

The Workplace (Health, Safety and Welfare) Regulations 1992

In the first of a series of articles Lynette Vaughan of Watkins and Gunn, a Fellow of the Institute of Legal Executives and Senior Litigator of the Association of Personal Injury Lawyers, gives guidance on the Workplace (Health, Safety and Welfare) Regulations 1992

The Workplace (Health, Safety and Welfare) Regulations 1992 were brought in as part of the “6 pack” of health and safety at work regulations. They cover a wide range of basic health, safety and welfare issues and apply to most workplaces.

Health

The Regulations provide that there must be adequate ventilation and lighting. They also set down minimum temperatures in indoor workplace and state that workrooms must have enough free space to allow people to move about with ease. Importantly Regulation 11 provides that workstations should be suitable for those using them and for the work they undertake and a suitable seat shall be provided where appropriate.

Safety

The Regulations state that every workplace shall be organised so that pedestrians and vehicles can circulate in a safe manner and that the workplace and equipment, devices and systems should be maintained in efficient working order. The most commonly cited regulation is Regulation 12. It provides that floors and traffic routes should be

suitable and not have holes or be uneven or slippery. They should be kept free from obstruction or contamination likely to cause slipping and staircases should normally have a hand-rail. Regulation 12 applies where a worker slips on water on the factory floor or equally where a worker falls in a pothole on a walkway outside the factory.

Welfare

The Regulations deal with provision of Sanitary Conveniences, washing facilities, drinking water and changing facilities as well for rest and to eat meals.

These Regulations aim to ensure that workplaces meet the health, safety and welfare needs of all members of a workforce, including people with disabilities. The Regulations expand on an employer’s general duty under Health and Safety at Work etc Act 1974 and are intended to protect the health and safety of everyone in the workplace, and ensure that adequate welfare facilities are provided for people at work.



Health, Safety and Regulations 1992

- + **Maintenance** – Reg. 5 states that the workplace and equipment must be maintained in good condition. Where appropriate, there must be a planned system of regular maintenance.
- + **Ventilation** – Reg. 6 states that enclosed workplaces must be provided with fresh or purified air.
- + **Temperature** – Reg. 7 states that a reasonable temperature must be maintained inside the building during working hours. Thermometers must be provided for staff to consult.
- + **Lighting** – Reg. 8 states that suitable and sufficient lighting must be provided. Natural light should be used where possible. Emergency lighting must also be provided where necessary.
- + **Cleanliness** – Reg. 9 states that the workplace and equipment must be kept clean. Waste should not be allowed to accumulate (except in suitable receptacles).
- + **Space** – Reg. 10 states that room dimensions should provide sufficient floor area, height and unoccupied space for the health safety and welfare of the staff.
- + **Workstations** – Reg. 11 states that they must be suitable for the workers who use them and the work which is done.
- + **Seating** – Reg. 11 states that suitable seating must be provided for each person doing work that can be done seated.
- + **Floors** – Reg. 12 stated that floors should be suitable and not uneven, holed or slippery. They should be kept free from obstruction or contamination likely to cause slipping. Staircases should normally have a hand-rail.
- + **Falls** – Reg. 13 states that tanks or pits must be covered or securely fenced to prevent a fall into a dangerous substance. Duties to prevent falls from height in general are covered by the Work at Height Regulations 2005.
- + **Windows** – Reg. 14 states that transparent or translucent doors or walls must be made of a safety material and must be clearly marked.
- + **Traffic routes** – Reg. 17 states that their design must allow safe circulation of pedestrians and vehicles.
- + **Doors and gates** – Reg. 18 states that they must be suitably constructed and fitted with safety devices as necessary.
- + **Escalators** – Reg. 19 states that moving walkways should function safely and be fitted with necessary safety devices, including emergency stop controls.
- + **Sanitary conveniences** – Reg. 20 states that suitable and sufficient toilets shall be provided at readily accessible places. They must be well ventilated and lit and kept clean.
- + **Washing facilities** – Reg. 21 states that this must include showers if needed, with hot and cold water, soap and hygienic means of drying must be provided.
- + **Drinking water** – Reg. 22 states that it must be provided for all workers at readily accessible places.
- + **Clothing** – Regs 23 & 24 state that accommodation must be provided for storage of a person's own clothing not worn at work; work clothing kept at the workplace; and for changing facilities.
- + **Rest and meals** – Reg. 25 states that suitable rest facilities must be provided at conveniently accessible places. Pregnant women and nursing mothers must be given suitable facilities. Facilities for eating meals must be provided where meals are normally taken at work.



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