

WORKPLACE (HEALTH, SAFETY AND WELFARE) REGULATIONS 1992

REQUIREMENTS (Regulation 4) - Employers, and the occupier of any factory shall ensure that workplace under their control, and where any of their employees work, comply with the regulations. Persons in control of the workplace to any extent (e.g. owners, landlords) shall ensure compliance in matters within their control. Where the workplace is in a building the building shall have the stability and solidity appropriate to the use of the workplace.

MAINTENANCE (Regulation 5) - The workplace and the equipment, devices and systems to which this regulation applies shall be maintained in an efficient state, in efficient working order and in good repair, and shall, insofar as a fault could result in a failure to comply with the regulations, be subject to a system of maintenance.

Note - The ACoP defines 'system of maintenance' in terms of planned maintenance rather than breakdown maintenance, i.e. there must be evidence of effort (e.g. inspection, repair) to avoid failure. It lists ventilation systems, emergency lighting, safety fences, window cleaning devices, door safety devices and moving walkways as examples of where evidence of a system (e.g. records) is necessary.

VENTILATION (Regulation 6): Every enclosed workplace shall be ventilated by sufficient fresh or purified air. Ventilation plant shall include a warning device to indicate failure. The ACoP states that windows or other openings will provide sufficient ventilation in most cases, but mechanical ventilation should be provided if the rate could fall below 5 - 8 litres per second per occupant. If workers are subject to uncomfortable draughts they should be re-sited if air flow cannot be controlled. The ventilation of confined spaces (eg workplace inside work equipment) is the subject of separate regulations.

TEMPERATURE(Regulation 7): A reasonable temperature shall be maintained in workplace during working hours. A WP shall be adequately thermally insulated where necessary, with regard to the type of work and the physical activity of the worker and also avoiding excessive effects of sunlight on temperature. Any method of heating or cooling shall not result in injurious or offensive fumes entering the workplace. Sufficient thermometers shall be provided to enable persons to determine the temperature in any workplace inside a building. The ACoP states that the temperature in workrooms should be at least 16oC, or 13oC where the work involves severe physical effort. Where the temperature would be uncomfortably high, steps should be taken to achieve a reasonable temperature (e.g. insulation, air cooling, shading windows, working away from hot sources); if the discomfort results from temporary hot weather, it would be reasonable to increase ventilation.

LIGHTING (Regulation 8): Every WP shall have suitable and sufficient lighting, which should be by natural light. Emergency lighting shall be provided where persons are especially exposed to danger if artificial lighting fails. The ACoP requires that stairs be well lit (no shadows over the treads) and also pedestrian crossings on vehicle routes. Lighting should not cause dazzle, glare or be a fire hazard (eg in flammable atmospheres); it should not be obscured by stacked goods and should be replaced, repaired and cleaned as necessary. Windows and skylights should be free of obstruction and kept clean, but may be coated to reduce glare. The need for emergency lighting should be

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considered during risk assessments and the preparation of emergency procedures, e.g. it must be provided if the shutdown of process plant cannot be done safely without emergency lighting.

CLEANLINESS, WASTE MATERIALS (Regulation 9): Every workplace and the furniture, furnishings, fittings therein shall be kept sufficiently clean. Likewise, the surfaces of the floor, wall and ceiling of every indoor workplace shall be capable of being kept clean. Waste should not be allowed to accumulate except in suitable receptacles (eg bins, bunkers). The ACoP exemplifies the need to keep floors clear of materials and substances liable to cause persons to trip or slip and to ensure that cleaning does not itself create risks. It discourages cleaning methods likely to result in dangerous concentrations of dust and cleaning agents in the atmosphere. Walls and ceilings should have a washable surface (coatings should not increase fire risk) and floor surfaces liable to absorb oil, greases etc should have a suitable non-slip coating. Workplaces should be kept free from offensive waste products and discharges.

SPACE (Regulation 10): Workplaces shall have sufficient floor area, height and unoccupied space for the purposes of health safety and welfare be at least 11m³ per person should be allowed, counting any headroom above 3m as 3m. The space taken up by furniture, fittings and equipment, and their layout must be taken into account. The ration does not apply to kiosks, shelters, control cabs or rooms used for lectures and meetings.

WORKSTATIONS AND SEATING (Regulation 11): Workstations shall be suitable both for any person and for any work likely to be done there. Work stations outdoors:-

- shall afford ready means of escape in emergency
- should afford protection from adverse weather
- shall ensure persons cannot slip or fall.

Seating shall be provided where work can or must be done sitting, and shall be suitable i.e.

- suitable for the person (eg adjustable) as well as the work
- a footrest provided where necessary.

The ACoP refers to the risks of prolonged repetitive movements such as bending, stretching, gripping, twisting and reaching.

FLOORS AND TRAFFIC ROUTES (Regulation 12): Floors and the surface of traffic routes shall be suitably constructed for their intended purpose including requirements that –

- the floor or surface shall have no slope or hole (unless fenced), or be so uneven or slippery as to endanger H&S
- they shall be effectively drained.

