in hazardous areas; increasing safety signage, and performing risk assessments.
5) Personal protective clothes and equipment	Only after all the previous measures have been tried and found ineffective in controlling risks to a reasonably practicable level, must personal protective equipment (PPE) be used. For example, where you cannot eliminate the risk of a fall, use work equipment or other measures to minimise the distance and consequences of a fall (should one occur). If chosen, PPE should be selected and fitted by the person who uses it. Workers must be trained in the function and limitation of each item of PPE.

It is not necessary to implement every measure. For example, in the case of a fully boarded and guarded scaffold, workers would not be expected to wear personal fall-arrest equipment.

For further information see: www.hse.gov.uk/construction

The Leadership and Worker Involvement toolkit is aimed particularly at small and medium sized businesses and is designed to help improve your health and safety and bring additional benefits to your business performance and productivity.

Developed by the construction industry's Leadership and Worker Engagement Forum. Hosted by HSE 11/11

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Respiratory Protective Equipment (RPE) Policy – UNISON report

Requirements in Housing Property Services

Background

All unions worked together to carry out further research on appropriate RPE and consulted with staff affected by this policy to gauge valid concerns, listen to suggestions, and find possible working solutions.

Appendix 3 the ***"HSE Respiratory protective equipment at work guide"*** provided by CBC was an invaluable tool to help us make changes and shape some of this policy. Section 2 of this document ***"What the law says"*** from page 9, gives us clear understanding of what we need to achieve from this policy.

Other documents which assisted us with our research are the attached HSE asbestos essentials em6 ***"Personal protective equipment",*** em7 ***"minor asbestos contamination",*** em8 ***"Personal decontamination",*** em9 ***"disposal of asbestos waste"*** and the Unite ***"Beards, stubble and RPE"*** documents.

We contacted several manufactures of RPE as well as other union colleagues in neighbouring local authorities for advice, recommendations, and comparisons. We were unable to source a safe alternative to the close fitting RPE for working with asbestos (ACM's). However, during our consultations and research it became evident that a lot more needs to be carried out around COSHH risk assessments, providing more relevant equipment for this type of work and training in addition to the introduction of this policy.

Introducing an RPE policy of this nature is clearly a difficult process for local authorities. There are no other neighbouring authorities that have successfully fully implemented such a policy, yet.

Please see below staff engagement feedback and list of additional considerations following the consultation and research by the unions:

Staff feedback from consultation on 27th May 2022

61 members of staff attended the union consultation sessions on Friday 27th May, this was out of a possible136 effected by this policy (45 %). Several staff members that were unable to attend also contacted us to express their views. There was a high engagement in this process from staff.

We asked the following four question below, **based on staff suggestions**. Some staff did answer the questions twice as they had mixed feelings about the different scenarios, which has resulted in more votes than attendees, but hopefully this is clear in the table below:

	Q1 Not happy to wear close fitting face masks	**Q2** Prepared to wear close fitting face masks if an additional payment was made to recognise this	**Q3** Happy to wear close fitting face masks and carry on with 2 tier system as it is now	**Q4** No opinion either way	**Total votes**
Group 1 18 attended	8 (38%)	8 (38%)	0 (0%)	5 (24%)	21
Group 2 12 attended	12 (67%)	6 (33%)	0 (0%)	0 (0%)	18
Group 3 22 attended	12 (48%)	9 (36%)	0 (0%)	4 (16%)	25
Group 4 9 attended	6 (86%)	0 (0%)	0 (0%)	1 (14%)	7
Total of 61 Staff attended 45%	**38 (54%)**	**23 (32%)**	**0 (0%)**	**10 (14%)**	**71**

More than 50% of staff were not happy about wearing close fitting face masks or the proposed policy. However, over 30% of staff would be happy to wear face fit masks if there was a monetary incentive to recognise the risk and additional discomfort (there is a payment for asbestos work in place now, but if average pay is removed then there could be a financial detriment to staff if they carried out this type of work and others did not). It is clear from the consultation and evidenced in the table above, that the staff who are carrying out the current two-tier way of working are not happy to continue and feel this is very unfair.

<u>The Unions request the following points be addressed in conjunction of the introduction of this policy:</u>

- Robust training for staff and managers in risk assessments, equipment uses, cleaning, storage and dealing with asbestos contamination and personal decontamination (as described in the HSE em7 and em8 documents).

- An overhaul of the appropriate PPE needed to work with asbestos fibres (as described in the HSE em6 document) such as boots without laces etc.

- Introduction of a safer way to dispose of asbestos waste (as described in the HSE em9 document) with particular attention to how this can be implemented during out of hours work.

- Provision of suitable cleaning equipment and storage facilities, especially on the out of hours work. For example, class H vacuum cleaners on all vans (there are only two working vacuums in stores for all 136 members of staff at present, resulting in staff having to come back to the depot after possible expose to asbestos fibres to access these for cleaning themselves as well as the contaminated site – this is not acceptable and needs urgent review).

- The British Standard guidance is that an RPE wearer should shave within 8 hours from the start of their shift, but rate of growth will vary with the individual. This could result in staff working on out of hours potentially having to shave three times during the 24 hours period and for other staff needing to shave during their day shift. It is reasonable that we request that CBC provide appropriate facilities and allow paid time for staff to shave if required.

Conclusion

We have attached our recommendations for amendments to this policy and ask for them to be added prior to implementation.

Following consultation and research we accept there is not a safer alternative on the market at present, other than face fit masks for working with potential asbestos. Health and safety is paramount and we are therefore comfortable to support CBC in the introduction of this policy. However, this must be done with operational changes and discussions taking place prior to the implementation of the policy. We also ask that careful consideration is given to staff requesting to have a separate asbestos working group, which is in line with standard working practices at other neighbouring local authorities.

As part of the consultation process with staff we recognise that there is a risk to the council in implementing this policy, as it is in fact a complete beard ban. If operational discussions are not carried out with staff, then there is a potential risk of losing some staff at a time when recruitment is difficult.

We request that the unions are involved with the operational discussions with staff and that we have an opportunity to feedback to members personally regarding the joint working and research process that has taken place.

Lesley Waller - Branch Welfare Officer - Chesterfield Borough Council Branch

UNISON
the public service union

8/7/22

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unitetheunion1

@unitetheunion

October 2017

(JN8011)(2) HB191017

Beards, stubble and Respiratory Protective Equipment (RPE)

Introduction

Recently there have been several high profile stories about beards being banned in the workplace as they interfere with facial masks.

Many Unite members, especially those working in the construction, transport, food and agriculture, manufacturing and print sectors, may come across hazardous substances in the workplace. Every year thousands of workers are made ill by exposure to dusts, paints, lubricants, glue and inks, contracting lung diseases such as asthma, silicosis and lung cancer.

RPE is often seen as a solution to this, but under health and safely law should actually be used as a last resort. Furthermore, HSE research in 2010 found that the correct use of RPE was poorly understood. It is essential that everyone involved has a thorough understanding of risk and how the equipment works.

This is why Unite has decided to issue this guidance on law which is there to protect you from being made ill from exposure to hazardous substances – and about RPE.

What is RPE?

RPE is a particular type of personal protective equipment (PPE) designed to protect the wearer from breathing in harmful substances or from oxygen-deficient atmospheres when other controls are either not possible or insufficient on their own.

Types of RPE

There are two main types of RPE.

These are respirators and breathing apparatus. These are divided into two main groups:

Tight fitting facepieces (often referred to as masks) rely on having a good seal to the wearer's face

Loose fitting facepieces rely on enough clean air being provided to the wearer to prevent contaminant leaking in. Examples are hoods, visors, blouses and suits.

RPE filters

Respirators use filters to remove contaminants from the air being breathed in. It is vital that the correct filters are used in the RPE.

www.unitetheunion.org

Key Points

- Health and safety regulations like the COSHH, Control of Substances Hazardous to Health regs. require employers to prioritise prevention and control of exposure to hazardous substances over the use of RPE.
- The use of RPE is the last resort or last line of protection. Other steps to protect you must be considered and if possible implemented first.
- Where RPE is used it must be able to provide adequate protection for the individual wearer. Assumptions that there is a "standard" male face for respiratory protective equipment must be avoided as the effect will be that most women, as well as men from black and minority ethnic groups, or men with facial hair may struggle to find suitable RPE
- As workers' faces vary in size and shape, being given a choice of RPE is essential to ensure that it is comfortable for each individual to wear. It is unlikely that any one type of respirator will pass a face fit test on, or be acceptable to, every worker, and there are also different types of RPE. The HSE has published a Suitability Table which is included in this guidance.
- Followers of some religions are encouraged or required to keep a beard. A beard ban could potentially be indirect discrimination on grounds of religious belief under the Equality Act 2010.
- Some people may not be able to wear a respirator for medical reasons, for example people with a skin condition is exacerbated by effect of a tightly fitting mask.

