

TRUST-WIDE NON-CLINICAL / DOCUMENT

Provision and Use of Work Equipment

Policy Number:	HS10
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Recommending Committee:	N/A
Approving Committee:	Health and Safety Committee
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Lead Author(s):	Health and Safety Advisor

TRUST-WIDE NON-CLINICAL POLICY DOCUMENT

2018 – Version 4

Striving for Perfect Care for
the People We Serve

TRUST-WIDE NON-CLINICAL POLICY DOCUMENT

Provision and Use of Work Equipment

Further information about this document:

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To be read in conjunction with	Health, Safety and Welfare Policy SA07
This document can be made available in a range of alternative formats including various languages, large print and braille etc	
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Version Control:

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Version 2 2016 Version 1 2017	Health and Safety Committee Health and Safety Committee	28/09/2016
Version 2 2018		15 October 2018

SUPPORTING STATEMENTS

this document should be read in conjunction with the following statements:

SAFEGUARDING IS EVERYBODY'S BUSINESS

All Mersey Care NHS Foundation Trust employees have a statutory duty to safeguard and promote the welfare of children and adults, including:

- being alert to the possibility of child/adult abuse and neglect through their observation of abuse, or by professional judgement made as a result of information gathered about the child/adult;
- knowing how to deal with a disclosure or allegation of child/adult abuse;
- undertaking training as appropriate for their role and keeping themselves updated;
- being aware of and following the local policies and procedures they need to follow if they have a child/adult concern;
- ensuring appropriate advice and support is accessed either from managers, *Safeguarding Ambassadors* or the trust's safeguarding team;
- participating in multi-agency working to safeguard the child or adult (if appropriate to your role);
- ensuring contemporaneous records are kept at all times and record keeping is in strict adherence to Mersey Care NHS Foundation Trust policy and procedures and professional guidelines. Roles, responsibilities and accountabilities, will differ depending on the post you hold within the organisation;
- ensuring that all staff and their managers discuss and record any safeguarding issues that arise at each supervision session

EQUALITY AND HUMAN RIGHTS

Mersey Care NHS Foundation Trust recognises that some sections of society experience prejudice and discrimination. The Equality Act 2010 specifically recognises the *protected characteristics* of age, disability, gender, race, religion or belief, sexual orientation and transgender. The Equality Act also requires regard to socio-economic factors including pregnancy /maternity and marriage/civil partnership.

The trust is committed to equality of opportunity and anti-discriminatory practice both in the provision of services and in our role as a major employer. The trust believes that all people have the right to be treated with dignity and respect and is committed to the elimination of unfair and unlawful discriminatory practices.

Mersey Care NHS Foundation Trust also is aware of its legal duties under the Human Rights Act 1998. Section 6 of the Human Rights Act requires all public authorities to uphold and promote Human Rights in everything they do. It is unlawful for a public authority to perform any act which contravenes the Human Rights Act.

Mersey Care NHS Foundation Trust is committed to carrying out its functions and service delivery in line with a Human Rights based approach and the FREDA principles of **F**airness, **R**espect, **E**quality **D**ignity, and **A**utonomy

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1. PURPOSE AND RATIONALE

1.1. This policy covers the provision and use of work equipment within the Mersey Care NHS Foundation Trust. Work equipment has a wide ranging definition ranging from light equipment such as hammers and screwdrivers to heavy equipment such as circular saws, it includes lifting and mobile work equipment and any machinery, appliance, apparatus or tool and any assembly which in order to achieve a common end, are arranged and controlled so that they function as a whole. The safety arrangements for the provision and use of work equipment are set out in the Provision and Use of Work Equipment Regulations 1998 (PUWER).

2. OUTCOME FOCUSED AIMS AND OBJECTIVES

2.1. The aim of this policy is to ensure work equipment is provided, maintained and used safely in accordance with standards set out in the Provision and Use of Work Equipment Regulations 1998 (PUWER) and other regulations so as to minimise the risk of injury to patients, staff, visitors and others.

