

Eye Test Arrangements

Legal Duties

THE HEALTH AND SAFETY (DISPLAY SCREEN EQUIPMENT) REGULATIONS 1992

INTRODUCTION

1 The Health and Safety (Display Screen Equipment) Regulations 1992 (DSE Regulations), came into force on 1 January 1993. This report highlights the key requirements for the provision of eye testing arrangements that must be met by the employer.

Eyes and eyesight testing

5.—(1) Where a person-

(a) Is already a user on the date of coming into force of these Regulations; or

(b) Is an employee who does not habitually use display screen equipment as a significant part of his normal work but is to become a user in the undertaking in which he is already employed, his employer shall ensure that he is provided at his request with an appropriate eye and eyesight test, any such test to be carried out by a competent person.

(2) Any eye and eyesight test provided in accordance with paragraph (1) shall-

(a) In any case to which sub-paragraph (a) of that paragraph applies, be carried out as soon as practicable after being requested by the user concerned; and

(b) in any case to which sub-paragraph (b) of that paragraph applies, be carried out before the employee concerned becomes a user.

(3) At regular intervals after an employee has been provided with an eye and eyesight test in accordance with paragraphs (1) and (2), his employer shall, subject to paragraph (6), ensure that he is provided with a further eye and eyesight test of an appropriate nature, any such test to be carried out by a competent person.

(4) Where a user experiences visual difficulties which may reasonably be considered to be caused by work on display screen equipment, his employer shall ensure that he is provided at his request with an appropriate eye and eyesight test, any such test to be carried out by a competent person as soon as practicable after being requested as aforesaid.

(5) Every employer shall ensure that each user employed by him is provided with special corrective appliances appropriate for the work being done by the user concerned where-

(a) Normal corrective appliances cannot be used; and

(b) The result of any eye and eyesight test which the user has been given in accordance with this regulation shows such provision to be necessary.

(6) Nothing in paragraph (3) shall require an employer to provide any employee with an eye and eyesight test against that employee's will.

Costs

Where the test shows the need for a **special corrective appliance**, the employer must fund the **basic** cost. Bi and Varifocal lenses are now included in the definition of special corrective appliances. The employer is not required to fund the cost of designer frames or additional coatings for lenses; however the regulations do not prescribe any amounts that the employer must contribute as this should be decided locally.

Employers only have to pay for spectacles if special ones (for example, prescribed for the distance at which the screen is viewed) are needed and normal ones cannot be used.

The Council currently reimburses all employees on the following basis:

- (a) £14.50 contribution toward the cost of the test, this is dependent on the amount charged by the optician e.g. where a test costs less than this amount the amount charged is reimbursed. However it must be noted that the regulations state the following in respect to costs for eye tests:

Employers must ensure that employees are aware of their entitlement to yearly eye tests, with the cost of the eye test met by the employer in full.

- (b) £70.00 contribution made to all employees for single vision lenses (excluding frames and additional coatings which the employer isn't required to contribute toward)
- (c) £100.00 contribution toward the cost of Bi/Varifocal lenses (excluding frames and additional coatings for which the employer isn't required to contribute toward)

Where the costs of lenses is less than the rate e.g. £48.50, the full cost is reimbursed, this may be as a result of special offers and discounts applied by the optician or through use of vouchers.

VAT Requirements mean that all reimbursements are settled through payroll and unless lenses are prescribed solely for the purpose of work and use with Display Screen Equipment and for no other purpose e.g. reading, driving etc are subject to tax. Lenses prescribed for sole use when using Display Screen Equipment are reimbursed through payroll and are non taxable items.

It has always been the practice that the Council provides a contribution toward the cost of lenses for all users regardless of whether the prescribed lenses are solely for use with Display Screen or not.

A schedule of reimbursements for 2006 and 2007 is provided in Appendix A

Regulation 5 gives users a right to free eye and eyesight tests upon starting computer work and at regular intervals thereafter. Employers have arranged a variety of ways of meeting this requirement:

- By allowing the user to go to his/her own optician who bills the employer
- by providing the employee with a voucher for a certain amount
- by directing the employee to an optician of the employer's choice.