Before considering a beard ban, employers must take action as follows:

Step 1 Carry out a COSHH risk assessment which looks at all aspects of the work to find out who may be may be harmed and why

Step 2 Find out if the risk can be removed or significantly reduced by preventing or controlling it

Preventing exposure includes limiting a particular task, planning out the task, using less toxic substances or changing the method of work.

Control measures include providing local exhaust ventilation, or screening off dusty areas to protect all those at work there.

Step 3 Consult the workforce and Unite as the relevant union about all of this.

Now read on for more information.

Why is RPE the last resort or last line of protection?

- RPE is intrusive equipment.
- Not many people would willingly want to wear RPE for any length of time as it can be uncomfortable to wear.
- RPE can interfere with the wearer's personal freedom such as wanting to have a goatee, beard or to come to work with stubble.
- RPE can cause disturbance to make-up, jewellery and hair style.
- RPE may interfere with communication and vision
- When used in hot or humid conditions RPE can cause heat stress, sweating or discomfort
- RPE can give a sense of false protection, especially when not worn in accordance with the manufacturer's instruction.
- RPE can be expensive in the long run when compared to simple, common sense control measures.
- RPE can only protect the wearer.

Some RPE Rules

Must be adequate (capable of controlling the risk)

Must be suitable (matched to the task, the requirements of the individual wearer and the work environment)*.

Matching the requirements of the individual wearer should include giving you a choice of RPE.

Should be used only for a limited time –for face fitted RPE the HSE recommend 1 hour as the maximum use period after which you should **take a break.**

Should not be used in oxygen deficient atmospheres (confined spaces)

Should be appropriately stored, and maintained in good working order

You should receive training from your employer on wearing the respirator correctly

Your employer must provide RPE free of charge

* Please refer to the Respiratory Protective Equipment Suitability Factors table on pages 6 and 7.

Tight fitting masks need face fitting

If tight fitting respirators are used then the employer must carry out face fit tests using a competent person. This is someone who is appropriately trained, qualified and experienced and who has been given the right information to undertake the task.

For the facefit to work properly, there should be no facial hair such as stubble and beards. This is because hair makes it impossible to get a good seal of the mask to the face.

If you are clean-shaven when wearing tight-fitting masks (ie those which rely on a good seal to the face), this will help prevent leakage of contaminated air around the edges of the mask and into your lungs. You will therefore be breathing in clean air, which will help you stay healthy.

The face fit established by the face fit test should be maintained during daily use. The British Standard guidance is that an RPE wearer should shave within 8 hours from the start of their shift, but rate of growth will vary with the individual. Risk assessments should take account of work patterns and if you need to shave during the working day Unite advises that your employer should provide appropriate facilities and allow you paid time to shave.

Loose fitting RPE must be offered

There are practical problems to be overcome before face fitted RPE can work effectively to protect you. There are also potential discrimination issues and some workers may have health problems (such as skin conditions) which mean they cannot shave or shave frequently. This is why it is essential that workers should have a choice, and loose fitting RPE should be made available. It may be argued by some that this is more expensive but Unite's view is that its cost will easily outweigh the expense face-fitting programmes.

Consultation with workers on RPE

If an employer wants to introduce a policy on respiratory protective equipment, then under health and safety law they must consult in advance with their employees and listen to their views before taking a decision.

Imposing policies without consultation is not acceptable and could lead to workers being harmed.

Any RPE policy should make it clear that RPE will only be required to be worn if appropriate COSHH risk assessments have been carried out in consultation with employees, and have concluded that the risks to health cannot be adequately controlled or prevented in other ways.

The Control of Substances Hazardous to Health (COSHH) Regulations 2002 apply to all workplaces where hazardous substances are being used. Work should not start until a suitable COSHH risk assessment has been carried out and implemented.

What employers must do under COSHH

Assess the risks
Decide what precautions are needed
Prevent or adequately control exposure
Ensure the controls are used and maintained
Examine and test the control measures
Prepare plans and procedures to deal with accidents, incidents and emergencies
Consult Unite safety representatives/employees
Ensure that employees are properly informed, trained and supervised
In addition, where appropriate employers must:
Monitor the exposure of employees and non-employees who may be on the premises
Ensure that employees who require it are under health surveillance.

What employees must do under health and safety law

Take care of their own health and safety
Co-operate with their employer on health and safety and report health and safety concerns
Make full and proper use of control measures under COSHH
If RPE has to be provided, follow the training they have received in its use, storage and maintenance

Further information

There are many other aspects to COSHH and members are advised to consult this HSE leaflet:
Working with substances hazardous to health - **http://www.hse.gov.uk/pubns/indg136.pdf**

HSE – Consulting employees **www.hse.gov.uk/pubns/indg232.pdf**

HSE Construction Dust – CiS sheet 36 **www.hse.gov.uk/pubns/cis36.pdf**

HSE FAQs on RPE **http://www.hse.gov.uk/respiratory-protective-equipment/index.htm**

HSE - HSG 53 Respiratory Protective Equipment at Work **http://www.hse.gov.uk/pubns/books/hsg53.htm**

British Occupational Hygiene Society – RPE – Facial Hair and Face Masks
http://www.breathefreely.org.uk/assets/rpe-fact-sheet.pdf

The British Safety Industry Federation (BSIF) has a fit tester accreditation scheme which may help to decide whether a fit tester is competent. **http://www.bsif.co.uk/campaigns-projects/fit2fit-2/**

Further assistance

If your employer is introducing RPE and is not following these procedures or if you have any other concerns, then contact your Unite safety rep/ shop stewards. If you do not have a safety rep or steward contact your Unite regional officer.

Respiratory Protective Equipment – Suitability Factors To Consider

Suitability factor	Why	Solution	
Work rate	Higher work rates may increase breathing and sweating, which can affect the performance of some types of RPE. Higher breathing rates can cause contaminants to leak in, and sweating can cause facepieces to slip and leak.	Light work rate	Sedentary work: assembly or sorting of light materials, arm and leg work, drilling. Most RPE would be suitable.
		Medium work rate	Sustained hand and arm work: sawing, planing or chiselling wood, plastering, filing, work with pneumatic breaker, intermittent handling or carrying moderately heavy material, shovelling, sledgehammer work, concrete block laying, pushing or pulling heavily laden hand-cart. Consider more comfortable RPE such as powered respirators or loose-fitting devices.
		Heavy work rate	Heavy manual work: shovelling or digging, climbing, ramps or ladders. Powered respirators or BA are recommended.
Wear time	Unpowered tight- fitting masks become uncomfortable to wear for long periods and wearers may be tempted to loosen or remove the RPE.	Wear time more than 1 hr	Using powered RPE with tight-fitting masks or loose-fitting facepieces will help minimise fatigue and discomfort.
Abnormal temperature or humidity	In hot and humid conditions, wearing RPE increases heat stress, sweating and discomfort.	Extreme heat	Using powered respirators or airline BA would help to minimise these problems. Proprietary cooling devices are available but consume a lot of compressed air.
	Airflow associated with powered respirators or airline BA can cause chilling effects.	Extreme cold	Proprietary heating devices are available but consume a lot of compressed air.
Facial hair and markings	Affects where a face mask seals to the face and will cause leakage.	1 Beard, stubble or any hair in the region where a face mask seals 2 Deep cuts or scars, wrinkles, moles, warts present in the face seal area	Consider the use of loose-fitting facepieces, which do not rely on a tight seal in this region.

Table reproduced from the HSE publication HSG 53 Respiratory Protective Equipment at Work (2013)

Suitability factor	Why	Solution
Spectacles	Spectacles with side arms are incompatible with full face masks as they break the face seal and they may also interfere with the fit of half masks.	RPE manufacturers can supply special frames, which fit inside their masks. It is the responsibility of the employer to find and provide an appropriate solution.
Vision	If you need to see fine details when wearing RPE, but don't need to protect the eyes from the airborne hazard, RPE types which include face protection (full face masks, visors, hoods) may not be ideal because they can be prone to scratching, misting and surface contamination.	Consider half mask RPE, provide adequate lighting, or choose designs that resist scratching and internal misting. Powered respirators or airline BA are more resistant to misting. Some types include 'tear-off' consumable visors.
Communication	All RPE affects your ability to communicate.	If your work requires clear and precise communication you should use RPE incorporating proprietary communication devices (ranging from simple speech diaphragms to complex radio intercom systems), or other suitable forms of communication.
Flammable or explosive atmospheres	RPE can be a source of ignition.	If you cannot avoid working in potentially flammable or explosive atmospheres, including oxygen-enriched atmospheres (levels above 21%), you may need to use intrinsically safe, light alloy-free and antistatic RPE.
Use of air power tools	Air jets from power tools (pneumatic or electric) can make RPE valves leak.	Shield tools or seek alternative design. Use RPE designs with valves remote from tool exhaust location.
	Connecting air-powered tools and your RPE to the same air supply will affect RPE performance.	Ensure that your compressor can supply enough air for both at the same time.
Contact lenses	Wearers may suffer discomfort or, if the lenses are dislodged, the wearer may remove the RPE to replace them while still in the hazardous area.*	Use spectacles (in mask if necessary) instead.
Mobility	Snagging and damage to trailing hoses. Added bulk of fan units/air cylinders in tight spaces.	Ensure adequate inspection regime and consider other RPE types.

