



Statutory Instrument 1992 No.3004
The Workplace (Health, Safety and Welfare) Regulations 1992

CDM 2007 Regulation 11 requires that:

“in designing any structure for use as a workplace the designer shall take account of the provisions of the Workplace (Health, Safety and Welfare) Regulations 1992 which relate to the design of, and materials used in, the structure”

The client / occupier of the workplace is required to meet the Workplace Regulations (WP) and this CDM requirement is intended to ensure that designers take these WP requirements into account during design. The substantive requirements of the Workplace Regulations are listed below:

Maintenance of workplace, and of equipment, devices and systems

5.—(1) The workplace and the equipment, devices and systems to which this regulation applies shall be maintained (including cleaned as appropriate) in an efficient state, in efficient working order and in good repair.

(2) Where appropriate, the equipment, devices and systems to which this regulation applies shall be subject to a suitable system of maintenance.

(3) The equipment, devices and systems to which this regulation applies are—
(a) equipment and devices a fault in which is liable to result in a failure to comply with any of these Regulations; and
(b) mechanical ventilation systems provided pursuant to regulation 6 (whether or not they include equipment or devices within sub-paragraph (a) of this paragraph).

Ventilation

6.—(1) Effective and suitable provision shall be made to ensure that every enclosed workplace is ventilated by a sufficient quantity of fresh or purified air.

(2) Any plant used for the purpose of complying with paragraph (1) shall include an effective device to give visible or audible warning of any failure of the plant where necessary for reasons of health or safety.

(3) This regulation shall not apply to any enclosed workplace or part of a workplace which is subject to the provisions of—
(a) section 30 of the Factories Act 1961^[7];
(b) regulations 49 to 52 of the Shipbuilding and Ship-Repairing Regulations 1960^[8];
(c) regulation 21 of the Construction (General Provisions) Regulations 1961^[9];
(d) regulation 18 of the Docks Regulations 1988^[10].

Temperature in indoor workplaces

7.—(1) During working hours, the temperature in all workplaces inside buildings shall be reasonable.

(2) A method of heating or cooling shall not be used which results in the escape into a workplace of fumes, gas or vapour of such character and to such extent that they are likely to be injurious or offensive to any person.

(3) A sufficient number of thermometers shall be provided to enable persons at work to determine the temperature in any workplace inside a building.

Lighting

8.—(1) Every workplace shall have suitable and sufficient lighting.

(2) The lighting mentioned in paragraph (1) shall, so far as is reasonably practicable, be by natural light.

(3) Without prejudice to the generality of paragraph (1), suitable and sufficient emergency lighting shall be provided in any room in circumstances in which persons at work are specially exposed to danger in the event of failure of artificial lighting.

Cleanliness and waste materials

9.—(1) Every workplace and the furniture, furnishings and fittings therein shall be kept sufficiently clean.

(2) The surfaces of the floors, walls and ceilings of all workplaces inside buildings shall be capable of being kept sufficiently clean.

(3) So far as is reasonably practicable, waste materials shall not be allowed to accumulate in a workplace except in suitable receptacles.

Room dimensions and space

10.—(1) Every room where persons work shall have sufficient floor area, height and unoccupied space for purposes of health, safety and welfare.

(2) It shall be sufficient compliance with this regulation in a workplace which is not a new workplace, a modification, an extension and which, immediately before this regulation came into force in respect of it, was subject to the provisions of the Factories Act 1961, if the workplace does not contravene the provisions of Part I of Schedule 1.

Workstations and seating

11.—(1) Every workstation shall be so arranged that it is suitable both for any person at work in the workplace who is likely to work at that workstation and for any work of the undertaking which is likely to be done there.

(2) Without prejudice to the generality of paragraph (1), every workstation outdoors shall be so arranged that—

- (a) so far as is reasonably practicable, it provides protection from adverse weather;
- (b) it enables any person at the workstation to leave it swiftly or, as appropriate, to be assisted in the event of an emergency; and
- (c) it ensures that any person at the workstation is not likely to slip or fall.

(3) A suitable seat shall be provided for each person at work in the workplace whose work includes operations of a kind that the work (or a substantial part of it) can or must be done sitting.

(4) A seat shall not be suitable for the purpose of paragraph (3) unless—

- (a) it is suitable for the person for whom it is provided as well as for the operations to be performed; and
- (b) a suitable footrest is also provided where necessary.

Condition of floors and traffic routes

12.—(1) Every floor in a workplace and the surface of every traffic route in a workplace shall be of a construction such that the floor or surface of the traffic route is suitable for the purpose for which it is used.

