

Chesterfield Borough Council Equality Impact Assessment - Full Assessment Form

<i>Title of the policy, project, service, function or strategy:</i>	Corporate RPE Policy	
<i>Service Area:</i>	Corporate Directorate	
<i>Section:</i>	Health, Safety and Risk	
<i>Lead Officer:</i>	Grant Ilett	
<i>Date of assessment:</i>	06/10/23	
<i>Is the policy, project, service, function or strategy:</i>		
<i>Existing</i>	<input checked="" type="checkbox"/>	
<i>Changed</i>	<input type="checkbox"/>	
<i>New / Proposed</i>	<input type="checkbox"/>	

Section 1 – Clear aims and objectives

1. What is the aim of the policy, project, service, function or strategy?

The Policy has been designed to ensure that the Council complies with the Health and Safety at Work etc. Act 1974 (HASAW), the Management of Health and Safety at Work regulations 1999, the Control of Substances Hazardous to health (2002); Personal Protective Equipment Regulations 1992 (as amended) 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. It sets out the requirements and expectations of the Council in relation to respiratory protective equipment (RPE) worn/used for work purposes.

The main requirements are that RPE is:

- (a) Properly assessed before use to ensure it is suitable and adequate;
- (b) Maintained and stored correctly;
- (c) Users are provided with appropriate instruction on its use;
- (d) It is used correctly by all relevant employees.

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

2. Who is intended to benefit from the policy and how?

Employees and other workers (including agency, casual, voluntary, elected members and contractors) of CBC, whether working on Council premises, Council workplaces or elsewhere on Council business. RPE is to be supplied and used at work wherever there are risks to health and safety that cannot be adequately controlled in other ways. The RPE policy sets out clear responsibilities in regards to the Council paying for RPE and associated health surveillance control measures.

3. What outcomes do you want to achieve?

To ensure that Service Directors and their managers comply with the regulations and adhere to the RPE Policy.
Address TU safety representative and management feedback in regards the approved RPE policy in 2023. To also better align the RPE policy to INDG479 guidance on RPE fit testing.

4. What barriers exist for both the Council and the groups/people with protected characteristics to enable these outcomes to be achieved?

Some employees and workers may have a protected characteristic(s) and/or medical grounds which will justify changes and reasonable adjustments in the workplace and RPE. For example:

- Communication of safety advice and confirming understanding if first language is not English
- Religious / medical reasons regarding close fitting RPE
- Religious exemptions from the need to wear close fitting respiratory protection in the workplace

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.

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. (e.g. redeployment).

5. Any other relevant background information

The RPE policy is a single focused area of the forthcoming wider corporate PPE Policy. The urgency around RPE is currently requiring this single policy area to be addressed before the wider policy is brought forward for consultation, approval and implementation.

Minor revisions to the policy remove a restriction on powered hood being used for asbestos containing material works, the policy revert to being a risk assessment lead approach and one for operational managers to make local decisions. This change has also been requested by TU safety representatives.

Section 2 – Collecting your information

6. What existing data sources do you have to assess the impact of the policy, project, service, function or strategy?

In line with the Public Sector Equality Duty, information regarding employees with protected characteristics is collated by the HR team. Potential impact of the policy could be estimated from these figures, however adjustments would need to be discussed with employees / workers on an individual basis.

Section 3 – Additional engagement activities

7. Please list any additional engagement activities undertaken when developing the proposal and completing this EIA. Have those who are anticipated to be affected by the policy been consulted with?		
Date	Activity	Main findings
04.09.23 / 02.10.23	H&S policy review programme consultation with management and TU safety representatives.	Revisions made as a result of feedback. RPE policy was requested to be brought forward sooner than initially planned in 2025. Feedback considered.
04.09.23	TU safety representative consultation Sept – Oct 23	Endorsed changes, aligned to their feedback
3.10.23	CBC Manager awareness	P. Barker feedback around periodic review points. Considered and a revision added to the policy for consultation.
06.10.23	Manager ebulletin / Aspire communications work	Communications completed, no additional feedback received
18.09.23	Employer Trade Union Committee	Endorsed changes
17.10.23	Unite policy query in relation to hoods and wear time	GI responded and clarified the policy position and the policy misunderstanding.
17th to 20 th Oct 23	Joint chairs of Health and safety committee	Pre-agenda engagement AF mentioned at his recent training had noted a 2 year periodic review cycle for face fit testing. 17.10.23
08.11.23	Health and safety committee – end of consultation, final draft	Revisions to policy endorsed. TU reps comfortable with changes. Operational approach was raised at H&SC. LR suggesting that all work tasks is safe for air fed hoods to be worn. GI advised this was not correct, examples of confined space and loft access work are two such examples where this could be dangerous or not appropriate. RPE policy has a risk assessment led approach which puts the decision in operational managers hands to balance the time, cost and effort v. cost (reasonably practicable approach). A one size fits all approach is not a reasonably practicable approach.
20.11.23	Employment and General Committee. Final draft Policy will	