* The lenses can also jam in the RPE valves, leading to loss of protection.

em6
asbestos essentials

Personal protective equipment (including RPE)

Equipment and method sheet

Non-licensed tasks

This information will help employers and the self-employed to comply with the Control of Asbestos Regulations 2012.

It is also useful for trade union and employee safety representatives.

Only carry out work if you are properly trained and have the right equipment.

Remember:

- Asbestos fibres can cause fatal lung disease and lung cancer.
- Check what you're working on before you start.
- Read the safety checklist and sheet a0.
- You must be trained to work safely with asbestos materials.

Caution

Never use laced boots; these are very difficult to clean properly.

Never take used overalls home.

Never leave the respirator lying around where it can collect dust.

Never dangle the respirator around your neck.

Make sure the correct filter is fitted.

What this sheet covers

This sheet describes what personal protective equipment (PPE) you need.

It also describes respiratory protective equipment (RPE).

PPE and RPE are your last lines of defence against asbestos fibres. Follow the methods in the task guidance sheets to avoid fibres being released into the air.

Overalls

- Disposable overalls – Type 5 (BS EN ISO 13982-1+A1) are suitable.
- You may need waterproof overalls for outdoor work.
- Wear one size too big to help to prevent ripping at the seams.
- If the cuffs are loose, seal them with tape.
- Avoid wearing a long-sleeved shirt – these are difficult to cover properly.
- Wear the overall legs over footwear. Tucking them in lets dust into footwear.
- Wear the hood over RPE straps.
- Dispose of used overalls as asbestos waste.

Gloves

- If you wear protective gloves, use single-use disposable gloves. If you must use latex gloves, use only 'low-protein powder-free' gloves.
- Dispose of used gloves as asbestos waste.

Footwear

- Boots are preferable to disposable overshoes which can cause a slipping risk.
- Choose boots without laces as these are easier to clean.

A 'dust mask' doubled up for more protection is useless. You need a respirator

Disposable RPE worn correctly

Disposable RPE worn correctly

Disposable RPE worn incorrectly

For some tasks, non-disposable RPE is needed

Respiratory protective equipment

- Use suitable RPE with a UK-assigned protection factor (APF) of 20 or more.
- Suitable types of RPE:
  - disposable respirator to standards EN 149 (type FFP3) or EN 1827 (type FMP3);
  - half-mask respirator (to standard EN 140) with P3 filter;
  - semi-disposable respirator (to EN 405) with P3 filter.
- This equipment should be suitable for most short-duration non-licensed work. Workers should select a make and size that fits them.
- This equipment is not suitable for people with beards or stubble – hooded respirators are required for these situations.
- The equipment is also unsuitable for long periods of continuous use; you need power-assisted equipment for such situations.

Planning and preparation

- Plan for and practise emergency procedures such as failure or damage to RPE.
- Workers need to be fit tested to make sure that the RPE fits them properly.
- Arrange fit testing and training on use and inspection of RPE before the work starts. Ask the supplier for help or contact fit2fit.org for details of accredited fit test providers.
  See More help on sheet a0.
- Workers must be medically fit to wear RPE – seek medical advice if you are not sure.

Training

- Make sure that RPE users know:
  - how to check their equipment is working properly before they put it on;
  - how to check that it fits;
  - how to identify and replace worn or defective parts;
  - about the limitations of the RPE they are using.
- Instruct users to throw away disposable RPE/PPE as asbestos waste after one use.
- Tell workers to stop work and leave the area if they think their RPE is not working properly.

Using RPE

- All types of RPE restrict what the wearer can do. It is uncomfortable to wear for long periods, but it is important that you protect yourself.
- RPE has to be worn all the time and until the worker is away from the contaminated air.

- Put on and wear the respirator in accordance with your training and the manufacturer's instructions.
- Carry out a fit check in accordance with your training and the manufacturer's instructions.
- If the worker wears spectacles, they should ensure they do not create a gap between the mask and face.
- Put the overall hood over the straps.
- At the end of the shift, take off RPE last and, if it is disposable, put it in the asbestos waste.
- For non-disposable RPE, clean after use and store in a safe place away from contamination.
- With half-mask respirators, change filters regularly – your supplier may be able to advise you how often. Dispose of used filters as asbestos waste.

Maintenance of non-disposable equipment

- Keep RPE clean and in good working order – follow the manufacturer's instructions.
- Inspect and check RPE for damage every time. Carry out thorough checks monthly (or every three months if used infrequently). Inspect all parts including valves and seals. Replace the respirator as appropriate.

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em7
asbestos essentials

Using damp rags to clean surfaces of minor asbestos contamination

Equipment and method sheet

Non-licensed tasks

This information will help employers and the self-employed to comply with the Control of Asbestos Regulations 2012.

It is also useful for trade union and employee safety representatives.

Only carry out work if you are properly trained and have the right equipment.

Remember:

- Asbestos fibres can cause fatal lung disease and lung cancer.
- Check what you're working on before you start.
- Read the safety checklist and sheet a0.
- You must be trained to work safely with asbestos materials.

Wiping up debris with a damp rag

What this sheet covers

This sheet explains how to use rags to clean minor asbestos contamination from smooth, non-absorbent surfaces and equipment.

Equipment

- Bucket of water
- Either cotton rags that do not shed fluff onto clean surfaces, or impregnated rags (eg 'Tak' rags)
- Adhesive tape, to collect small dust deposits
- Asbestos waste bag
- Clear polythene bag

Procedures

- Pick up bigger pieces of debris and put them in a suitable waste container.

Rags

- Impregnated rags do not need soaking.
- Soak the cotton rag in water. Fold in half or quarters. Wring it out.
- Wipe the contaminated surface.
- Refold the rag to give a clean surface.
- Repeat until you have used all the clean surfaces of the rag.
- Put the used rag in a bag. Get a clean rag and repeat cleaning until all surfaces are clean.

Tape

- Tape is only useful for removing small dust deposits. Surfaces may need repeated tape applications.
- Place a strip of tape over the contaminated surface. Peel it off slowly.
- Put the used tape in a bag. Repeat with a fresh piece.

Caution

Never resoak a contaminated rag; this contaminates the water. Make sure you have enough rags for adequate clean-up.

Wastes

- Put bags of used rags and tape in a suitable asbestos waste bag.
- Tape the bag closed.
- You need to ensure you have enough rags to avoid contaminating the water.
- See sheet em9 for disposal.

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em9 asbestos essentials

Disposal of asbestos waste

Equipment and method sheet

Non-licensed tasks

This information will help employers and the self-employed to comply with the Control of Asbestos Regulations 2012.

It is also useful for trade union and employee safety representatives.

Only carry out work if you are properly trained and have the right equipment.

Remember:

- Asbestos fibres can cause fatal lung disease and lung cancer.
- Check what you're working on before you start.
- Read the safety checklist and sheet a0.
- You must be trained to work safely with asbestos materials.

What this sheet covers

This sheet describes good practice when you need to dispose of asbestos waste.

Any asbestos product or material that is ready for disposal is defined as asbestos waste. Asbestos waste also includes contaminated building materials, tools that cannot be decontaminated, personal protective equipment and damp rags used for cleaning. If in doubt, always treat waste as 'Hazardous' or 'Special'. See the table for more details.

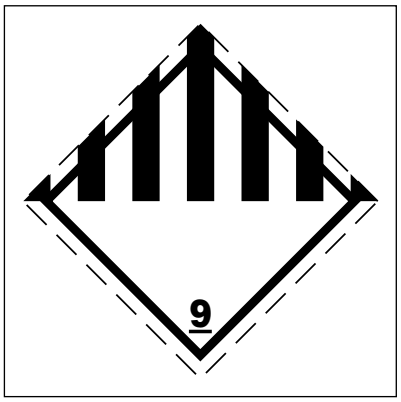
England and Wales	Asbestos waste is 'Hazardous Waste' when it contains more than 0.1 % asbestos. The Hazardous Waste Regulations 2005 apply. Complete a Hazardous Waste Consignment Note. Contact the Environment Agency for more information in England. Contact Natural Resources Wales for more information in Wales.
Scotland	Asbestos waste is 'Special Waste' when it contains more than 0.1 % asbestos. The Special Waste Amendment (Scotland) Regulations 2004 apply. Complete a Hazardous Waste Consignment Note. Contact the Scottish Environment Protection Agency for more information.
England, Scotland and Wales	All asbestos waste is subject to Schedule 2 of The Control of Asbestos Regulations 2012 and most waste is subject to The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 (CDG 2009). CDG does not apply to firmly-bound asbestos – asbestos cement or articles with asbestos reinforcement which do not release hazardous or respirable fibres easily. However, the hazardous and special waste regulations still apply. CDG applies for all other asbestos waste.
Caution: Don't mix asbestos waste with other waste to get below 0.1 %.	

