

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 11 DECEMBER 2007

REPORT BY THE SECRETARY OF THE STAFF SIDE

6(A) EYE TESTS AND CORRECTIVE APPLIANCES

WARD(S) AFFECTED: None

RECOMMENDATION - that the Council reviews the sum of money it reimburses to users of display screen equipment for the cost of eye tests and corrective appliances where these are necessary for their work with DSE

1.0 Purpose/Summary of Report

1.1 To draw to the attention of panel members the need to review at regular intervals the cost of eye tests and corrective appliances, in order to keep pace with the cost of inflation.

2.0 Contribution to the Council's Corporate Priorities/Objectives

2.1 Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.

3.0 Background

3.1 All employers are required to comply with the Health and Safety (Display Screen Equipment) Regulations 1992. Regulation 5 states the following:

Regulation 5 requires each employer to ensure that users employed by him are provided-

- (a) with initial eye and eyesight tests on request;
- (b) at regular intervals thereafter and with the consent of the users concerned, with subsequent eye and eyesight tests;
- (c) with additional eye and eyesight tests on request, where the users concerned are experiencing visual difficulties which might reasonably be considered to be caused by work on display screen equipment; and
- (d) with appropriate special corrective appliances, where normal corrective appliances cannot be *used* and any eye and eyesight tests carried out on the users concerned in accordance with regulation 5 show such provision to be necessary.

Guidance has been issued by the Health and Safety Executive (HSE) to local authorities on Regulation 5 as follows:

Eyes and eye sight (REG. 5)

10 (1) There is good evidence that work with DSE does not cause any permanent damage to eyes or eye sight, although complaints of temporary discomfort, eye strain and headaches are common. As with any work that is visually demanding, users with existing uncorrected vision defects are more likely to suffer fatigue and stress in DSE work. The eye tests and corrective appliances provided under reg. 5 are intended to be a means of alleviating such problems.

(2) HSW s.9 is applicable to payment for eye tests and special corrective appliances. Employers are responsible for costs. Special corrective appliances paid for by the employer remain the employer's property.

(3) There is no legal requirement for employers to provide paid time-off for eye tests, although in practice the majority of employers will probably do so.

Users who arrange their own tests

14. There have been questions about an employer's liability if users arrange an eye test for themselves and then present the bill to their employer for payment. Under the regulations, the employer should provide an eye and eyesight test after it has been requested by a user. The employer does not have to pay for tests users have had - he could arrange to provide another test instead. However, in practice, reimbursement of an employee for a test they have already had might be equally satisfactory from the employer's point of view and is clearly preferable for the user.

Corrective Appliances

18. Some employers are stating that they will provide a fixed sum of money towards the cost of corrective appliances equivalent to the cost of basic single vision spectacles. This may fall short of the Regulations when:

(i) the fixed sum may not be sufficient to account for regional variations in price of basic single vision spectacles; or

(ii) when users have been prescribed appliances more complex than basic single vision spectacles for their work with DSE.

4.0 Report

4.1 The Council acknowledges its responsibility under Regulation 5 and has a procedure whereby employees can claim for both the cost of the eye test and the corrective appliance if required for DES work. (Appendix A page 6.4) However, this badly needs updating since the sum reimbursed has not kept in line with inflation. The cost of an eye test is anything between £17.00 and £30.00 (average £23.50) and the

cost of glasses has risen dramatically from £70.00 for single focal lenses and £100.00 for multi focal lenses.

4.2 The HSE guidance above does suggest that a fixed sum of money may in any case fall short of the Regulations and that employers should be meeting the full cost of basic single or multi focal lenses, where these are required for work with DSE.

5.0 Consultation

5.1 None

6.0 Legal Implications

6.1 Non-compliance with the Health and Safety Regulations could have serious consequences for a local authority.

7.0 Financial Implications

7.1 Minimal

8.0 Human Resource Implications

8.1 None

9.0 Risk Management Implications

9.1 None

Background Papers

None

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