East Herts currently has an arrangement with Stuart Davidson Opticians in Hertford that employees may choose to use; employees may choose to visit an optician of their choice. There has been no arrangement for a similar service in Bishops Stortford.

The average cost of a standard eye test varies across the range of opticians from £17.00 to £25.00 approximately; the Council currently contributes £14.50 toward the cost of the test.

The cost of lenses has increased and ranges from £90.00 - £150 for standard single vision lenses and £200 to £300 for Bi/vari focal lenses; this is based on a sample of claims submitted for 2006 and 2007.

There is no legal requirement to contribute toward the cost of contact lenses as is present practice as these cannot be considered as required specifically for DSE use.

Other arrangements and Provisions for Eyesight testing

There are a number of private companies that offer on site testing arrangements that involve a mobile testing unit parking on site, employees book appointments and if lenses are required they choose from the selection supplied by the provider.

However users still maintain the right to have their eye tests conducted by an optician of their choice and select their own frames

There are also practical issues against this provision of eye testing

- Limited on site space for equipment
- Limited parking space for the mobile unit
- Travel to the providers premises requires an individual to be absent from work for longer periods
- Established familiarity with existing optician and knowledge of personal history and medical background.
- Some suppliers charge if a minimum number of appointments isn't met.

The rates and arrangements for eye tests haven't been reviewed for some considerable time.

Users

Regulation 1 plus guidance defines DSE "users", employees who habitually use display screen equipment as a significant part of their normal work. The other Regulations apply to users who work:

- at their employer's workstation
- at home
- at another employer's workstation

Regulation 1 also defines an "operator", a self-employed computer worker, to whom the other Regulations partly apply.

A user must fulfil most or all of the following criteria:

- be dependent on a computer to do the job
- have no discretion on the use of a computer
- need significant training and skills
- use a computer for an hour or more at a time
- use a computer more or less daily
- need rapid input and output of information
- have high levels of attention and concentration

Jobs that are almost certainly 'users':

- Word processing worker
- Secretary or typist
- Data input operator
- News sub-editor
- Journalist
- Telesales/customer complaints/accounts enquiry/directory enquiry operator
- Microelectronics assembly or testing operative
- Television editing technician
- Security control room operative
- Air traffic controller
- Financial dealer
- Graphic designer
- Librarian

Deciding who is a User

The Health and Safety (Display Screen Equipment) Regulations 1992 as amended by the Health and Safety (Miscellaneous Amendments) regulations 2002 outlines the guidance and regulations on DSE.

The following table is designed to act as guidance to determine who is classed as a user and who is not.. The table relate to the specific examples described under the heading **Jobs that are almost certainly 'users':**

Decisions on whether a job holder is a user or operator might be different for other jobs with the same job titles.

Note

Definitions applied to Table.

Yes means this does apply on a typical working day (not necessarily on all days)

Maybe Means either this applies to the job on some days but not on others, or that it applies to some such jobs but not others. In either case, there may be a need for further thought or investigation to reach a decision.

No Means this never applies, or there are only occasional days in the year when it applies.

Job example	Does the jobholder's DSE work involve:							Decision
	Continuous spells of an hour or more?	Daily use of DSE?	Fast information transfer?	High attention and concentration?	High dependency on the DSE?	Little choice whether or not to use the DSE?	Special training or skills?	
Word processing	Yes	Yes	Yes	Maybe	Yes	Yes	Yes	Definitely 'users' or 'operators'
Secretary	Yes	Yes	Yes	Maybe	Maybe	Maybe	Yes	
Data input operator	Yes	Yes	Yes	Maybe	Yes	Yes	Yes	
News sub-editor	Yes	Yes	Yes	Maybe	Yes	Yes	Yes	
Journalist	Yes	Yes	Yes	Maybe	Maybe	Maybe	Yes	
Telesales/ complaints/ enquiries	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly/ testing operative	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
TV editing technician	Yes	Yes	Yes	Maybe	Yes	Yes	Yes	
CCTV control room worker	Yes	Yes	Maybe	Maybe	Yes	Yes	Maybe	
Air traffic controller	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Financial dealer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Graphic designer	Yes	Yes	Yes	Maybe	Yes	Yes	Yes	
Librarian	Yes	Yes	Yes	Maybe	Yes	Yes	Yes	
Scientist/ technical adviser	Maybe	Yes	Maybe	Maybe	Maybe	Yes	No	May be 'users' or 'operators'
Client manager	Maybe	Yes	Maybe	Maybe	Maybe	Yes	No	
Banking customer support	Maybe	Yes	Maybe	Maybe	Yes	Yes	Maybe	
Airline check-in clerk	Maybe	Yes	Maybe	Maybe	Yes	Yes	Yes	
Community care fieldworker	Maybe	Maybe	Maybe	Maybe	Maybe	Maybe	No	
Receptionist (first example)	Maybe	Yes	Maybe	No	Maybe	Yes	Yes	
Senior manager (first example)	No	Yes	No	Maybe	Maybe	Maybe	No	Not 'users' or 'operators'
Senior manager (second example)	Maybe	No	No	Maybe	Maybe	No	No	
Receptionist (second example)	No	No	No	No	No	Maybe	No	

