



LEIA Safety Information Sheet

Personal Protective Equipment Regulations 1992

Prepared by the LEIA Safety & Environmental Committee

JANUARY 2024

SAFETY INFORMATION SHEET PERSONAL PROTECTIVE EQUIPMENT REGULATIONS 1992

PREAMBLE

This Information Sheet is one of a series produced by the LEIA Safety and Environment Committee on topics relevant to the Lift and Escalator Industry. Whilst every effort has been taken in the production of these sheets, it must be acknowledged that they should be read in conjunction with the relevant legislation, codes of practice etc. They should not be taken as an authoritative interpretation of the law but guidance to it.

INTRODUCTION

The Personal Protective Equipment (PPE) at Work Regulations were introduced on 1 January 1993. Guidance to the Regulations is available which not only gives information about the Regulations but also contains advice on the selection of PPE. In addition, Regulation 2016/425 (as incorporated into UK law) sets out the essential health and safety requirements that must be met before PPE products can be placed on the GB market.

The Personal Protective Equipment (Enforcement) Regulations 2018 provide a system for the enforcement of the 2016/425 Regulation and are enforced by HSE for PPE intended for workplace use in Great Britain.

If you are an employer, you must choose products which are UKCA marked (or CE marked in specific circumstances). PPE should also have a Declaration of Conformity and instructions on how to use the item and ensure that any PPE is only used in line with the manufacturer's instructions.

THE REGULATIONS

Personal Protective Equipment is defined as all equipment (including clothing affording protection e.g. chemicals, weather) which is intended to be worn or held by a person at work and protects against one or more risks to health and safety, for example gloves, safety footwear, safety helmets and hard hats, eye protection, hearing protection, respiratory protection, safety harnesses and high visibility clothing. Ordinary working clothes or work uniforms that offer no specific protection are not covered.

The Regulations were amended in April 2022 by the Personal Protective Equipment at Work (Amendment) Regulations 2022 (PPER 2022) which extend employers and employees duties regarding the provision and use of PPE to limb (b) workers as defined under the Employment Rights Act 1996.

Limb (b) workers are defined as workers who generally have a more casual employment relationship and work under a contract for service, rather than a contract of employment offered to direct employees.

Employers are now required to provide limb (b) workers with any required PPE (free of charge) whilst working on behalf of the employer.

The following Regulations have more comprehensive requirements in terms of PPE: -

- Control of Asbestos Regulations 2012
- Control of Substances Hazardous to Health Regulations 2002
- Noise at Work Regulations 2005
- Work at Height Regulations 2005

PROVISION OF PPE

Employers and the self-employed are responsible for providing suitable PPE to employees and limb (b) workers exposed to risk to their health and safety whilst at work, where the use of PPE has been identified in a Risk Assessment.

The Management of Health and Safety at Work Regulations 1999 (MHSWR) require assessments of the workplace to be carried out to identify risks and the taking of appropriate measures to reduce them to more acceptable levels or eliminating them totally.

Bearing this in mind and the varying levels of preventive and protective measures in the MHSWR, PPE should always be regarded as the last resort. Wherever possible other means should be found for controlling or eliminating the risk e.g. guarding etc, nevertheless there will be circumstances when PPE will still be required to control the risk.

The reason for varying levels of action in deciding on preventive and protective measures is as follows: -

- PPE only protects the person wearing it.
- Wearing PPE can give a false sense of security.
- PPE may restrict the mobility of the person.
- PPE can fail, exposing you to the risks associated with the activity/substance
- Individuals may not use the PPE

Training must be provided on the correct use of PPE to those using it.

Where there is a statutory requirement to use PPE, appropriate safety signs must be posted e.g. Work at Height Regulations, Noise at Work Regulations.

An employee and limb (b) workers cannot be asked to pay for PPE which is used only at work.

COMPATIBILITY OF PPE

Where there is more than one risk and a person is required to wear more than one item of PPE, the PPE should be compatible and effective against the risks.

ASSESSMENT OF PPE

Before choosing any PPE, a risk assessment has to be carried out to ascertain if the proposed PPE is suitable. If a risk assessment of the activity has been carried out under the MHSWR 1999 there is no need to duplicate this in order to meet the requirements of the PPE Regulations, though it should be easily identifiable and cross-referenced. Involvement by employees in the selection of PPE is advisable, wherever possible.

The assessment, or the use of PPE, must be reviewed if it is suspected that it is no longer valid.

MAINTENANCE, REPLACEMENT AND STORAGE OF PPE

PPE must be maintained in an efficient condition which includes the need for examination of non-disposable equipment. A stock of spare equipment, parts and cleaning materials should be available. The employer is also responsible for having available suitable storage facilities to prevent damage to PPE, including that which has been issued.

PPE that has been supplied to an employee free of charge for use at work remains the property of the employer and should be returned after use to the storage place provided by the employer, it should not be used for non-occupational purposes.

INFORMATION, INSTRUCTION AND TRAINING

Those issued with PPE must be given information, instruction, and training in: -

- The risk or risks which the PPE will protect against.
- How and when PPE equipment is to be used.
- How to ensure that the PPE remains in an efficient state, working order and in good repair.

Information and instruction must be clear and comprehensible.

USE OF PPE

PPE should only be used in accordance with the training and instructions given by the employer.

Users of PPE should ensure that the equipment is returned after use to its designated storage area.

REPORTING LOSS OR DEFECT

When an item of PPE becomes broken or is lost, it is the responsibility of the employee to report this immediately to his employer.

FURTHER INFORMATION

The Personal Protective Equipment at Work Regulations 1992

The Personal Protective Equipment Regulations 2018

The Personal Protective Equipment (Amendment) Regulations 2022

<https://www.legislation.gov.uk>

Personal Protective Equipment at Work Regulations 1992. Guidance on Regulations L25 (4th Edition 2022)

<http://www.hse.gov.uk/pubns/books/l25.htm>