3. SCOPE

3.1. PUWER places duties on people and companies, who own, operate or have control over work equipment. PUWER imposes duties to safeguard the health and safety of those who are in the employment of the trust who may be affected by our activities. These duties also apply to a contractor or sub-contractor on trust premises, in respect of safeguarding our employees, patients and visitors from their activities. PUWER also places responsibilities on businesses and organisations whose employees use work equipment, whether owned by them or not.

3.2. This document does not cover medical devices i.e. devices used for diagnostic or therapeutic purposes, which also fall under the the Medical Devices Regulations 2002. Please refer to Policy Number SA19 the Corporate Policy and Procedure for the Management and Decontamination of Medical Devices.

4. DEFINITIONS

PUWER :- Provision and Use of Work Equipment Regulations 1998
LOLER :- Lifting Operations and Lifting Equipment Regulations 1998
PPE :- Personal Protection Equipment
Work Equipment : any appliance, apparatus, machinery, tool or installation for use at work (whether exclusively or not). This includes equipment which employees provide for their own use at work e.g.

- Computers
- Cameras including CCTV
- Hand tools, e.g. Ligature knives
- Power tools
- Hoists and accessories
- Ladders, stepladders, hop-up stools etc.
- Local Exhaust Ventilation (LEV) systems etc.

5. DUTIES

5.1. PUWER requires that equipment provided for use at work is:

- a) suitable for the intended use
- b) safe for use, maintained in a safe condition and inspected to ensure it is correctly installed and does not subsequently deteriorate
- c) used only by people who have received adequate information, instruction and training
- d) accompanied by suitable health and safety measures, such as protective devices and controls. These will normally include emergency stop devices, adequate means of isolation from sources of energy, clearly visible markings and warning devices
- e) used in accordance with specific requirements, for mobile work equipment and power presses
- f) some work equipment is subject to other health and safety legislation in addition to PUWER. For example, lifting equipment must also meet the requirements of LOLER and personal protective equipment must meet the PPE Regulations

5.2. **Managers** – have the prime responsibility for ensuring that work equipment is:

- a) suitable for its intended purpose
- b) safe to use and will not impose Risk to users and anybody else who may be present in the workplace, e.g. other workers, service users, visitors, members of the public etc
- c) meets the statutory requirements imposed by the Lifting Operations & Lifting Equipment Regulations (LOLER), the Electricity At Work Regulations (EAWR), the Control of Substances Hazardous to Health (COSHH) Regulations and other appropriate legislation as necessary
- d) carries the “CE” marking
- e) undergoes all Statutory examinations
- f) is maintained in accordance with the manufacturer’s/supplier’s instructions
- g) is only used by persons, deemed as competent to do so
- h) mechanisms are in place to report broken/damaged equipment
- i) is taken out of service, whilst awaiting repair and/or replacement
- j) provision is made for the safe and secure storage of equipment

5.3. **Employees** – also have certain responsibilities, including:

- a) Only to use equipment for which they have received appropriate Information, instruction, training and supervision, i.e. are deemed to be competent
- b) Carry out visual checks/inspections before using
- c) Report any defects and only use when safe to do so
- d) Ensure that equipment is safely and securely stored when not in use.

6. PROCESS

6.1. The use of work equipment means any action involving work equipment and includes starting, stopping, programming, setting, transporting, repairing, modifying, maintaining, servicing and cleaning.

7. CONSULTATION

7.1. The Trust will ensure that all members of staff are provided with the information that they require to work safely and without risk to their health. This will include information, such as the results of assessments and the appointment of various categories of competent persons, required under various pieces of legislation. Consultation on health and safety matters with employees who are members of a recognised trade union will take place through the agreed channels. However; employees who are not members of a recognised trade union will be consulted with either directly or through a representative whom they have elected. This will enable the trust to meet its obligations under the Consultation with Employees Regulations 1996.

8. TRAINING AND SUPPORT

8.1. Under PUWER there is a need to ensure all work equipment is safe. To do this an assessment must be carried out to assess :-

- a) The initial integrity of the equipment,
- b) The place where it will be used, and
- c) The purpose it will be used for.