Portable DSE (laptop computers and handheld computers)

The DSE regulations (amended 2002) set out specific guidance regarding purchasing and use of portable computers:

- As low a weight as possible (preferably less than 3 kg)
- Take sensible precautions in respect of personal security when transporting portable DSE and ensure it is stored out of view when travelling by car.
- Consider the physical capability of the user in particular regarding carrying and preferably provide a non-identifiable rucksack (for security reasons) with shoulder straps rather than an over the shoulder bag.
- Look for tilt adjustable keyboards
- For office use set up a docking station with separate keyboard, mouse and screen.
- Set up an assess under standard risk assessment process for both work and home use
- Avoid prolonged use of the standard laptop keyboard

Handheld computers are not expected to be used for long periods of time. It is imperative that those who use portable DSE equipment to work at home should attend both the Manual Handling as well as the DSE training courses

Table of Reimbursements

The following table outlines the total reimbursements against the costs made for eye tests and lenses. The table also identifies the number of users that require lenses solely for use when using Display Screen Equipment.

These costs cover the following period:

01 January 2006 – 31 December 2006

01 January 2007 – 31st December 2007

Year	Cost Eye Test	Reimbursement Costs by Frame Type		Total Number of Users		Cost breakdown by number of claimants				
		Cost Single Vision Lenses	Cost Bi/Vari Focal Lenses	For Sole DSE Use	All Purpose and DSE Use	Claims for test only	Claims for lenses only	Claims for Lenses and Test	Exempt from charges for Test	No claim for costs submitted
2006	£813.00	£2170.45	£2704.00	2	72	12	16	45	1	0
2007	£717.25	£1841.40	£1599.00	0	62	17	10	31	0	2
TOTAL	£1530.25	£4011.85	£4303.00							

AGENDA ITEM 6(A)

Arrangements used by other Local Authorities

EERA conducted a straw poll on behalf of East Herts and were asked to put the following question to them:

'I am currently undertaking a survey of eye testing arrangements and thought it might be useful to see what other authorities are doing; I am particularly keen to know what costs other local authorities reimburse to employees and what arrangements, if any, they have with any opticians or other eye care providers.'

A summary of the 14 local authorities that responded is provided here:

EMAIL SURVEY: EYE TESTS – JANUARY 2008

South Norfolk

Very briefly we now use the Specsavers voucher scheme which costs £17.50 and includes an eye test and a pair of single vision glasses if need for VDU work.

Welwyn Hatfield DC

We use Accor Services to provide eye care vouchers to our employees. The vouchers are welcomed in over 95% of the UK's opticians - including most of the major optical groups as well as thousands of local independents.

We provide eye examination vouchers which cover the full cost of a complete eye and eyesight examination. These can be requested every 2 years unless the optician states that more regular tests are required.

If the optician states that glasses are required for VDU use alone or with general use we will provide a spectacles voucher worth £55 to cover the cost of a basic frame and prescribed lenses.

Suffolk Coastal DC

Employee Guidelines

The Eye Care Scheme provides for initial eye/eyesight tests for existing and new DSE users, provision of special corrective spectacles if necessary, and subsequent regular testing.