- Waste must be packed in UN-approved packaging with a CDG hazard label and asbestos code information visible.
- Double-wrap and label asbestos waste. Standard practice is to use a red inner bag with asbestos warnings, and a clear outer bag with the CDG label, if required.

Caution

Don't overfill bags.

Beware of sharp objects that could puncture plastic.



Vehicle placard

Asbestos warning sign

- Avoid breaking up large pieces of asbestos waste. Instead double wrap in suitable polythene sheeting (1000-gauge) and label accordingly.
- To transport waste, you need a waste carriers licence.
- If you carry waste, use a sealed skip, or a vehicle with the following:
  - segregated compartment for asbestos;
  - easily cleanable;
  - lockable (it is not good enough to throw sheeting over a standard skip).
- Otherwise, arrange for transport by a registered waste carrier.
- Safe disposal – make sure you use a licensed disposal site.
- Complete a Waste Consignment Note. Keep copies of these documents for three years.

All waste should be double-bagged or double-wrapped in plastic sheeting, with the correct hazard warning signs attached

Use a lockable skip for asbestos cement sheet

It is not good enough to throw sheeting over a standard skip

First published as part of *Asbestos essentials task manual* 2001.

Published by the Health and Safety Executive 09/17

RPE Report on

Consultation Meeting and feedback with CBC trade staff on proposed RPE policy

Represented at the consultation for unite was Liam Rich

Introduction

We carried out a consultation meeting with staff members on 27th May 2022. There were 61 staff members attended with some great feedback and raised some very good valid points that we can put forward in this consultation. Unite do support that a policy needs to be implemented on RPE for the safety of all its employees, but some points need to be altered slightly, some need adding and other points we can't agree with to with the impact this may have on our members. In this report will highlight some key issues that need to be considered before implementing this policy and some suggestions that could help with the policy.

We have done extensive research into different methods or Masks, and it's been very difficult to find an air fed hoods or some other method to make it suitable to work with ACM's, I do agree that staff that work with ACM's will be required to shave to use the close fitting RPE mask to carry out these duties. I do hope in the future that with new designs and technology this may be achieved. Unite can't agree on the stance on a full facial hair ban until all the other COSHH risk assessments, control measures and the impact this will have on staff members have been assessed and implemented.

Statistics from the members that attended that we asked 4 questions to all attendees

These are the 4 questions we asked every group to get an idea of how many opposed the group.

Question 1 – How many people within this room don't agree with the proposed policy on RPE that requires you to be clean shaven to wear RPE.

Question 2 – How many are on neutral grounds that don't agree or disagree with the policy.

Question 3 – How many would agree to the policy being introduced and happy to be clean shaven.

Question 4 – Prepared to wear close fitting masks if additional payments were made.

7:30am Group 1

- 18 Attendees and 14 of them had visible stubble/beard/facial hair.
- Question 1 – 8 staff members don't agree with RPE policy
- Question 2 – 5 Staff members are neutral, they don't agree or disagree
- Question 3 – 0 Staff members would agree to the policy
- Question 4 – 8 Staff members would be happy if there were a money incentive.

8:45am Group 2

- 12 Attendees and 10 of them had visible stubble/beard/facial hair.
- Question 1 – 12 staff members don't agree with RPE policy
- Question 2 – 0 Staff members are neutral, they don't agree or disagree
- Question 3 – 0 Staff members would agree to the policy
- Question 4 – 6 Staff members would be happy if there were a money incentive.

10:00am Group 3

- 22 Attendees and 16 of them had visible stubble/beard/facial hair.
- Question 1 – 12 staff members don't agree with RPE policy
- Question 2 – 4 Staff members are neutral, they don't agree or disagree
- Question 3 – 0 Staff members would agree to the policy
- Question 4 – 9 Staff members would be happy if there were a money incentive.

11:15am Group 4

- 9 Attendees and 6 of them had visible stubble/beard/facial hair.
- Question 1 - 6 Staff members don't agree with the RPE policy.
- Question 2 – 1 Staff members are neutral, they don't agree or disagree
- Question 3 – 0 Staff members would agree to the policy
- Question 4 – 0 Staff members would be happy if there were a money incentive.

Key issue that was raised regarding the policy proposal, trails on the hoods and the other council's stance and policy on RPE.

- Staff may not have medical/skin issues now. However, this could become an issue if staff members are forced to shave every day or maybe 2/3 times a day with the 8-hour ruling. For example, if a staff members shaves at 7am for his normal day at work, they are then on emergency call out and get the first call at 6pm and the last on at 4am. This could mean they are shaving 3 times within 24 hours. This could cause skin irritation and medical issues for staff that may be unknown at this present moment.
- Not having all other Control measures, COSHH RA, Emergency procedures and tools and equipment in place.

- The hoods that were trailed were suitable for the Silica dust so could be suitable for majority of the scheduled work. The council did a trial on one hood in 3 different environments. It was mentioned that this wasn't a fair trial as they didn't have another hood to compare to. We didn't do a trial or presentation on a front feed hood. (One staff member who did the trial has tried another Mask and has stated it was more comfortable to wear)
- If the council are proposing the RPE policy so that every staff member needs to be trained to deal with Asbestos. It was raised in the consultation that it would need to be considered that council will need to provide all other equipment needed for to asbestos removal. Every van would potentially need to have H-Vac, a separate storage box to this equipment, another container for any asbestos that's been removed. Additional attachments for all different tools to extract any all dust from drilling etc. The policy and staff indicated that the mask is the last line of defence so if this approach is implemented then all other equipment would need to be provided.
- Red book would need to be evaluated. If staff need to treat all work that's not had an asbestos survey as containing asbestos, then this would require to be suited with all protective equipment for every job. What also needs to be considered is you can only use the tight face fitting RPE for a short period of time so this could then impact the time it would normally take to carry out the task. So would need to be evaluated before or if the bonus scheme returns.
- CBC has stated in Assessment report on the RPE that without this policy in place it has a huge effected the delivery of the service. No evidence was supplied to support the statement.
- Will the council be providing shaving equipment to staff?
- In the cat B training. The training only demonstrates to staff on the removal of a disposable mask. There is no training on how to clean and remove a face fitted RPE.

Things to consider

- This could cause staff to leave employment at CBC. In the current climate it may be a struggle to replace staff in the current climate with building trade sector in demand. This then could have an impact on the service of CBC.
- The impact this could have on the mental health of staff affected and their families. Some of these staff members have had facial hair their whole lives, some staff mentioned this during the consultation that it causes issues with their relationship to Children and Partner when he shaved for a face fit.
- If all staff are going to be trained to work with asbestos, then there is plenty more equipment, policies and training needs to be provided before this can be implemented, this is going to be a huge cost financially to the council with continuous testing and training for everyone, this also increases the RISK if everyone will be dealing with asbestos.

- This policy will have an impact on the whole operation if we can only be use close fitting RPE, the recommendations for wearing face fitted RPE I believe are around 1 hour. If staff could use positive pressure air respirator for non ACM's then the positive pressure mask can be worn for much longer periods. The hoods range can go up to 6 hours.

Suggestions

- Unite believe It would be beneficial for all parties involved if the council had a two-tier departmental working system. Staff that are happy to work with asbestos and be clean shaven for the Half face masks and have hoods for staff with facial hair. This has been implemented in this council and does work in local authorities around us.
- Suggestions would be do a trial on various hoods and masks to give more accurate feedback so staff can choose which mask is more comfortable to use.
- Having dedicated trained teams to deal with emergency call out, RR1 and RR3 that trained deal with asbestos or untested areas. Staff that are happy to be clean shaven.
- Train our own staff to do our own in-house asbestos testing. This then could reduce the cost the council spend on external companies. This would be beneficial to CBC financially, operational and works planning.
- Having dedicated staff or teams that are happy to work with ACM's. CBC have paid extra payment to these staff members before. This would reduce the overall cost of training, equipment, and testing.
- If any positive pressure RPE masks are introduce in the future where new designs or technology can then allow these hoods to be used safely with ACM's then these will be accepted and included into the Policy.

Amendments

Paragraph 1.1

Further regulations need to be added into the purpose, so it complies with other legislation. COSHH regulation 2002 and Control of Asbestos regulations 2012.

Paragraph 3.2.

Unite can't support that all staff to be forced to be clean shaven. We recommend having a two-tier workforce. We believe the organisation can continue effectively with dedicated staff that are happy to be clean shaven to deal with asbestos and staff that aren't face fitted. Staff have mentioned that CBC had been working effectively before with this method of a two-tier system.

Paragraph 5.2

This explains RPE should not be the first and only control measure considered. I think it needs some clear guidance on what control measures need to be considered prior and in what order. It needs explanation on hierarchy of control that should be applied to be included in this policy and not refer to appendix.