	be presented, discussed and approval requested	
	Implementation / communication support work on changes	

Section 4 – What is the impact?

8. Summary of anticipated impacts. *Please tick at least one option per protected characteristic. Think about barriers people may experience in accessing services, how the policy is likely to affect the promotion of equality, knowledge of customer experiences to date. You may need to think about sub-groups within categories eg. older people, younger people, people with hearing impairment etc.*

	Positive impact	Negative impact	No disproportionate impact
Age	<input type="checkbox"/>	<input type="checkbox"/>	√
Disability and long term conditions	<input type="checkbox"/>	√	<input type="checkbox"/>
Gender and gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	√
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	√
Pregnant women and people on parental leave	<input type="checkbox"/>	<input type="checkbox"/>	√
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	√
Ethnicity	<input type="checkbox"/>	<input type="checkbox"/>	√
Religion and belief	<input type="checkbox"/>	√	<input type="checkbox"/>

9. Details of anticipated positive impacts.

a)	The Policy will actively support certain medical and religious characteristics, in so much that this will assist with avoiding unfair dismissal claims and ensure reasonable adjustments are made where appropriate.							
	<input type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input checked="" type="checkbox"/> Religion
b)								
	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion

10. Details of anticipated negative impacts.

a)	<i>Negative impact:</i>	Some employees and workers may have a disability and/or medical grounds which will justify changes and reasonable adjustments in the workplace and RPE						
	<i>Mitigating action:</i>	HR and the health, safety and risk team will be referred to on an individual basis for further guidance						
	<input type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion
b)	<i>Negative impact:</i>	Some employees and workers may have a protected characteristic based on their religion / belief which will justify changes and reasonable adjustments in the workplace and PPE						
	<i>Mitigating action:</i>	HR and the health, safety and risk team will be referred to on an individual basis for further guidance						
	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input checked="" type="checkbox"/> Religion
c)	<i>Negative impact:</i>							
	<i>Mitigating action:</i>							
	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion

11. Have all negative impacts identified in the table above been mitigated against with appropriate action?			
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<i>If no, please explain why:</i>

Section 5 – Recommendations and monitoring

12. How has the EIA helped to shape the policy, project, service, function or strategy or affected the recommendation or decision?

The HR and health, safety and risk team have been consulting throughout the creation of this policy, bearing in mind at all times those employees / workers with protected characteristics.

13. How are you going to monitor the policy, project, service, function or strategy, how often and who will be responsible?

Managers will be expected to police the monitoring and use of the policy for operational purposes. From a strategic review perspective, the health, safety and risk team along with Project safety (Housing) team will audit against this policy standard during departmental H&S audits. Departmental inspections, safety tours, and site visits will be other proactive opportunities to identify and complete corrective action for policy compliance. In addition, any new training and learning from internal and external training sessions will be helpful reminders for corporate standards. Learning opportunities will also be presented during potential adverse events such as spotting hazards, near misses and other accidents and incidents. These will encompass the reactive elements for the policy monitoring activity.

Section 6 – Knowledge management and publication

Please note the draft EIA should be reviewed by the appropriate Service Manager and the Policy Service **before** WBR, Lead Member, Cabinet, Council reports are produced.

Reviewed by Head of Service/Service Manager	Name:	G Ilett
	Date:	08.11.23
Reviewed by Policy Service	Name:	Allison Potter
	Date:	TBC
Final version of the EIA sent to Policy Service		
Decision information sent to Policy Service		