Employees in the category of "user" are positively encouraged to make use of the scheme. Your manager may request that you attend an examination if there is cause for concern about your well-being.

Suffolk Coastal DC - Your entitlements

If you are a VDU user, or about to become a VDU user, then SCDC will pay for you to have an eye and eyesight test. This can be arranged at no cost to yourself through our arrangement with Local optician. If you choose to attend an Optician of your choice, then you will be reimbursed up to a maximum of £18.

If the test shows that you need glasses *solely and specifically* for VDU work, then SCDC will pay for a *basic* pair of frames and lenses. This can be arranged at no cost to yourself through our arrangement with Local optician. If you choose to attend an Optician of your choice, then you will be reimbursed the recommended NHS charges applying at the time of examination/prescription. You should agree this cost with Human Resources in advance.

If you wish to have additional features (eg designer frames, tinted lenses) which are not required under the Regulations, or your corrective prescription for VDU use is included in a more complex prescription, then SCDC will only reimburse the proportion of the cost of the prescription which relates to VDU use (this is currently set at £40, unless advised otherwise by your Optician).

If your normal glasses for other work are suitable for VDU work, then you are not entitled to claim reimbursement from SCDC.

Essex CC

What are the likely costs of basic (plastic) lenses and basic frames?

The optician will indicate the costs on Part C of the reimbursement form which they are required to complete. In order to assist staff and their managers check that the charges are reasonable, checks were made with a number of opticians in November 2006. It found the following ranges:

- Eyesight tests: £18 - £25
- Simple basic (plastic) lenses: £39 - £60
- Frames: £29 - £70

What if an employee would prefer more expensive spectacles?

In this case the Council would reimburse the employee with an amount equal to the cost of basic (plastic) lenses and basic frames. The employee would pay the difference.

Can the employer insist an employee has an eye and eyesight test?

The regulations entitle VDU Users to an eye and eyesight test. VDU Users cannot be required to have an eye and eyesight test against their will.

Are agency workers covered by this procedure?

The Council is not responsible for meeting the costs where the temporary worker is either an employee of the agency or they are self employed. Where the agency is the employer it is the agency which is responsible for meeting the cost.

Will the cost of contact lenses be reimbursed?

The provision of contact lenses is not ruled out under the regulations but in practice it is unlikely that they would be satisfactory. They need to be prescribed for the distance at which the screen is used. It follows that when the User changes to a different work activity or leaves their workstation for any other reason, they will need to remove them to see clearly at other distances. This would be inconvenient with contact lenses.

Do I have to use an ECC approved optician?

No. You can use your own optician. However, a few opticians are now charging a form filling fee, which the Council will not reimburse. You will need to check this before your eye test and, if you do not want to pay the fee, you will need to use another optician.

Refer to the [employee benefits](#) pages of the Working here site for detail of opticians that provide discounts to ECC employees for spectacles and other eye care services.

Forest Heath DC

We currently use ACCOR for our eye test vouchers. We have to pre-purchase them in blocks of 5, 10, 20 or 50 vouchers at a cost £19.95 each.

We also provide spectacle vouchers for £55.00 for any member of staff who requires a specific prescription for VDU use.

ACCOR eyetest vouchers are valid in over 95% of all High Street Opticians. Staff like this system because they can chose or stay with their existing opticians. The downside for the employers is that it is relatively expensive and I do not find ACCOR particularly easy to work with.

We did use the Specsavers scheme, which costs £17.50 per voucher and includes in the cost of this 1 voucher a contribution of £30.00 towards a VDU use prescription, plus a discount for any member of staff towards the purchase of any spectacles. This system is cheaper than ACCOR, but lacks the flexibility of the ACCOR system, because staff have to use only Specsavers.

We had several complaints about poor service, lack of choice, or rushed appointments. At the end of a year, after staff and UNISON consultation, we reverted to the ACCOR vouchers.

South Beds DC

At South Beds, our occupational health service is provided by the Luton & Dunstable Hospital. As part of this arrangement, we hold regular eye screening sessions here at the offices run by Occupational Health which all employees are encouraged to attend. If, following the screening, any problems are detected, we will pay the employee £56 as reimbursement for the cost of a full eye test at their own optician and a contribution towards any corrective lenses.