Paragraph 11.2

All other alternatives, control measures, reasonable adjustments must be explored before redeployment should be considered. This should be the last resort option.

Section 12

Unite can't support section 12, if staff members are being requested to work with asbestos as a reasonable management instruction. There are too many H&S concerns with the lack of COSHH RA, RAMS, lack of tools/equipment, emergency procedures and control measures to make staff members feel safe. This need discussed, agreed and implemented first. Until these issues are addressed then we can't agree to include this as it can cause issues.

Section 14.0

I would like included in this section a mandatory health surveillance checks on certain intervals for example every 2 years. It's not very clear on what sectors will require health surveillance or not. If this policy will be implemented, then all staff need health check-ups.

Recommendations to be included in the policy.

I think it needs adding into this policy for H&S guidance for time frame these RPE masks can be use for and will need to be included in RA.

If any positive pressure RPE masks are introduce in the future where new designs or technology can then allow these hoods to be used safely with ACM's, these will be included into this policy later.

Other Local councils haven't enforced this policy

DCC- Manager at DCC

They have never tried to enforce to be shaved. All planned work has an asbestos survey before they carry out the work.

They never work with asbestos as they have a policy on that.

They have two types of RPE, half face fits masks that's face fitted, Then the Lundstrom hoods for staff that have facial hair.

Rotherham council – Lee (Unite Rep)

They tried to enforce this policy 5 years ago. This was rejected, they now work with teams of staff that are prepared to work with asbestos and they get paid more money for doing that.

New starters contracts have now changed so it states they need to be clean shaven, however if they want to have a beard its written in their contract that they can choose a hood but they have to cover the difference if they want to have a hood.

Conclusion

We do agree that a RPE policy does need to be implemented, this will be help keep our staff members safe. We have done some extensive research into trying to find another alternative hood suitable for staff with facial hair that are able to work with ACM's, this has proved difficult as companies will not guarantee the decontamination process. So, we do agree that anyone working with ACM's will have to be clean shaven and wear the close fitting RPE masks. However, we can't agree to force staff members to work with ACM's, this has had some strong feedback for our members. This has not been mentioned within their job roles and working with Asbestos is a specialised area. I believe we could work around this extra planning and special dedicated trained teams to deal with ACM's, this can reduce cost considerably and reduce risk.

EMPLOYER / TRADE UNION COMMITTEE

Monday, 14th March, 2022

Present:-

Councillor Serjeant (Chair)

Gemma Masoud	Head of OD	Councillor	J Innes
Theresa Channell	Service Director Finance	Councillor Lesley Waller	P Gilby Unison
Huw Bowen	Chief Executive	Maria Slack	Unison
Andrew Fowler	Unison	Liam Rich	Unite
		Paula Stephens	Unite

*Matters dealt with under the Delegation Scheme

110 APOLOGIES

Apologies for absence were received from Ade McCormick and Tony Devereux.

111 MINUTES

The minutes of the meeting on 14th February 2022 were agreed as a correct record.

112 MATTERS ARISING FROM THE MINUTES

The member for Unison had asked a question regarding the Levelling Up fund and how it would affect CBC.

It was agreed that the Chief Executive would share a short presentation in next month's committee summarising the government white paper around Levelling Up and what that would mean for Chesterfield.

RESOLVED –

That the action be noted.

113 EQUALITIES GROUP

The member for Unison provided a verbal update to the committee on the Equalities Group.

The first meeting had taken place last month focussing on equality and the Equalities Act. It was noted that there was a need to put together a terms of reference document and the next meeting would look at Disability Discrimination.

The initial plan was to meet each month with a view to moving the meetings to every quarter in the longer term.

RESOLVED –

That the update be noted.

114 FINANCE UPDATE

The Service Director for Finance gave a verbal update to the committee on the latest financial position.

It was confirmed that the MTFP presented at the last committee had now been approved at Full Council.

It was also noted that the work of Organisational Development was seen as key to the delivery of long term savings and work was currently ongoing across the organisation.

The current year was still showing a balance position with focus on the outturn. However, there were significant risks for the MTFP with Cost Inflation and fuel prices, as well as CPI being forecast to be at a 30 year high.

Finance were currently awaiting the Spring Statement from the Chancellor, which was due on the 23rd March. The outcome of which was expected to bring more consultation across the board.

RESOLVED –

That the update be noted.

115 HR AND OD UPDATE

The Head of OD gave a verbal update to the committee from HR and OD.
The Resources Group had been focussed on the removal of Covid restrictions in the workplace in line with Government guidelines. It was also noted that current Covid cases continued to decline with just 5 isolations and 4 positive cases currently reported.

Pay awards for Chief Executives and Senior Officers had reached agreement in mid February so would be included in the normal March payroll. Greenbook terms and conditions agreement was reached on the 28th February and a second payroll run to

apply the award to salaries was being processed prior to the 6th April when new national insurance rates come into force.

The negotiations for the Redbook terms and conditions remained outstanding and staff would be notified of outcomes in due course.

The member for Unison asked a question regarding the inequalities being experienced by staff who were unable to work from home. The Head of OD confirmed that these concerns would be addressed by the Resources Group.

RESOLVED –

That the update be noted.

116 DJCC FEEDBACK

The member for Unison raised a question regarding the possibility of a full list of workplace policies being made available in one place on Aspire. A structured list and potential links to each policy would help both employees and managers to access policies quickly and easily.

The Head of OD agreed an action to review if this is something which can be set up on Aspire.

RESOLVED –

That the action be noted.

117 ANY OTHER BUSINESS

There was no other business.

118 DATE AND TIME OF THE NEXT MEETING

The next meeting of the committee would take place on Monday 11th April 2022 at 9.30am.

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EMPLOYER / TRADE UNION COMMITTEE

Monday, 11th April, 2022

Present:-

Councillor P Gilby (Chair)

Rachel O'Neil	Service Director Digital, HR & CS	Councillor Lesley Waller	Serjeant Unison
Theresa Channell	Service Director Finance	Maria Slack	Unison
		Tony Devereux	Unison
Huw Bowen	Chief Executive	Liam Rich	Unite

*Matters dealt with under the Delegation Scheme

119 APOLOGIES

Apologies for absence were received from Councillor J Innes, Gemma Masoud and Paula Stephens.

120 MINUTES

The minutes of the meeting on 14th March 2022 were agreed as a correct record.

121 MATTERS ARISING FROM THE MINUTES

The member for Unison had asked a question regarding the Levelling Up fund and how it would affect CBC.

It had been agreed that the Chief Executive would share a short presentation in this month's committee summarising the government white paper around Levelling Up and what that would mean for Chesterfield. Due to the ever changing position it was agreed that this action be carried forward to next month so the Chief Executive could share the very latest position around Levelling Up.

RESOLVED –

That the action be noted.

122 FINANCE UPDATE

The Service Director for Finance gave a verbal update to the committee on the latest financial position.

There were no significant changes from last month's update and work was ongoing on the outrun position which was expected to be available in the next few weeks.

The gap for Period 10, a surplus of around 100k, was expected to change and it was noted that forecasting this year had been fluid due to the changing effects of the pandemic. Consequently, using past performance over the last 2 years was not an accurate way to forecast.

The Spring Statement from the Chancellor had been due on the 23rd March but it was expected that Government reforms would be delayed up to a further year which would affect both planning and the MTFP.

Work had started on the budget for 2023/24 and work was underway with the Leadership Team to share what that would look like going forwards.

RESOLVED –

That the update be noted.

123 HR / OD UPDATE

The Service Director for Digital, HR and CS gave a verbal update to the committee on the work of HR and OD.

It was stated that work undertaken supporting the business delivery grants had been completed in March with £50m going out to local businesses.

Full details of the ongoing work and latest position of the OD Programme had been shared with the committee in a separate slide pack.

Learning and Development had started to pull together learning needs across the Council with current focus being on Apprenticeships and Leadership development.

Following the award of IIP Gold the next steps were to pick up on the IIP feedback and commence conversations with teams.

The Housing re-shape was said to be on track and work of the Customer Revenues and Benefits re-shape was due to commence after Easter.

It was also noted that recruitment was now underway for the vacant PMO Manager position with interviews expected at the end of April.

RESOLVED –

That the update be noted.

124 DJCC FEEDBACK

There was an ongoing action regarding the possibility of a full list of workplace policies being made available in one place on Aspire. A structured list and potential links to each policy which would help both employees and managers to access policies quickly and easily.

This action was underway with the Head of OD.

There was no other feedback.

RESOLVED –

That the action be noted.

125 ANY OTHER BUSINESS

There was no other business.

126 DATE AND TIME OF THE NEXT MEETING

The next meeting of the committee would take place on Monday 16th May 2022 at 9.30am.