(2) Without prejudice to the generality of paragraph (1), the requirements in that paragraph shall include requirements that—

- (a) the floor, or surface of the traffic route, shall have no hole or slope, or be uneven or slippery so as, in each case, to expose any person to a risk to his health or safety; and
- (b) every such floor shall have effective means of drainage where necessary.

(3) So far as is reasonably practicable, every floor in a workplace and the surface of every traffic route in a workplace shall be kept free from obstructions and from any article or substance which may cause a person to slip, trip or fall.

(4) In considering whether for the purposes of paragraph (2)(a) a hole or slope exposes any person to a risk to his health or safety—

- (a) no account shall be taken of a hole where adequate measures have been taken to prevent a person falling; and
- (b) account shall be taken of any handrail provided in connection with any slope.

(5) Suitable and sufficient handrails and, if appropriate, guards shall be provided on all traffic routes which are staircases except in circumstances in which a handrail can not be provided without obstructing the traffic route.

Falls or falling objects

13.—(1)–(4) Revocated by Work at Height Regulations 2005

(5) So far as is practicable, every tank, pit or structure where there is a risk of a person in the workplace falling into a dangerous substance in the tank, pit or structure, shall be securely covered or fenced.

(6) Every traffic route over, across or in an uncovered tank, pit or structure such as is mentioned in paragraph (5) shall be securely fenced.

(7) In this regulation, "dangerous substance" means—

- (a) any substance likely to scald or burn;
- (b) any poisonous substance;
- (c) any corrosive substance;
- (d) any fume, gas or vapour likely to overcome a person; or
- (e) any granular or free-flowing solid substance, or any viscous substance which, in any case, is of a nature or quantity which is likely to cause danger to any person.

Windows, and transparent or translucent doors, gates and walls

14.—(1) Every window or other transparent or translucent surface in a wall or partition and every transparent or translucent surface in a door or gate shall, where necessary for reasons of health or safety—

- (a) be of safety material or be protected against breakage of the transparent or translucent material; and
- (b) be appropriately marked or incorporate features so as, in either case, to make it apparent.

Windows, skylights and ventilators

15.—(1) No window, skylight or ventilator which is capable of being opened shall be likely to be opened, closed or adjusted in a manner which exposes any person performing such operation to a risk to his health or safety.

(2) No window, skylight or ventilator shall be in a position when open which is likely to expose any person in the workplace to a risk to his health or safety.

Ability to clean windows etc. safely

16.—(1) All windows and skylights in a workplace shall be of a design or be so constructed that they may be cleaned safely.

(2) In considering whether a window or skylight is of a design or so constructed as to comply with paragraph (1), account may be taken of equipment used in conjunction with the window or skylight or of devices fitted to the building.

Organisation etc. of traffic routes

17.—(1) Every workplace shall be organised in such a way that pedestrians and vehicles can circulate in a safe manner.

(2) Traffic routes in a workplace shall be suitable for the persons or vehicles using them, sufficient in number, in suitable positions and of sufficient size.

(3) Without prejudice to the generality of paragraph (2), traffic routes shall not satisfy the requirements of that paragraph unless suitable measures are taken to ensure that—

- (a) pedestrians or, as the case may be, vehicles may use a traffic route without causing danger to the health or safety of persons at work near it;
- (b) there is sufficient separation of any traffic route for vehicles from doors or gates or from traffic routes for pedestrians which lead onto it; and
- (c) where vehicles and pedestrians use the same traffic route, there is sufficient separation between them.

(4) All traffic routes shall be suitably indicated where necessary for reasons of health or safety.

(5) Paragraph (2) shall apply so far as is reasonably practicable, to a workplace which is not a new workplace, a modification, an extension or a conversion.

Doors and gates

18.—(1) Doors and gates shall be suitably constructed (including being fitted with any necessary safety devices).

(2) Without prejudice to the generality of paragraph (1), doors and gates shall not comply with that paragraph unless—

- (a) any sliding door or gate has a device to prevent it coming off its track during use;
- (b) any upward opening door or gate has a device to prevent it falling back;
- (c) any powered door or gate has suitable and effective features to prevent it causing injury by trapping any person;
- (d) where necessary for reasons of health or safety, any powered door or gate can be operated manually unless it opens automatically if the power fails; and
- (e) any door or gate which is capable of opening by being pushed from either side is of such a construction as to provide, when closed, a clear view of the space close to both sides.

Escalators and moving walkways

19. Escalators and moving walkways shall:—

- (a) function safely;
- (b) be equipped with any necessary safety devices;
- (c) be fitted with one or more emergency stop controls which are easily identifiable and readily accessible.