A template for the assessment can be found in section 11.

9. MONITORING

9.1. To gauge success in Health and Safety performance the Trust must measure its performance against pre-determined standards. Monitoring performance by means of:

- a) Reactive Monitoring of incidents, accidents and ill Health.
- b) Pro-active Monitoring to ensure compliance

PUWER Assessment

10. SUPPORTING DOCUMENTS

Description of Equipment:	
Serial No.:	
Location of Equipment:	
Date of Assessment:	
Assessor(s):	

PART 1 – GENERAL REQUIREMENTS APPLICABLE TO ALL EQUIPMENT

	Reg. 4 – Suitability of Work Equipment	Y	N	Comment/ Remedial Action (if any)	Action Taken
4.1	Is the equipment suitable by design, construction or adaptation for the work it is provided to do?	<input type="checkbox"/>	<input type="checkbox"/>		
4.2	Is the equipment suitable for the conditions in which it is to be used (e.g. electric drill to be used outside in damp conditions)?	<input type="checkbox"/>	<input type="checkbox"/>		
4.3	Can the work equipment cause risks in situations whereby it would otherwise be safe (e.g. petrol generator discharging into enclosed space)?	<input type="checkbox"/>	<input type="checkbox"/>		
4.4	Is the equipment suitable for the purpose or conditions of use (e.g. use of knives for cutting equipment where scissors would suffice)?	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 5 – Maintenance	Y	N	Comment/ Remedial Action (if any)	Action Taken
5.1	Is the equipment maintained? If so, state frequency	<input type="checkbox"/>	<input type="checkbox"/>		
5.2	Is the equipment subject to statutory inspection? If so, state which regs. apply e.g. COSHH, LOLER etc.	<input type="checkbox"/>	<input type="checkbox"/>		
5.3	Is the maintenance work routine based on the manufacturer's recommendations?	<input type="checkbox"/>	<input type="checkbox"/>		
5.4	Is the maintenance work planned and preventative (required where parts of the equipment could fail in a dangerous way)?	<input type="checkbox"/>	<input type="checkbox"/>		
5.5	Has all maintenance staff received adequate information, instruction and training?	<input type="checkbox"/>	<input type="checkbox"/>		
5.6	Is a record of maintenance kept?	<input type="checkbox"/>	<input type="checkbox"/>		
5.7	If a maintenance log is kept, is it up to date?	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 6 – Inspection	Y	N	Comment/ Remedial Action (if any)	Action Taken
6.1	Is equipment inspected after installation and before being put to use for the first time?	<input type="checkbox"/>	<input type="checkbox"/>		
6.2	Is equipment inspected after it is assembled at a new site or location?	<input type="checkbox"/>	<input type="checkbox"/>		
6.3	Is work equipment inspected at suitable intervals when it is exposed to conditions causing deterioration, which is liable to result in dangerous situations (e.g. high vibrations)?	<input type="checkbox"/>	<input type="checkbox"/>		
6.4	Is the equipment inspected for safety, each time an exceptional circumstances arises e.g. a major fault occurs?	<input type="checkbox"/>	<input type="checkbox"/>		
6.5	If equipment leaves the undertaking, or if obtained from another person, it is accompanied by physical evidence that the last inspection has been carried out?	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 7 – Specific Risks and Restrictions on Use	Y	N	Comment/ Remedial Action (if any)	Action Taken
7.1	Is the use of this equipment restricted to specific persons (e.g. abrasive wheels, circular saws, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>		
7.2	Is the repair, maintenance, modifications and servicing restricted to specific persons?	<input type="checkbox"/>	<input type="checkbox"/>		
7.3	Have those persons who use, repair, maintain, modify or service the equipment been adequately trained? If so, state training received	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 8/9 – Information, Instruction and Training	Y	N	Comment/ Remedial Action (if any)	Action Taken
9.1	Have all users of work equipment received adequate information, instruction and training, including: - Methods Risks Precautions	<input type="checkbox"/>	<input type="checkbox"/>		
9.2	Has special emphasis been given to young persons under 18 years of age?	<input type="checkbox"/>	<input type="checkbox"/>		
9.3	Have all supervisors/ managers of work equipment received adequate information, instruction and training, including: - Methods Risks Precautions	<input type="checkbox"/>	<input type="checkbox"/>		
	Reg. 10 – Conformity with EC Requirements (NEW EQUIPMENT ONLY)	Y	N	Comment/ Remedial Action (if any)	Action Taken
10.1	Dose the equipment comply with relevant community directives (e.g. does it display a CE mark)?	<input type="checkbox"/>	<input type="checkbox"/>		
10.2	If so and where an essential requirement has applied to the design and construction of an item, have the requirements of regulations 11-19 and 22-29 been applied?	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 11 – Dangerous Parts of Machinery	Y	N	Comment/ Remedial Action (if any)	Action Taken
	<i>Reference should be made to BS5304, BSEN292-1 in making this assessment</i>				
11.1	Have measures been taken to prevent access to dangerous parts of the machine or rotating stock bar, or to stop movement or any dangerous part or rotating stock bar before any person enters a danger zone?	<input type="checkbox"/>	<input type="checkbox"/>		
11.2	In particular: -	<input type="checkbox"/>	<input type="checkbox"/>		
	So far as is practicable have fixed guards been provided? If not then...	<input type="checkbox"/>	<input type="checkbox"/>		
	So far as is practicable have other guards or protection devices been provided? If not then...	<input type="checkbox"/>	<input type="checkbox"/>		
11.3	So far as is practicable have jigs, holders, push sticks or similar protection devices been provided?	<input type="checkbox"/>	<input type="checkbox"/>		
11.4	Has adequate information, instruction, training and supervision been given?	<input type="checkbox"/>	<input type="checkbox"/>		
	So far as is practicable , are guards and protection devices suitable and sufficient for the purpose for which they are provided (e.g. good construction, sound material, adequate strength, maintained and in good repair, etc.)?				