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EMPLOYER / TRADE UNION COMMITTEE

Monday, 16th May 2022

Present:-

Councillor P Gilby (Chair)

Councillor Gemma Masoud	J Innes Head of OD	Councillor Lesley Waller	Serjeant Unison
Theresa Channell	Service Director Finance	Maria Slack	Unison
Huw Bowen	Chief Executive	Liam Rich	Unite
		Trevor Barnett	Unite

*Matters dealt with under the Delegation Scheme

78 APOLOGIES

Apologies for absence were received from Andrew Fowler.

79 MINUTES

The minutes of the meeting on 11th April 2022 were agreed as a correct record.

80 MATTERS ARISING FROM THE MINUTES

The member for Unison had asked a question regarding the Customer Revenues and Benefits re-shape and had asked for the timeline of when this would take place to be shared with the Committee.

The member for Unison had also asked when the list of workplace policies would be made available in one place on Aspire. The Head of OD confirmed that work was ongoing to include the policies as part of the HR update on Aspire and that timelines for this update would be shared in line with the wider re-design to Aspire.

RESOLVED –

That the actions be noted.

81 LEVELLING UP

The Chief Executive presented an update to the Committee on the latest position regarding the Levelling Up White Paper and County Deals.

The Levelling Up White Paper had been published on 2 February 2022 and outlined the Government's plans to transform the UK by spreading opportunity and prosperity to all.

The focus was on twelve national levelling up missions to be achieved by 2030 and proposals were seeking to shift Government focus and resources to Britain's left behind communities.

Proposals to empower local leadership and extend and deepen devolution were a key focus and the White Paper set out how Government intended to secure a greater number of devolution deals, including deals across county areas. Other proposals would look to deepen devolution in areas such as Greater Manchester.

The Devolution framework would be underpinned by four principles which would guide future devolution deals, Effective Leadership, Sensible Geography, Flexibility and Appropriate Accountability.

The Devolution Framework identified three devolution levels/tiers:

- Level 1 – Local authorities working together across a FEA or whole county area e.g. through a joint committee
- Level 2 – A single institution or County Council without a directly elected mayor (DEM) across a FEA or whole county area
- Level 3 - A single institution or County Council with a DEM across a FEA or whole county area

The White Paper set out the types of powers and functions that would be considered at each level with greater powers and flexibilities on offer for Level 3 areas and limited powers and flexibilities for Level 1 areas.

The White Paper also contained many other proposals about ambitions to level up and the following announcements were said to be of specific interest, Local Transport, Education Investment Areas and British Business Bank Regional Investment Funds.

The Derbyshire and Derby County Deal Proposition (EOI) was presented to Derbyshire Leaders and Chief Executives end of November and viewed as a unique opportunity for Derbyshire and Derby. The Deal was likely to be the first stage on potential journey in securing additional powers, flexibilities and funding into the county and city and the wider geographical footprint.

There was the option for Derbyshire and Derby to pursue a level 2 deal (without a directly elected mayor). To achieve Tier 3 powers and flexibilities, the deal area would need to progress governance through a directly elected mayor. Invitations were

extended to Nottinghamshire and Leicestershire which provided the opportunity to pursue a wider Combined Authority (CA) deal at a regional level. The meeting to commence negotiations on a D2N2 deal took place on 16 February 2022 with Government keen to explore proposals and options to extend wider level 3 tiers and powers to the area through a potential Mayoral Combined Authority (MCA).

Although new legislation for CA's was anticipated, there were already a number of existing Combined Authorities where the Mayor appointed a Cabinet from among the members of the CA, typically the leaders of the constituent councils. Powers in a combined authority were split between those vested directly in the Mayor and those vested in the combined authority.

Subject to the necessary legislation, it was Government's intention to introduce a new type of Combined Authority, which could comprise only upper tier Councils and any deal would be made with the upper tier Councils. The purpose of this was to avoid a single council vetoing a deal and the Government was clear that it expected involvement of as many District and Borough Councils as possible.

The update also covered Levelling Up and the Regeneration Bill with Local Democracy and Devolution being a critical section of the Bill setting out how the Government would deliver the devolution framework outlined in the White Paper.

Key points were Membership of Combined County Authorities (CCAs), establishment of CCAs over a functional economic area or whole county geograph, functions of CCAs, the creation of CCAs and Mayors for CCAs.

RESOLVED –

That the update be noted.

82 COMMUNICATION

The member for Unison highlighted a concern raised in recent meetings that not all managers had been made aware of decisions made at CLT so messages had not been cascaded down to all manager levels.

The Chief Executive confirmed that CLT and SLT do discuss and identify which items need to filter down to teams but current resources challenges had meant no core brief had been carried out recently.

The Chief Executive agreed to raise in the next CLT but stressed that manager bulletins had continued and these were reliant on managers sharing this detail.

RESOLVED –

That the action be noted.

83 TRAVEL / MILEAGE

The member for Unison had raised a question regarding the increase in cost of living and fuel prices and had asked if CBC could contact HMRC to request an increase in mileage rates to reflect these increases. It was pointed out that mileage rates had not changed since 2011.

The Leader of the Council stated that whilst liaising with HMRC as a single body may not have any desired impact, members could raise these concerns through regional employer boards.

RESOLVED –

That the action be noted.

84 FINANCE UPDATE

Due to the unexpected absence of the Service Director for Finance, the Leader of the Council gave a verbal update to the committee on the latest financial position.

Current focus was said to be on Year End with work on track to bring the Forecast to Cabinet on 21st June and to Full Council in July.

HRA was also said to be on track and the outrun position was expected to be shared in the next Committee in June.

RESOLVED –

That the update be noted.

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85 HR / OD UPDATE

The Head of OD gave a verbal update to the committee on the work of HR and OD.

It was confirmed that recruitment for the vacant PMO Manager position was now complete with the successful applicant due to start at the end of June/early July. The OD Programme and Delivery Board would then be established.

OD were also working on the Hybrid Working Policy with work now progressing following the Steering Group meeting last week.

The Mental Awareness training for the Depot had been successfully delivered by the external provider “Harness”.

L&D requirements for the next 12 months had been identified through L&D returns from all Service Areas. The Head of OD would provide further updates as this was rolled out.

It was also noted that to assist with workplace investigations, discussions were taking place with Unions to develop an investigation tool kit.

A question was asked by the member for Unison regarding identifying L&D training needs prior to the end of May deadline for PDR’s. The Head of OD agreed to look at the future timetables for L&D and PDR’s and update as required.

RESOLVED –

That the update be noted.

86 DJCC FEEDBACK

There was no feedback.

87 ANY OTHER BUSINESS

Trevor Barnett was introduced and welcomed to the Committee as the new Unite rep. It was also confirmed that Lesley Waller was stepping down from her role of Unison Branch Secretary.

The Chief Executive highlighted that a new policy on PPE/RPE was to be shared with Unions and Housing later this week and that a 30 day consultation would follow.

RESOLVED –

That the update be noted.

88 DATE AND TIME OF NEXT MEETING

The next meeting of the committee would take place on Monday 13th June 2022 at 9.30am.

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EMPLOYER / TRADE UNION COMMITTEE

Monday, 13th June, 2022

Present:-

Councillor P Gilby (Chair)

Gemma Masoud	Head of OD	Andrew Fowler	Unison
Theresa Channell	Service Director Finance	Maria Slack	Unison
		Tony Devereux	Unison
Huw Bowen	Chief Executive	Trevor Barnett	Unite
		Lakhy Mahal	Unite

*Matters dealt with under the Delegation Scheme

12 APOLOGIES

Apologies for absence were received from Councillors Serjeant and J Innes.

13 MINUTES

The minutes of the meeting on 16th May 2022 were agreed as a correct record.

14 MATTERS ARISING FROM THE MINUTES

The member for Unison asked if there was any update that could be shared regarding any discussions around mileage rates. The Chief Executive confirmed that there was no update to share.

15 FINANCE UPDATE

The Service Director for Finance presented an update to the Committee on the latest financial position.

The Council had approved the GF fund in Feb 21 with a gap of £188k to be funded from reserves and at that point the MTFP was unbalanced for all years. The deficit assumed the in year delivery of savings amounting to £524k, of which £374k would be delivered through the ICT improvement programme. A further £250k vacancy rates allowance was also included within 21/22 and for all years of the MTFP.

The budget was set in the midst of the pandemic which made it difficult to accurately project budgets. The financial impact of Covid on the demand for Council Services

had been significant, resulting in new cost pressures and significant reductions across all income streams.

Since the budget was set other cost pressures had emerged including the additonal cost of kerbside recylcling due to the previous contractor entering into administration, reduction in income in sports centres, car parks and venues and a reduction in income from Vicar Lane and industrial and commercial properties. Costs were somewhat offset by savings from the buyout of the superior landlords interest in the Pavements Shopping Centre and Covid related govt support.

The member for Unison questioned whether or not CBC had considered bringing the kerbside recycling back “in house”. The Chief Executive confirmed that Violia were the only bidder for the contract and stated that all areas of waste collection were contracted out til 2025 so CBC would be reviewing all options prior to 2025, including the feasibilty of bringing these services back “in house”.

