

Ref: FOI 157-22

Pat Harrington  
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28<sup>th</sup> November 2022

Direct Line: 0161 701 0375  
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Dear Mr Harrington,

With reference to your Freedom of Information request, please see below the information in response to your queries:

**1. When were mandatory face masks for employees introduced in the Trust?**

Mandatory face masks were introduced in June 2020 in line with government instruction.

**2. When was the decision taken to introduce mandatory face masks for employees in the DSD Department?**

This mandatory requirement was introduced Trust wide, which included the DSD department.

**3. Who made that decision?**

Government policy.

**4. Were any risk assessments conducted prior to this to determine which roles should be covered?**

The wearing of facemasks was mandated at national level in June 2020. Prior to this risk assessments were only undertaken for those staff with compromised or chronic health conditions.

Please note, employees were required to complete a full COVID-19 risk assessment which focused risk relating to their individual circumstances in the role, as opposed to purely risk assessing the role.

**5. Was any Equality Impact Assessment carried out prior to the introduction of this mandatory policy?**

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Yes

**6. What consideration was given to those who were exempt on health grounds from wearing face masks?**

Please note, all employees were required to complete a full COVID-19 risk assessment which focused on the risk relating to their individual circumstances in the role, as opposed to purely risk assessing the role.

There were over 24,000 employees in the Trust in June 2020. Reasonable adjustments were considered on a case by case basis following the completion of a COVID-19 risk assessment. The Trust does not hold all completed risk assessments centrally, this is held by each manager/department. Therefore, in order to provide a definitive response to the above questions, the Trust would need to contact each manager/department across the Trust and manually review each risk assessment and the associated reasonable adjustments taken. The Trust has determined that to undertake this task would take the request over the appropriate limit.

The appropriate limit has been specified in regulations and it is set at £450 for public authorities. This represents the estimated cost of one person spending 18 hours in determining whether the Departments hold the information, locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act the Department is not obliged to comply with your request and we will not be processing your request any further.

**7. What guidance was provided to managers as to how to deal with those exempt on grounds of disability?**

Please see attached Appendices 1 and 2. Please note reasonable adjustments were considered on a case by case basis following the completion of a COVID-19 risk assessment.

**8. What training was provided to managers as to how to deal with those exempt on grounds of disability?**

No formal training was provided to managers.

**9. What documents/templates were produced to risk assess roles to determine the need for the wearing of masks and the possibility of making reasonable adjustments for those who were unable to wear masks for reasons of disability? Please provide these templates/documents.**

Please see attached Appendices 3 and 4.

**10. If no risk assessment has taken place What criteria has been used to determine whether it is necessary to wear face masks in a particular role?**

Not applicable.

**11. How many roles have you risk assessed to determine if wearing a face mask is necessary or if reasonable adjustments can be made for those unable to wear facemasks?**

Please note, all employees were required to complete a full COVID-19 risk assessment which focused on the risk relating to their individual circumstances in the role, as opposed to purely risk assessing the role.

There were over 24,000 employees in the Trust in June 2020.

**12. Where it was decided that staff who could not wear face masks for reason of disability could not continue in their role what plans had the Trust made to give them to continue their work or offer alternative work?**

Please see response to point 6.

**13. Do job adverts within the Trust clearly state whether the role is open to those who are unable for reason of disability to wear a face mask?**

No this is not specified in job vacancies, however as part of the recruitment process an individual would be required to complete a health questionnaire which would enable a hiring department to assess whether any required reasonable adjustments can be made.

**14. How many roles within the Trust are open to those unable to wear a face mask (please breakdown by Department)?**

The Trust does not hold a specific list of roles that are open to those unable to wear a face mask.

As the request is very broad, information that we may hold that would likely be within scope of the request would be held at department level and therefore every department would need to be contacted and this would take the request over the appropriate limit.

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disability  
confident

**15. Have you conducted an Equality Impact Assessment regarding those who are unable to wear face masks for reasons of disability?**

Yes

**16. Do you currently use CLEANSPEACE HALO respirators or PPE of a similar type in any of your departments?**

No, the Trust does not currently use Cleanspace Halo respirators or half-face powered respirators.

**17. Have you considered trialing these for those who find it difficult to wear surgical masks or similar?**

The Trust does not hold this information.

**18. Have you conducted any risk assessments using face shields as an alternative for those who cannot wear face masks?**

Please see response to point 6.

**19. How many risk assessments have been carried out regarding the necessity of wearing face masks in particular roles within the Trust?**

Please see response to point 11.

**20. Have those risk assessments considered reasonable adjustments such as alternative masks and face shields?**

Please see response to point 6.

**21. What provision have you made for staff to take breaks where they can remove their masks?**

Please see response to point 6.

**22. Have you monitored the effect on the health and mental well-being of staff considering the duration they are wearing face masks?**

Please see response to point 6.

**23. Have Occupational Health made recommendations to the Trust concerning risk assessment of roles for those unable to wear face masks?**

Managers were recommended to undertake risk assessments as and when necessary. The number of such is not documented.

**24. In how many cases have they made recommendations?**

Please see response to point 6.

**25. In how many cases have these recommendations been followed?**

Please see response to point 6.

**26. Where recommendations have not been followed what was the decision making process which determined that?**

Please see response to point 6.

**27. How far has the Trust considered the introduction of policy and procedures concerning mandatory face masks from the standpoint of indirect discrimination?**

Please be advised that the FOI Act gives a general right of access to all types of recorded information held by public authorities. We are not required to create new information to respond to a request, or give a judgement or opinion that is not already recorded. This information is not held.

**28. How has the Trust engaged with Trade unions in determining policy on face masks, conducting risk assessments and avoiding indirect discrimination?**

**29. Has the Trust refused to deal with any union which has approached them with a health and safety concern or a concern about the application of face mask policy?**

**30. Is the Trust willing to engage with any union which raises health and safety concerns or concerns about the face mask policy on behalf of a member employed by the Trust?**

Points 28, 29 and 30 are answered together.

The Trust proactively engages with Staff Side on all matters which may directly or indirectly impact staff such as policies or procedures.

The Trust does not hold this specific information centrally. In order to determine if the Trust holds this information in documented format, it would need to contact every manager across the Trust. The Trust has determined that to undertake this task would take the request over the appropriate limit.

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**31. Is there an individual or Department within the Trust specifically tasked with overseeing risk assessments concerning COVID in general and the introduction of mandatory face masks in particular?**

**32. Who is/are that/they?**

Points 31 and 32 are answered together.

Departmental managers are responsible for overseeing COVID-19 risk assessments in their managerial area and ensuring that mandatory requirements are followed.

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If you are unhappy with the way your request has been handled you may ask for an internal review by writing to the FOI team at the above address within 40 working days of this letter. If you are not satisfied with the outcome of the review, you can then ask the Information Commissioner's Office (ICO) to make a decision. Generally the ICO cannot make a decision unless you have completed the Trust's internal review process.

The ICO contact details are:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF

Telephone: 0303 123 1113

Website: [www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely

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