	Reg. 12 – Protection Against Specified Hazards	Y	N	Comment/ Remedial Action (if any)	Action Taken
12.1	<p>So far as is reasonably practicable, have the risks associated with the following hazards been adequately controlled by means other than PPE, information, instruction, training or supervision?</p> <p>The hazards to be considered are: -</p> <p>An article or substance being ejected from the equipment</p> <p>Rupture or disintegration of parts</p> <p>Fire or overheating</p> <p>Unintended discharge of article or gas, dust, liquid, vapour or other substance</p> <p>Unintended explosion of equipment or article or substance used or stored in the equipment</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		

	Reg. 13 – High or Very Low Temperature	Y	N	Comment/ Remedial Action (if any)	Action Taken
13.1	<p>Where appropriate, are all parts of work equipment, articles or substances in the equipment protected to prevent burns by contact (engineering measures should always be applied, although circumstances may arise where the only form of protection may be PPE, etc.)?</p>	<input type="checkbox"/>	<input type="checkbox"/>		

	Regs. 14 - 18 – Control Mechanisms/ Systems	Y	N	Comment/ Remedial Action (if any)	Action Taken
	<i>This section is qualified by the term ‘where appropriate’ which relates to the features, functioning and the risk associated with use. Start, stop and emergency control systems are not generally appropriate for work equipment with no moving parts, or where the risk of injury is negligible, e.g. battery powered clocks (ref should be made to the guidance note). It may well be that some of the following questions are not applicable.</i>				

	Reg. 14 – Starting Controls	Y	N	Comment/ Remedial Action (if any)	Action Taken
14.1	Is the equipment fitted with start, stop or operating condition controls which require a deliberate action to operate?	<input type="checkbox"/>	<input type="checkbox"/>		
14.2	Can starting take place by use of a protective device (e.g. an interlock)?	<input type="checkbox"/>	<input type="checkbox"/>		
14.3	Are the controls protected against inadvertent operation (e.g. starter shrouded)?	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 15 – Stop Controls	Y	N	Comment/ Remedial Action (if any)	Action Taken
15.1	Does the stop control mechanism bring the work equipment to a safe condition in a safe manner (less than 10 seconds with woodworking machinery)?	<input type="checkbox"/>	<input type="checkbox"/>		
15.2	Are all sources of energy switched off after stopping the equipment (compressed air/ hydraulic pressure)?	<input type="checkbox"/>	<input type="checkbox"/>		
15.3	Does the stop control equipment operate in priority to controls which start or change operating conditions?	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 16 – Emergency Stop Controls	Y	N	Comment/ Remedial Action (if any)	Action Taken

