

Extreme heat: What are my rights at work?

- **Employers must make sure indoor workplace temperatures are reasonable**
- **No “maximum temperature” for workplaces in Great Britain**
- **Workers must take care to keep cool**
- **HSE shares guidance**

Employers must make sure indoor workplaces remain at a reasonable temperature and manage the risk of working outdoors in hot environments, according to the Health and Safety Executive (HSE).

The workplace regulator is sharing guidance ahead of the extreme warm weather predicted for Great Britain at the start of next week.

A heatwave warning is in place until Tuesday (19 July) so HSE is reminding employers of their legal duty to ensure employees can work in reasonable temperatures in indoor workplaces. What is reasonable varies, and will depend upon the nature of the individual workplace.

There is no maximum temperature for workplaces, but all workers are entitled to an environment where risks to their health and safety are properly controlled. Heat is classed as a hazard and comes with legal obligations like any other hazard.

Workers should also take care of their own health and safety and that of others who may be affected by their actions at work.

John Rowe, HSE’s Acting Head of Operational Strategy, said: “With a heatwave warning in place, it’s vital employers are aware of their responsibility to ensure their indoor workplaces are at a reasonable temperature.

“All workers have a right to a safe working environment and their employers should discuss working arrangements with them.

“If workers have specific queries or concerns relating to health and safety in their workplace, they should talk to their employer.”

There’s no maximum temperature because workplaces with hot processes such as bakeries or foundries would not be able to comply with such a regulation. They use other measures to control the effects of temperature. These other measures should also be used to manage the risk of working outdoors in a hot environment.

Further information

Temperatures in the indoor workplace are covered by the Workplace (Health, Safety and Welfare) Regulations 1992.

In addition, the Management of Health and Safety at Work Regulations 1999

require employers to make a suitable assessment of the risks to the health and safety of their employees and take action where necessary and where reasonably practicable.

Further guidance on the practical steps that can be taken to work safely in hot conditions can be found through the attached links:

[Temperature \(hse.gov.uk\)](https://www.hse.gov.uk/temperature/)

[HSE – Thermal comfort:Employee’s guide – temperature](https://www.hse.gov.uk/thermal-comfort-employee-guide-temperature/)

[HSE – Temperature: What the Law says](https://www.hse.gov.uk/temperature-what-law-says/)

[HSE – Temperature: Outdoor working](https://www.hse.gov.uk/temperature-outdoor-working/)

[Are you an employee: Workers’ health and safety \(hse.gov.uk\)](https://www.hse.gov.uk/are-you-an-employee-workers-health-and-safety/)

Notes to editors:

1. The Health and Safety Executive (HSE) is Britain’s national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise.
2. HSE news releases are available at <http://press.hse.gov.uk>

Company fined for multiple safety failings

A company has been fined after multiple health and safety failings were found at a site in Bishop Auckland.

Acting on concerns raised, HSE visited the steel supplies site in 2019, finding wholly inadequate management of health and safety. It also came to light that two workers had been injured on separate occasions whilst operating machinery at the premises. In June 2019, an employee was struck and injured by a work piece and suffered an injury to his right hand. In July 2019, an agency worker suffered a finger amputation whilst manually removing a piece of metal near the unguarded blade of another machine.

An investigation by HSE found the company had failed to prevent access to the dangerous moving parts on both machines. These machines were metal rebar forming machines and had been used at the site for a number of years. In addition to the guarding faults, HSE also found the emergency stop and safety devices wired out on one of the machines.

Furthermore, the machinery risk assessments were substandard and staff were trained to operate the machines in an unsafe manner. The company also had a forklift truck in daily use, despite it having defective brakes.

Midland Steel Reinforcement Supplies (UK) Limited, of Flemington Industrial Estate, Motherwell pleaded guilty to breaching Sections 2(1) of the Health & Safety at Work etc Act 1974, Regulations 5(1) and 11(1) of the Provision and Use of Work Equipment Regulations 1998 and Regulation 9(3) of the Lifting Operations and Lifting Equipment Regulations 1998.

At Durham Crown Court the company was fined £450,000 and ordered to pay £41,23.51 costs.

After the hearing, HSE Inspector Clare Maltby said: “ Companies have a duty of care to those they employ and HSE will not hesitate to take appropriate enforcement action.

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2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/

[Building owner jailed after worker left paralysed](#)

A building owner has been sentenced to 12 months in prison after an employee was left paralysed when a hoist platform he was working from plummeted from the third floor to ground level.

On 9 January 2017 an employee of Mr Nicholas Devine was working at a premise on School Lane, Seaforth, Liverpool where a floor of the commercial building was being fitted out as a recording studio. This required repairing the timber frame around the lift shaft and rehangng the doors. When standing on the platform of the goods lift, it fell to the ground floor without any warning, causing serious spinal and head injuries to a worker that resulted in paralysis of the lower half of the body.

An investigation by the Health and Safety Executive (HSE) found that the hoist had not been adequately inspected and maintained and was not suitable

to support people when in the raised position. The hoist was not suitable for use with a platform to serve different levels without significant modification.

Further investigation revealed a similar accident had occurred a year earlier on 25 January 2016 when one of the building's tenants stepped onto the hoist platform to remove the load, which jolted and without warning dropped in an uncontrolled manner to the ground floor. The tenant suffered a broken heel bone.