West Norfolk DC

We allow staff to go to any optician of their choice but we only refund at Specsavers prices. We checked all opticians's cost before deciding on Specsavers. They must take a report form (copy attached) for the optician to complete. When we get that and relevant receipts we raise a payment in the next month's salary. The current costs we refund at are set out in the attached document. This procedure has worked well with minimal administration levels.

Hunts DC

Hi – employees who are classed as “users” under the DSE regulations can visit an optician of their choice. We pay the cost of the eye & eyesight test and, providing the spectacles are required specifically for computer use (specified on our internally produced form by the optician), we pay up to £60 toward the cost of spectacles or lenses.

Herts CC

Our eyecare benefits are provided by Specsavers - here are the details below:

If you are a Visual Display Unit (VDU) user or Display Screen Equipment (DSE) user, you can have the eye test FREE. Your line manager will need to sign the authorisation form to confirm this.

If you are prescribed glasses for VDU use only (i.e. that you need them specifically to use a computer), you can choose glasses with the following discounts:

If the glasses cost £30. or under, they are free.

If the glasees cost over £30, you get £30 off the price.

Additionally, if you buy glasses from over the £99 range, you also get a Premium Club voucher, entitling you to an extra £20 off (making the discount £50 for glasses of over £99). You are also entitled to another £20 Premium Club voucher for use by any member of your family.

Norwich CC

We use Spec savers we send employees as requested , the cost is £17per person. We also provide £39 towards the cost of glasses that are for sole use on VDUs.

Maldon DC

We provide an eye care voucher through Accor which can be exchanged for an eye test through participating opticians. We also pay up to £85 towards the costs of glasses that require an adjustment for VDU use or are required solely for VDU use - this is confirmed by the Optician on the report received.

Fenland DC

We reimburse the cost of the test at 2 yearly intervals and basic (NHS) cost as set out by the optician for the lenses (glasses only) if required for VDU use. We do also reimburse for basic (NHS) frames if the glasses are required for VDU use only (and the employee is designated as an habitual user). We do not currently have any specific arrangements with local opticians, and allow employees to use the optician of their choice.

We are looking at extending this cover for employees who are required to drive for the job (i.e. HGV etc), and so would be interested in the survey responses.

Southend BC

At Southend-on-Sea Borough Council, we currently pay £19.50 towards an eye-sight test and £49.95 towards corrective lenses should they be required solely and specifically for use with Display Screen Equipment. Currently employees can claim this contribution towards any lenses from any opticians.

However, we are currently assessing the possibility of using an external company to help us to both manage and meet this duty to all employees who work with Display Screens. They would take over all admin duties of the process and save us £7.50 per eye sight test, but, as I have said above, this is only at the trial stage at the moment and it is uncertain if we will continue to use them.

North Norfolk DC

North Norfolk District Council are currently members of the Eyecare voucher scheme provided by Accor Services.

Accor supply's NNDC with eye examination vouchers and spectacle vouchers. Eye examination vouchers are issued to employees and will cover the full cost of a complete eye examination (to the value of £19.95). Spectacle vouchers (to the value of £55) are issued if the employee requires glasses solely for VDU use or if glasses are required for general use incorporating a special prescription for VDU use.

95% of UK opticians accept the eyecare vouchers - for a full list of participating opticians, please visit: www.eyecarevouchers.co.uk. The optician is required to record the results of the eye examination on a Certificate of Recommendation slip. The results will determine whether the employee is entitled to a spectacle voucher.

The eye examination vouchers are purchased in books of 5, 10, 20 or 50 and the spectacles vouchers can purchased in books of 5 only.

Recommendation

1. That the Council ceases the contribution toward the cost of lenses for users where these are **not** supplied for sole use when using Display Screen Equipment.
2. Cessation of the contribution toward contact lenses
3. That the Council considers increasing the reimbursement allowance for users who only require prescription lenses for sole use with Display Screen Equipment.
4. That the Council considers reviewing the amount contributed toward reimbursement for tests in line with current charges levied by opticians
5. The Council considers the option of operating a voucher scheme (in line with the current scheme) in partnership with a service provider which will give employees a choice of opticians