16.1	Is the equipment fitted with an emergency stop control which operates in priority to any other control mechanism?	<input type="checkbox"/>	<input type="checkbox"/>		
	Reg. 17 – Controls	Y	N	Comment/ Remedial Action (if any)	Action Taken
17.1	Are all controls clearly visible? Are they identifiable? Are they appropriately marked?	<input type="checkbox"/>	<input type="checkbox"/>		
17.2	Are control mechanisms in a safe position and operators free from danger?	<input type="checkbox"/>	<input type="checkbox"/>		
17.3	So far as is reasonably practicable , can the operator of any control ensure that from the position of the control, <u>no person is in a place where there is a risk to health and safety</u> ? If Y go to Reg 18	<input type="checkbox"/>	<input type="checkbox"/>		
17.4	If no, are systems in place to ensure health and safety?	<input type="checkbox"/>	<input type="checkbox"/>		
17.5	If no, are there audible, visible or warning devices which are activated before the equipment starts?	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 18 – Control Systems	Y	N	Comment/ Remedial Action (if any)	Action Taken
18.1	Do control systems allow for failures, faults and constraints to be expected in the planned circumstance of use, with no increased risk to health and safety?	<input type="checkbox"/>	<input type="checkbox"/>		
18.2	Does a failure of any part of the control system or its power supply lead to a 'fail-safe' condition, which will not impede the operation of the 'stop' or 'emergency stop' controls?	<input type="checkbox"/>	<input type="checkbox"/>		

	Reg. 19 – Isolation	Y	N	Comment/ Remedial Action (if any)	Action Taken
19.1	Are there suitable means to isolate the equipment from all sources of energy (e.g. multiple lockable hasps, removal of plug, close and lock off valves, drain/vent outlets, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>		
19.2	Are the means of isolation clearly identifiable?	<input type="checkbox"/>	<input type="checkbox"/>		
19.3	Are they accessible?	<input type="checkbox"/>	<input type="checkbox"/>		
19.4	Are there appropriate measures to ensure that reconnection does not expose any person to a risk of injury (e.g. reconnection initiating movement, adequate guards)	<input type="checkbox"/>	<input type="checkbox"/>		
	Reg. 20 – Stability	Y	N	Comment/ Remedial Action (if any)	Action Taken
20.1	Is the equipment stabilised by clamping or otherwise where necessary to prevent risk of injury (e.g. machines bolted to floor, scaffolds tied to building, outriggers on mobile cranes, etc.)	<input type="checkbox"/>	<input type="checkbox"/>		
	Reg. 21 – Lighting	Y	N	Comment/ Remedial Action (if any)	Action Taken
21.1	Are the places where the work equipment is to be used suitably and sufficiently lit (local lighting may be required on certain machines e.g. lathes, sewing machines)?	<input type="checkbox"/>	<input type="checkbox"/>		
	Reg. 22 – Maintenance Operations	Y	N	Comment/ Remedial Action (if any)	Action Taken
22.1	Is maintenance carried out with the machine stopped and isolated? If Y go to Reg 23	<input type="checkbox"/>	<input type="checkbox"/>		

22.2	If not and it is reasonably practicable to do so, are maintenance operations carried out without exposing persons to risk?	<input type="checkbox"/>	<input type="checkbox"/>		
22.3	If not, are there measures in place to reduce the risk of injury (e.g. temporary guards, limited movement controls, PPE, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>		