Floors and surfaces should be kept free from obstruction and articles or substances which may cause persons to slip, trip or fall. Suitable handrails shall be provided on traffic routes which are staircases. The ACoP acknowledges that where there is a significant risk of slipping, the solution may involve both treating the surface and providing slip resistant footwear. The condition of surfaces is seen as a factor in losing control of things being lifted or carried, or of

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vehicles and their loads. The need to make arrangements to minimise risks from snow, ice and spillage is also emphasised.

FALLS OR FALLING OBJECTS (Regulation 13): Where there is a risk of falling into any tank, pit or structure containing a dangerous substance i.e.

- likely to scald or burn
- poisonous or corrosive
- an asphyxiating fume, gas or vapour
- a granular free-flowing or viscous substance of a nature or quantity to cause harm (e.g. in a silo).

GLAZING (Regulation 14): All windows or other transparent or translucent surfaces in doors, gates or walls shall, where necessary for health and safety -

- be of safe material or protected against breakage
- bear a conspicuous mark or feature.

WINDOWS (Regulations 15-16): The opening, closing or adjusting of a window, skylight or ventilator shall not pose a risk to the person doing it. No window, skylight or ventilator shall be capable of staying open in a position likely to cause danger to anyone (Regulation 15). All windows or skylights shall be of a design or so constructed that they may be cleaned safely, account being taken of equipment used or devices fitted to the building (Regulation 16).

TRAFFIC ROUTES (Regulation 17): Workplace shall be so organised that pedestrians and vehicles can circulate safely. All traffic routes shall be suitably indicated where necessary. (Traffic routes in a WP shall be suitable for the persons and vehicles using them, sufficient in number, in suitable positions, of sufficient size) with

- no danger to persons working nearby
- Sufficient separation of vehicle routes from doors or gates (e.g. one-way systems) and separation from pedestrian routes which lead onto them (e.g. crossings)
- Sufficient separation between vehicles and pedestrians on common routes.

DOORS AND GATES (Regulation 18): Doors and gates shall be suitably constructed such that –

- any sliding door or gate has a device to prevent it coming off its track in use
- any rising door or gate has a device to prevent it falling back
- any powered door or gate has features to prevent it causing injury by trapping anyone and to allow it to be operated manually or open automatically if the power fails
- when closed, swing doors or gates provide a clear view of the space close to both sides.

ESCALATORS AND MOVING WALKWAYS (Regulation 19): These shall function safely and be equipped with any necessary safety devices and emergency stop controls.

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SANITARY CONVENIENCES (Regulation 20): Suitable and sufficient sanitary conveniences shall be provided and be readily accessible.

Sanitary conveniences shall not be suitable unless the rooms containing them are-

- adequately ventilated and lit
- in a clean and orderly condition
- segregated between men and women, unless each SC is in a separate room with a door capable of being secured from the inside.

WASHING FACILITIES (Regulation 21): Suitable and sufficient washing facilities, including showers if required, shall be provided and readily accessible. Washing facilities shall not be suitable unless -

- they are close to SC and any changing rooms, whether or not provided elsewhere
- they include hot and cold, or warm water, which should be running water
- soap and towels, or other means of cleaning and drying are provided
- the rooms are sufficiently ventilated and lit
- the rooms are kept in a clean, orderly condition
- segregated between men and women unless intended for use by only one person and securable from the inside, or used only for washing the hands, forearms and face only.

DRINKING WATER (Regulation 22): An adequate supply of wholesome drinking water shall be provided which is readily accessible at suitable places and conspicuously marked. Sufficient and suitable cups or vessels shall be provided, unless the supply is a jet from which persons can drink easily.

ACCOMMODATION FOR CLOTHING (Regulation 23): Suitable and sufficient accommodation shall be provided for-

- personal clothing not worn at work
- work clothing which is not taken home.

The accommodation for clothing shall not be suitable unless –

- it provides security for clothing not being worn
- personal and work clothing are separated where necessary to avoid risks to health or damage to clothing
- suitably located.

The accommodation should allow or include facilities for drying clothing.

FACILITIES FOR CHANGING CLOTHING (Regulation 24): Suitable and sufficient facilities shall be provided for persons to change clothing where –

- work clothing is worn, and
- for reasons of health or propriety they cannot change elsewhere.

The facilities shall not be suitable unless they are segregated or used separately by men and women and are also easily accessible, of sufficient capacity and provided with seating.

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FACILITIES FOR REST AND TO EAT MEALS (Regulation 25): Suitable and sufficient facilities for rest shall be provided at readily accessible places, and where necessary for Health and Safety shall include -

- one or more rest rooms (new or modified premises only) or rest areas
- facilities to eat meals where food eaten in the WP could otherwise be contaminated
- arrangements to protect non-smokers from discomfort caused by tobacco smoke
- an adequate number of tables and adequate seating with backs for the number of persons at work likely to use them at any one time
- seating which is adequate for the number of disabled persons at work and suitable for them
- suitable provision shall be made for pregnant women and nursing mothers to rest
- facilities shall be provided for persons at work to eat meals where meals are regularly eaten in the WP.

DISABLED PERSONS (Regulation 25A): Where necessary, parts of the WP used or occupied by disabled persons (e.g. doors, passageways, stairs, showers, washbasins, lavatories and workstations) shall be organised to take account of them.

The definition of disabled person is found in section 1 of the Disability Discrimination Act 1995.