Sanitary conveniences

20.—(1) Suitable and sufficient sanitary conveniences shall be provided at readily accessible

places.

(2) Without prejudice to the generality of paragraph (1), sanitary conveniences shall not be suitable unless—

- (a) the rooms containing them are adequately ventilated and lit;
- (b) they and the rooms containing them are kept in a clean and orderly condition; and
- (c) separate rooms containing conveniences are provided for men and women except where and so far as each convenience is in a separate room the door of which is capable of being secured from inside.

(3) It shall be sufficient compliance with the requirement in paragraph (1) to provide sufficient sanitary conveniences in a workplace which is not a new workplace, a modification, an extension or a conversion and which, immediately before this regulation came into force in respect of it, was subject to the provisions of the Factories Act 1961, if sanitary conveniences are provided in accordance with the provisions of Part II of Schedule 1.

Washing facilities

21.—(1) Suitable and sufficient washing facilities, including showers if required by the nature of the work or for health reasons, shall be provided at readily accessible places.

(2) Without prejudice to the generality of paragraph (1), washing facilities shall not be suitable unless—

- (a) they are provided in the immediate vicinity of every sanitary convenience, whether or not provided elsewhere as well;
- (b) they are provided in the vicinity of any changing rooms required by these Regulations, whether or not provided elsewhere as well;
- (c) they include a supply of clean hot and cold, or warm, water (which shall be running water so far as is practicable);
- (d) they include soap or other suitable means of cleaning;
- (e) they include towels or other suitable means of drying;
- (f) the rooms containing them are sufficiently ventilated and lit;
- (g) they and the rooms containing them are kept in a clean and orderly condition; and
- (h) separate facilities are provided for men and women, except where and so far as they are provided in a room the door of which is capable of being secured from inside and the facilities in each such room are intended to be used by only one person at a time.

(3) Paragraph (2)(h) shall not apply to facilities which are provided for washing hands, forearms and face only.

Drinking water

22.—(1) An adequate supply of wholesome drinking water shall be provided for all persons at work in the workplace.

(2) Every supply of drinking water required by paragraph (1) shall—

- (a) be readily accessible at suitable places; and
- (b) be conspicuously marked by an appropriate sign where necessary for reasons of health or safety.

(3) Where a supply of drinking water is required by paragraph (1), there shall also be provided a sufficient number of suitable cups or other drinking vessels unless the supply of drinking water is in a jet from which persons can drink easily.

Accommodation for clothing

23.—(1) Suitable and sufficient accommodation shall be provided—

- (a) for the clothing of any person at work which is not worn during working hours; and

(b) for special clothing which is worn by any person at work but which is not taken home.

(2) Without prejudice to the generality of paragraph (1), the accommodation mentioned in that paragraph shall not be suitable unless—

- (a) where facilities to change clothing are required by regulation 24, it provides suitable security for the clothing mentioned in paragraph (1)(a);
- (b) where necessary to avoid risks to health or damage to the clothing, it includes separate accommodation for clothing worn at work and for other clothing;
- (c) so far as is reasonably practicable, it allows or includes facilities for drying clothing; and
- (d) it is in a suitable location.

Facilities for changing clothing

24.—(1) Suitable and sufficient facilities shall be provided for any person at work in the workplace to change clothing in all cases where—

- (a) the person has to wear special clothing for the purpose of work; and
- (b) the person can not, for reasons of health or propriety, be expected to change in another room.

(2) Without prejudice to the generality of paragraph (1), the facilities mentioned in that paragraph shall not be suitable unless they include separate facilities for, or separate use of facilities by, men and women where necessary for reasons of propriety.

Facilities for rest and to eat meals

25.—(1) Suitable and sufficient rest facilities shall be provided at readily accessible places.

(2) Rest facilities provided by virtue of paragraph (1) shall—

- (a) where necessary for reasons of health or safety include, in the case of a new workplace, an extension or a conversion, rest facilities provided in one or more rest rooms, or, in other cases, in rest rooms or rest areas;
- (b) include suitable facilities to eat meals where food eaten in the workplace would otherwise be likely to become contaminated.

(3) Rest rooms and rest areas shall include suitable arrangements to protect non-smokers from discomfort caused by tobacco smoke.

(4) Suitable facilities shall be provided for any person at work who is a pregnant woman or nursing mother to rest.

(5) Suitable and sufficient facilities shall be provided for persons at work to eat meals where meals are regularly eaten in the workplace.