Mr Devine had not ensured that the hoist was thoroughly examined at any time and following this earlier incident any work that may have been undertaken on the hoist was sub-standard and did nothing to protect people. He had not assessed the risk arising from the work or put measures in place to prevent access to the lift shaft.

At Liverpool Crown Court, Nicholas Devine formerly of Garthdale Road, Allerton, Liverpool pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was sentenced to 12 months imprisonment and was ordered to pay costs of £10,000.

HSE inspector Andy McGrory said: "This incident could so easily have been avoided. Nicholas Devine failed to ensure the health and safety of his employees in relation to the risks arising whilst work was being undertaken at his premises.

"Many incidents can be avoided by thoroughly planning work and taking simple precautions. However, plant and equipment installed at premises must be maintained and examined to ensure that it is safe for use by all."

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3. For guidance on working safely: [Lifting Operations and Lifting Equipment Regulations \(LOLER\) \(hse.gov.uk\)](http://hse.gov.uk/lifting-operations-and-lifting-equipment-regulations-loler)
4. HSE news releases are available at: <http://press.hse.gov.uk>

[Firefighters left seriously injured in](#)

quarry training exercise

A fire service has been prosecuted after two of its firefighters received serious head injuries – with one paralysed from the chest down – after a training exercise.

A team of four firefighters from Staffordshire Fire and Rescue Service were carrying out a rope rescue training exercise at a disused quarry near Buxton on 29th September 2019.

Two of the firefighters received head injuries when rocks fell from the cliff face and hit them.

An investigation by the Health and Safety Executive (HSE) found there were failures in the arrangements and controls of the exercise.

The risk assessment failed to consider or identify the risk of falling rocks and or the impact recent heavy rainfall may have had on the stability of the rock face.

The fire service didn't have the health and safety guidance for off-site training events.

The investigation also found that the service failed to provide sufficient information, instruction, training, and supervision to its firefighters.

Staffordshire Commissioner Fire and Rescue Authority of Pirehill Lane pleaded guilty to failing to discharge the duties imposed upon it by Section 2(1) of the Health and Safety at Work Act 1974. They were fined £10,000 And ordered to pay costs of £6,808.40

HSE Inspector Andrew Johnson said: "This was a particularly tragic and very sadly, completely avoidable incident that has had a life changing impact on a valued firefighter and their family. In this case, very simple and straightforward precautions that would have prevented this incident were absent. I hope this underscores a very clear message to all companies and emergency services that when they plan their work at height training, it is planned meticulously and supervised appropriately in order to ensure that all necessary controls to ensure safety are used."

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[Director and companies fined for failing to manage the risk of asbestos](#)

Two engineering companies and their director have been sentenced for failing to manage the risks from asbestos to employees within the workplace.

A large quantity of asbestos containing materials, including asbestos insulating board, were identified during a HSE inspection at factory premises in Kidderminster owned by Kespar Engineering Limited in February 2019. The premises were occupied by SDF Automotive Limited (who went into administration in November 2019). Employees of both companies worked in the premises. The sole director for both companies was Peter Gerard Parkes.

An investigation by the Health and Safety Executive (HSE) identified the failure of all defendants to manage the risks from asbestos within the premises. This included the failure to ensure the suitable and sufficient assessment of the risks to the health of employees working there was carried out. The defendants were aware that asbestos was present within the premises and had previously prepared asbestos management plans however these were not reviewed or updated. The location and condition of the asbestos on site was not actively monitored and the risk of any exposure to asbestos containing materials was not adequately considered or controlled by the defendants.

Kespar Engineering Ltd of Stourport Road, Kidderminster, pleaded guilty to breaching Regulations 4 (10), 6 (1) and 11 (1) of the Control of Asbestos Regulations 2012. The company was fined £51,000 and ordered to pay costs of £30,000.

SDF Automotive Limited (in administration) formerly of Stourport Road, Kidderminster, pleaded guilty to breaching Regulations 4 (10), 6 (1) and 11 (1) of the Control of Asbestos Regulations 2012. The company was conditionally discharged for two years.

Peter Gerard Parkes of Morville, Bridgnorth, pleaded guilty to several counts under Section 37 of the Health and Safety at Work etc Act 1974. These related to his individual failing as a Director of Kespar Engineering Ltd, SDF Automotive Ltd, and Smethwick Drop Forge Ltd in respect of the offences committed by the Companies under his control. Mr Parkes was given a 12 month suspended prison sentence, fined £9,000 and ordered to pay costs of £14,000.

The case was heard at Kidderminster Magistrates' Court.

Speaking after the hearing, HSE inspector Sarah Reilly, said: "It is important that all dutyholders including company directors recognise the

importance of actively managing asbestos containing materials in non-domestic premises and ensure that the potential risk to health posed by the materials is controlled.”

“Health and safety law places duties on organisations and employers – directors can be personally liable and held to account when these duties are breached.”

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information about the duty to manage asbestos can be found at: <https://www.hse.gov.uk/asbestos/managing/index.htm>
5. Guidance on the role of Directors and business owners for leading health and safety at work can be found at <https://www.hse.gov.uk/pubns/indg417.pdf>