

“It’s too hot to work!” — health and safety obligations in extreme summer heat

2 years ago



As we get into the height of the summer, and in another year of record-setting heat, it is important that all employers understand their health and safety obligations in relation to the temperature of their workplace.

James Muller, from Weightmans’ specialist [health and safety team](#), has shed some light on just how hot is too hot when it comes to working, and answers some common questions on health and safety obligations in relation to the temperature of the workplace.

As an employer, what are my duties in relation to the temperature of my workplace?

Employers owe a general duty under Section 2(1) of the Health and Safety at Work etc Act 1974 to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees. This is wide enough to encompass any risks to health, safety or welfare arising from high temperatures.

Additionally, employers owe a specific duty under Regulation 7 of the Workplace (Health, Safety and Welfare) Regulations 1992, which requires:

“During working hours, the temperature in all workplaces inside buildings shall be reasonable.”

It also requires that:

- where necessary, workplaces shall be adequately thermally insulated, having regard to the type of work being carried out and the physical activity of the persons carrying out the work;

- excessive effects of sunlight on temperature shall be avoided; and
- a sufficient number of thermometers shall be provided to enable persons at work to determine the temperature in any workplace inside a building.

Are there legal minimum and maximum temperatures for workplaces?

There is no legally-mandated minimum or maximum temperature for workplaces.

The Approved Code of Practice for the Workplace (Health, Safety and Welfare) Regulations 1992, which is produced by the Health and Safety Executive (HSE), gives a suggested minimum temperature of 16 degrees Celsius (or 13 degrees Celsius if work involves rigorous physical effort).

However, there is no suggested maximum temperature. It is, therefore, up to each employer to determine what is a reasonable temperature.

How does an employer determine whether its workplace is too hot?

Hot weather and a hot workplace is a risk to health and safety like any other. The employer should conduct a suitable and sufficient risk assessment of the risks from a hot workplace, and it should record the significant findings of that risk assessment. It should then implement any control measures or limits that the risk assessment process determines are needed to reduce the risks so far as reasonably practicable.

- The risk assessment will need to consider, amongst other things:
 - the nature of the work being conducted;
 - whether any uniform, PPE or dress codes increases particular workers' risk from heat;
 - whether workers are in direct sunlight;
 - working hours and shift patterns.

Employers should also consult with their workforce, including any appointed health and safety representatives or recognised trade union representatives.

What control measures could I consider putting in place to help reduce risks from a hot workplace?

Depending on your workplace, you should consider putting the following physical measures in place:

- providing air-conditioning
- providing fans
- making sure workplace windows can be opened or closed to prevent hot air from circulating or building up
- using blinds or reflective film on workplace windows to shade workers from the sun
- placing workstations away from direct sunlight and heat sources
- putting insulation around hot pipes and machinery

- providing weather-appropriate personal protective equipment

You could also consider whether changes can be made to your working practices, such as:

- offering flexible working patterns so workers can work at cooler times of the day
- allowing more regular breaks, so that workers can cool down and/or get cold drinks
- relaxing dress codes (particularly for employees in non-client-facing roles).

Employers should also consider sharing information about the symptoms of heat stress and what to do if someone is affected.