At Q2 the forecast deficit was c £1m and a range of management actions and mitigations were put in place to address this adverse variance, including maximising grant opportunities, reviewing non-essential spending and appropriate charging to other funds. The Council recognised that the forecast would have major implications if the MTFP was left unreolved.

Carry forwards included vacancies (£144k), training (£38k) and Spirepride (£90k). It was noted that the Council had continued to experience difficulties recruiting across all roles and service areas. This, together with the impact of Covid on the additonal workload had led to a number of projects that were due to be undertaken in 2021/22 being delayed.

Other movements were said to include the Living Wage (£34k) to enable the real living wage rate of £9.90 to be paid from 1 April and Pride (£12k) a commitment to fund £4k p.a. for the next 3 years.

The budget report March 22 recommended that any underspending to be transferred to the budget risk reserve. This reserve currently stood at £1.6m and would increase to £2.1m. It was stated that there were likely to be significant cost pressures in year, particularly in relation to fuel, utilities and general cost inflation.

Actual capital expenditure on schemes was £36.5m compared to the original budget estimate for the year of £17.2m as at Feb 2021 and £42.8m at the revised budget stage in Feb 2022. The main reasons for the variances from the revised budget estimate included underspends on the Waterside Basin Square Development, the Northern Gateway Enterprise Centre, Hollis Lane Link Road Phase 1, Disabled Facilities Grants and Green Homes Grants.

There were no significant overspends on any capital schemes during 2021/22.

The HRA estimated balance was due to fall to £6.339m at 31 March 2022 with the actual balance at c£13m. This variance was down to DRF being underspent due to slippage on capital £9m, the detrimental impact of the pandemic on Repairs and

Maintenance, with capital programme activity costs increasing and an increase in depreciation due to increase in property values.

Total HRA capital expenditure was £21.7m against the budget of £32.5m giving an underspend of £10.88m (33% of the budget). This was funded by the right to buy sales and other asset sales with the balance from revenue. It was also noted that several named schemes were not finalised at the year end and approval was being sought to carry forward £10.8m from 2021/22 to 2022/23 to enable the schemes to be completed.

Cllr P Gilby left the meeting at this point. Andy Fowler took the chair.

RESOLVED –

That the update be noted.

16 HR / OD UPDATE

The Head of OD presented an update to the committee on the work of HR and OD.

Deborah Wickham was confirmed as the Interim Housing Services Director, Alan McCarthy was due to commence the role of Interim Director Property Services on 17th June 2022 and recruitment for the role of Head of Procurement was due to commence soon.

Consultation on the proposed new RPE policy was underway and the feedback date of 8th July had been agreed.

The Head of OD shared details of a new Financial Well Being Benefit that was being introduced across various other councils. This was essentially an AVC Pension Scheme which offered potential savings opportunities for individual employees. Discussions were currently ongoing to explore the opportunity of this new scheme and more details would be shared in due course.

It was confirmed that pay claims for this year had been tabled for Greenbook and Chief Officers and the East Midlands pay negotiations were underway and would be continuing throughout June. The Head of OD proposed to provide a full update in the next committee in July.

A question was asked by the member for Unison regarding the Director of Property Services role. The Chief Executive confirmed that a CLT decision was taken to boost resources in Property Services with the new Interim Director role now in place.

RESOLVED –

That the update be noted.

17 LIVING WAGE

The Head of OD provided an update to the committee on the Living Wage.

The member for Unison asked if there was a timescale involved.

It was confirmed that the proposal for the Living Wage would be sent to Cabinet in July as there was a budget requirement to maintain it and that the outcome for the Living Wage was expected in November.

RESOLVED –

That the update be noted.

18 DJCC FEEDBACK

There was no feedback.

19 ANY OTHER BUSINESS

The member for Unison raised a point about the suspension of Union access to the SHE system. It was stated that this was affecting the service Unions could provide and concerns were shared around the apparent lack of timetable for resolutions. It was confirmed that this point had been raised in the last Health & Safety Committee.

The Chief Executive agreed to raise with the CLT and provide further updates.

RESOLVED –

That the action be noted.

20 DATE AND TIME OF THE NEXT MEETING

The next meeting of the committee would take place on Monday 11th July 2022 at 9.30am.

COUNCIL HEALTH AND SAFETY COMMITTEE

Wednesday, 25th May, 2022

Present:-

Donna Reddish (Chair)

Councillor	J Innes	Councillor	Brittain
Vanessa Watson	Housing	Karen Knight	Unison
Heather Spink	HR	Lesley Waller	Unison
Theresa Channell	Service Director – Finance	Liam Rich	Unite
Grant Ilett	HS & Risk Manager	Tony Devereux	Unison
Marc Jasinski	Corporate H&S Advisor	Andrew Grainger	Capital Contracts Manager
Christine Durrant	Executive Director	Trevor Barnett	Unite

*Matters dealt with under the Delegation Scheme

32 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors K Falconer and Blank, Ade McCormick, Andrew Fowler, Ian Waller, Neil Johnson and Rachel O'Neil.

33 TEMPORARY COMMITTEE ARRANGEMENTS

The Service Director for Corporate advised the committee that due to current resourcing issues she would be Joint Chair for the committee on a temporary basis.

34 MINUTES OF THE MEETING HELD ON 16TH FEBRUARY 2022

The minutes of the meeting on 16th February 2022 were agreed as a true record.

35 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

36 MANAGEMENT TEAM REPORTS

Written reports were submitted by members of the Council's Corporate Leadership Team to update the Committee on health and safety matters from their directorates during the previous quarter.

The reports provided information on workplace inspections, specific incident investigations, training and communications.

The key points raised from the reports were as follows:

Corporate

- Six monthly health and safety office inspection planned for May 2022
- Joint health and safety inspection with trade unions took place on 4 October 2021
- Democratic and Elections Team completed a lot of planning in the quarter for Civic dinner and parade in May as well as returning full council to the Council Chamber
- Risk assessments developed and regularly reviewed
- Regulatory Law Team working in a hybrid way with Economic Growth taking the lead on the shared office inspections
- Communications & Marketing Team and Policy & Partnerships Office working in a hybrid way with regular checks on previous hazards identified such as trip hazards and untidiness
- Strategic Health, Safety and Risk currently hybrid working with office relocation likely within the next quarter
- Members have returned to the Town Hall for committees and are using the Members areas for admin
- No accidents or incidents reported in the quarter
- Some incidents of Covid 19 cases reported but investigations identified all non-work related and no other employees exposed
- 100% PDR completion rate for 2021/22
- 100% PDR half year check in completion rate for 2021/22
- Two outstanding training elements were reported at the end of the quarter but both were completed in April 2022
- Directorate Management Team meetings programmed for 2022/23
- Directorate DJCC meetings programmed for 2022/23
- A sixth team will be joining Directorate Corporate in 2022/23 – Vision Derbyshire – which will include six new members of staff

Finance

- Working from home continues with only ad hoc attendance in the office but continued regular checks of signage and cleaning product availability
- Six monthly inspection to be undertaken in May 2022
- Annual Health and Safety inspection to be planned for May/June 2022
- All risk assessments were up to date and reviewed regularly
- Zero accidents or incidents reported in the quarter
- All PDR's planned in for May 2022

- Online training was up to date with no outstanding elements
- Team meetings were ongoing with various areas discussed including DSE assessments, working from home, keeping windows open, Covid 19 precautions, employee helpline, mental health and lateral flow tests

Economic Growth

- Six monthly joint health and safety inspection was carried out on 15 October 2021
- An annual inspection was due to take place at the end of October 2021 but had not yet been undertaken
- Risk assessments for site visits were confirmed as up to date and under continual review
- Workplace inspections were carried out this quarter on Innovation Centres and the Corporate Property offices with no issues identified
- Discussions had also taken place to reallocate inspection responsibility going forwards for Legal and Planning offices
- One incident reported in the quarter involving a solar panel being detached from the roof of the Dunstan Innovation Centre in high winds
- All PDR's 2022/23 were booked in for April/May 2022
- Additional training requirements have been identified as part of the Strategic Health, Safety and Risk annual essential training requests process
- Online training was largely up to date with any outstanding training elements being a key focus of PDR's

Housing

- Six monthly inspection completed in March 2022 with a number of advisory points actioned
- Fire drill completed in March 2022
- Investment and Assets Town Hall G28 joint inspection is due May
- The planned Annual Health & Safety Tour was cancelled due to adverse weather conditions but was rescheduled for 18th May 2022
- Covid risk assessments were in place for each category of work and for individuals who are over 60, clinically vulnerable and clinically extremely vulnerable
- Positive Covid 19 cases remained the largest volume of incident type reported in the quarter
- All Managers/Supervisors in Capital Works and Voids have the Site Management qualification
- Continued compliance on online training has been seen but push continued to clear outstanding training elements with training either being undertaken or planned
- Technical staff have now completed the SMSTS and IOSH training sessions
- Works completed on the new build project at Badger Croft
- Works commenced on the Newland Dale project in March 2022
- Works have commenced in preparation for the start of the new build project at Middlecroft on 4th April 2022