Reg. 23 – Markings		Y	N	Comment/ Remedial Action (if any)	Action Taken
23.1	Is the equipment appropriately marked for health and safety purposes e.g. emergency stop controls, safe working load, colour code of gas cylinders	<input type="checkbox"/>	<input type="checkbox"/>		
23.2	Do all markings comply with BS 5378 or Safety Signs and Signals Regulations 1998?	<input type="checkbox"/>	<input type="checkbox"/>		

Reg. 24 – Warnings		Y	N	Comment/ Remedial Action (if any)	Action Taken
24.1	Are all warnings and warning devices unambiguous, easily understood, easily perceived (e.g. signs complying with the Safety Signs and Signals Regulations 1998, audible visible warnings on fork lift trucks, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>		

Assessors Confirmation	
I have carried out this assessment on this work equipment and have/ have not (delete as appropriate) made recommendations for actions to be taken to achieve compliance, based on my findings on the day of the assessment	
Name:	
Signature: Date:	
1st Review Date:	
2nd Review Date:	
3rd Review date:	

Equality and Human Rights Analysis

Title:

HS10 Provision and Use Work Equipment

Area covered: Trust Wide

What are the intended outcomes of this work?

To review the Health And Safety Procedures above.

This procedure is paramount to maintaining the health and safety of everyone who uses equipment in the Trust to undertake any work activities.

To do this we need to consider what might cause harm to people and or the environment and to consider the procedure in place to provide this protection.

Any work activity identified as having significant risks in their application is required to have a risk assessment.

Who will be affected?

Staff, Patients, Service Users, Visitors, Contractors.

Evidence

What evidence have you considered?

The procedures

Disability including learning disability

Risk assessments will consider a range of vulnerable groups including those who have disabilities.

Sex

No issues identified within discussions.

Race

No issues identified within discussions.
Age Risk assessments will consider a range of vulnerable groups including younger/older people.
Gender reassignment (including transgender) No issues identified within discussions.
Sexual orientation No issues identified within discussions.
Religion or belief No issues identified within discussions.
Pregnancy and maternity Risk assessments will consider a range of vulnerable people including pregnant women/new mothers.
Carers No issues identified within discussions.
Cross Cutting All groups of people will be subject to health and safety and protection.
Other identified groups No issues identified within discussions.

Human Rights	Is there an impact? How this right could be protected?
This section must not be left blank. If the Article is not engaged then this must be stated.	
Right to life (Article 2)	Human Rights Based Approach Supported. The above procedures aim to maintain the health and safety (including life) of all people using /working/visiting the

	Trust premises.
Right of freedom from inhuman and degrading treatment (Article 3)	No Issues identified within Discussions.
Right to liberty (Article 5)	No Issues identified within Discussions.
Right to a fair trial (Article 6)	No Issues identified within Discussions.
Right to private and family life (Article 8)	No Issues identified within Discussions.
Right of freedom of religion or belief (Article 9)	No Issues identified within Discussions.
Right to freedom of expression Note: this does not include insulting language such as racism (Article 10)	No Issues identified within Discussions.
Right freedom from discrimination (Article 14)	No Issues identified within Discussions.

Engagement and involvement

N/A

Summary of Analysis

Eliminate discrimination, harassment and victimisation

The procedures above all relate to health and safety of all people using/ visiting/working the Trust.

Pregnant women/ mothers of new born babies

People with Disabilities

Younger /older people are identified as vulnerable groups within the procedures.

Advance equality of opportunity

N/A

What is the overall impact?

No negative/adverse impact detected.

Addressing the impact on equalities

N/A

Action planning for improvement

N/A

For the record

Name of persons who carried out this assessment:

Carlton Brooks

Mark Clayton

Date assessment completed:

Name of responsible Director/Lead Trust Officer

Executive Director of Communication and Corporate Governance

Date assessment was signed:

October 2018

Action plan template

This part of the template is to help you develop your action plan. You might want to change the categories in the first column to reflect the actions needed for your policy.

Category	Actions	Target date	Person responsible and their Division
Other			
Data collection and evidencing			
Analysis of evidence and assessment			
Monitoring, evaluating and reviewing			
Transparency (including publication)			

