

Appendix 5: Compliance Gap Letter Template

5.1 There is no proof of regular maintenance of RPE.

If the RPE looks to be in good condition or is new but there are no records or procedures for examination and maintenance then a letter quoting Regulation 9 (4) of the Control of Substances Hazardous to Health Regulations 2002 (as amended) can be used. Such as:

You should carry out thorough examination and, where appropriate, testing of respiratory protective equipment (other than for disposable respiratory protective equipment) at suitable intervals and keep a suitable record of those examinations and tests and of repairs carried out as a result of those examinations and tests. The record or a suitable summary thereof shall be kept available for at least 5 years from the date on which it was made.

The record of each thorough examination and test carried out should include:

- (a) the name and address of the employer responsible for the RPE;
- (b) particulars of the equipment and of the distinguishing number or mark, together with a description sufficient to identify it, and the name of the maker;
- (c) the date of examination and the name and signature or other acceptable means of identifying the person carrying out the examination and test;
- (d) the condition of the equipment and details of any defect found, including the condition of the filter;
- (e) for demand valve breathing apparatus, the pressure of air/gas in the supply cylinder; and
- (f) for powered respirators and breathing apparatus, the volume flow rate to ensure that they can deliver at least the manufacturer's minimum recommended flow rate.