- Works to commence on the block refurbishment at Willow Garth in May 2022
- In response to a member's question, it was confirmed that all RTA's are investigated fully and drivers are/can be assessed or requested to complete driver assessment if required
- It was also confirmed that more details regarding follow up actions of incidents would be included from next quarter with "Project Safety" currently working on all risk assessments
- All risk assessments should be available on PDA's and covered in Toolbox talks but any gaps should be highlighted if employees feel this is not the case

Leisure, Culture and Community Wellbeing

- Joint quarterly inspections were completed in January 2022 (HLC) and March 2022 (QPSC)
- Risk assessments were up to date and QPSC commencing annual review of risk assessments and Venues to update risk assessments and safe systems of work
- A number of incidents reported on SHE in Q4, including a various Covid positive cases and one RIDDOR reportable incident
- Training needs had been identified across all areas via Training Matrix
- Appropriate training allocated to specific roles via e-learning as identified through PDR process
- Staff and Team Leaders were to be reminded of team members' outstanding training though some aspects of training not required for some posts
- Review of staff list and outstanding training elements being undertaken
- Over the next 6-12 month a review of all risk assessments and safe systems of work were being reviewed, concentrating on Environmental Services, Venues and Leisure
- Work commencing on Stephenson's Memorial Hall, with health and safety an ongoing top priority
- Redesign of the two Leisure Centre's receptions area with new risk assessments in place for July
- Toolbox talks/training taking place throughout April on Sharps in Environmental Services
- Examples of future program for Joint Health and Safety inspections for 2022/23 include Cemeteries (April, July and Sept) and Crematorium (Sept, Dec and Feb)

Digital, HR and Customer Services

- No joint inspections completed in the quarter
- All risk assessments were up to date and all Health and Safety messages were cascaded to the teams via Manager briefings
- One workplace inspection carried out in the quarter in the OD office, with no risks identified
- No incidents or accidents reported in the quarter
- No training elements outstanding

37 OCCUPATIONAL ILL HEALTH STATISTICS

The Human Resources Business Partner presented a report detailing the occupational ill health statistics for the quarter 1st January to 31st March 2022.

The average days lost per occurrence for MSK within the quarter was 26 days, with 3% of days lost being work related which is a significant reduction since last quarter. However, the number of days lost to this absence reason had increased by 45%, which can be attributed to a small number of long-term sickness absences.

There had also been an increase in staff undergoing operations and completing their recovery and being able to return to work in this period. This could be attributed to the easing of the Covid-19 restrictions and planned procedures commencing.

During the quarter, the absence reasoning with the most days lost categorised as 'work related' was 'Stress/Depression/Anxiety/Mental Health'. An increase in mental illness was emerging as the effects of Covid-19 and changes to day-to-day life continued. In order to support staff HR were continuing to work closely with Line Managers to monitor sickness absence, upskill and coach managers on how to deal with mental health conditions and how to support staff in the workplace that suffer with mental illness.

HRBP's were continuing to promote the newly introduced Mental Health First Aider programme, the Employee Assistance Programme and ensure the relevant support mechanisms were in place to support employees returning to work.

Where deemed appropriate an occupational health referral was undertaken to identify appropriate adjustments to reduce periods of sickness absence and prevent recurrence. Staff have also been supported with access to a counselling provider and positive feedback had been received on the effectiveness of the counselling service currently in place.

Sickness absence relating to both Viral Infections and Coronavirus was high this quarter and most instances of absence within this quarter were as a result of these reasonings. This was over a 40% increase from last quarter. It could be concluded that this was the result of seasonal illness following on from the seasonal period and due to the easing of Covid-19 restrictions.

38 INCIDENT/ACCIDENT INFORMATION

The Corporate Health and Safety Advisor presented a report on the number of incidents/accidents over the period 1st January to 31st March 2022. The number of incidents reported for the quarter was 211 which was an increase of 38% on the previous quarter. It was reported that even when Covid 19 incidents were discounted, there had still been an increase in incidents of 21% from 67 to 81.

There had been 6 RIDDOR reportable incidents over the quarter compared to 5 the previous quarter, 3 of these were employee incidents, 2 were non-employee and 1 was a gas incident. The 3 employee RIDDOR's lead to a total of 61 lost days.

The year-to-date incident totals had risen in all areas in the reporting period except for slight decreases in contractor incidents. The year-to-date total to the end of March 2022 was 465 which was an increase of 186 incidents when compared to the 279 year-to-date incident totals reported in the previous quarter. This indicated a rise of 67%. However, it was noted that 2020/21 and 2021/22 included significant periods of Covid-19 restrictions which limited many activities.

The Corporate Health and Safety Advisor confirmed that the existing reporting format allowed for additional details about incidents e,g. root causes, actions taken etc to be recorded and that further training on SHE reporting and incident investigation was available.

It was also noted that Unions could provide reports prior to the Health and Safety Chairs meeting so that responses could be shared in the committee.

In response to a member's question regarding 2 reported RTA incidents which showed no follow up action the Corporate Health and Safety Advisor agreed an action to review these incidents and refer back to managers for comment.

The member for Unite shared details of a recent audit into incidents, investigations and risk assessments within the Housing Directorate. The Executive Director confirmed that the report has been shared with Unison.

39 RPE POLICY

The Executive Director presented an update to the committee on the proposed new RPE (Respiratory Protective Equipment) policy.

The briefing was the start of a consultation process with staff and trade unions in relation to a Draft RPE policy. The policy was particularly important for Housing Property Services due to the tasks involving silica/ dust and asbestos and the consultation period will run until Monday 20 June 2022.

Following the updating of face-fit tests for use of RPE with silica/ dust and asbestos in Autumn 2021, concerns were raised by unions and staff about the policy position and requirement to use face-fit masks and be clean shaven. An interim approach to the use of RPE was introduced in Feb 2022 to ensure safe working practices were in place.

Work to develop the policy was underway with trials of alternative RPE (air-fed hoods), a review of operational service requirements, consideration of the types of work that employees carry out and flexibilities required by the service, discussions with specialist asbestos contractors, discussions with Institution of Occupational

Safety and Health & Chartered safety and health practitioners, review of H&S legislation and HSE guidance and gathered information from other authorities.

Key findings were that results of the trials with three members of staff were mixed, air-fed hoods cannot be safely used when asbestos fibres may be present due to cleaning down requirements, housing property services require a flexible workforce to maximise productivity where all employees were able to work where asbestos fibres may be present and information from other authorities suggested a move to the use of face-fit masks and confirmation that air-fed hoods were not appropriate for asbestos.

Key principles of the proposed RPE policy included where RPE was identified as a requirement through a risk assessment, the use of half or face full face respirators would be our main standard policy approach, meaning that RPE must be tight fitting RPE. Tight fitting respirators would require employees to be appropriately clean shaven and for the avoidance of doubt this covers any work involving asbestos containing material (ACM) and silica/ dust.

There may be reasonable exemptions, with regards to medical conditions or religious grounds and reasonable adjustments would be appropriately considered and where employees were not prepared to be clean shaven, and there was no reasonable exemption, this would be considered a failure to follow a reasonable management instruction and was likely to lead to action through the council's disciplinary procedure.

Other key points covered in the draft policy were reinforcing the priority that we should all give to following Health and Safety legal requirements, setting out an understanding of respiratory hazards, use of RPE should be a last resort and should be clearly set out in Risk Assessments, Manager and employee responsibilities in use of RPE, face-fit testing requirements for tight fitting RPE and requirements for keeping records of testing and training.

For the next steps it was confirmed that consultation on the draft policy would run until 20 June 2022, an Assessment report had been written and a set of FAQ's developed, consideration at both the Health & Safety Committee and Employment & General Committee and the implementation date to be considered as the detailed timetable for policy approval was developed.

The member for Unison commented that employee engagement had been good but questioned if the consultation period was sufficient. The Executive Director agreed to review the consultation end date with the Housing Directorate.

40 SHE ACCESS

The member for Unison raised a concern around SHE access for unions. It was said that recent changes to SHE access/permissions meant that the Unison chair no longer had access to SHE and this was affecting Unison's ability to assist in investigations. The question was asked if this access would be granted once again.

The Director for Corporate advised that Data Protection concerns had been raised so an access permissions review had been launched. This work was ongoing to review and understand how the appropriate access should be granted for Health & Safety representatives.

The Strategic Health, Safety and Risk Manager highlighted the need for a robust process to be developed ensuring proper controls were in place, but that would not prevent Union involvement in investigations.

41 ANY OTHER BUSINESS

No other business was raised.

42 DATE AND TIME OF THE NEXT MEETING

The next meeting of the Committee would take place on Wednesday 17th August 2022 at 9.30am.