

1. Introduction

- 1.1 It was proposed by Divisional Director Matthew Smith that Personal Protective Equipment is issued to Agency workers for safety and image reasons. In the past agencies were informed that their workers must report for duties wearing safety boots and a fluorescent waistcoat, Waste Collection supplied gloves.
- 1.2 It has been identified in the Risk Assessment process that Waste Collection staff must wear ballistic trousers whilst carrying out their duties. As such this stipulation should also apply to agency workers.
- 1.3 It was agreed in December 2008 that the Waste Collection service would issue agency staff with Personal Protective Equipment. The following guidance, details how this issue process is managed.

2. Issue Guidance

- 2.1 All agency providers / workers will be responsible for initially supplying their own safety footwear. Collection supervisors must ensure that workers are wearing safety footwear before being allowed to commence duties.

2.2 Short Term Agency Workers

- 2.2.1 Ballistic trousers and a hi-visibility waistcoat will be issued to the agency worker from the 'Agency Clothing Stock' prior to commencement of duties. The agency worker must return the items issued at the end of the working day, or agreed period. (i.e. if it has been agreed that the agency will attend for the whole week, then they may keep the Personal Protective Equipment for the duration of that week)

A charge will be made or money withheld from wage payments to any agency worker not returning items of PPE issued. This charge will be equivalent to that required to replace the items.

- 2.2.2 Returned items will be laundered and returned to stock.

2.3 Long Term Agency Workers

- 2.3.1 Two pairs of ballistic trousers and two hi-visibility polo shirts will be issued to long term agency workers. The agency / agency worker is responsible for supplying the first pair of safety footwear but this can be replaced when required.

A signature of receipt is required and the issue is provided on the agreement that all items of B&NES clothing will be returned when the agency ceases to work for the Waste Collection service.

A charge will be made or money withheld from wage payments to any agency worker not returning items of PPE issued. This charge will be equivalent to that required to replace the items.

- 2.3.2 Any returned items will be laundered and placed into the 'Agency Clothing Stock' for issue to short term agency workers.

- 2.3.3 If a long term agency worker requires any further items of clothing then they may be issued in accordance with the Waste Collection 'New for old' policy on Personal Protective Equipment

3. **Agency Providers**

- 3.1 It will be made clear to agencies that if an agency employee fails to return PPE when employment is terminated then the Council will deduct the cost of the PPE from the payment to the agency. The Agency will be required to produce evidence of their standard contract of employment with the agency employee, to show that it has been made clear to the employee that the Council is be able to deduct the cost of the replacement from any wages owed. This will also be pointed out to agency employees at induction, when PPE is first issued.

4. **Definitions**

- 4.1 The definition of a long term agency worker is one that has carried out collection duties for a period of at least 4 consecutive weeks.

5. Reference

5.1 HSE

Can I charge for providing PPE?

An employer cannot ask for money from an employee for PPE, whether it is returnable or not. This includes agency workers if they are legally regarded as your employees. If employment has been terminated and the employee keeps the PPE without the employer's permission, then, as long as it has been made clear in the contract of employment, the employer may be able to deduct the cost of the replacement from any wages owed.