

## Making sure the work environment is safe

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**Winter has slammed into the UK with a vengeance this year, with record snowfalls and Arctic winds blasting the length of Britain.**

It can be difficult enough trying to get through hazardous weather conditions to reach work on time, but what if when you get there the office is only marginally warmer than the outside temperature?

Here's a quick guide to your employer's obligations when it comes to creating and maintaining a safe working environment during cold weather.

### The legal requirements

Despite what a lot of people think, there is no actual legal 'minimum' required temperature for a working environment. This is because businesses such as refrigeration storage and chilled food warehouses or factories would instantly contravene the law. There is, however, a guideline range of between 13°C (if the work involves 'rigorous physical effort') to 16°C. The guidelines are laid out in the Workplace (Health, Safety and Welfare) Regulations 1992, [Regulation 7](#), which states 'During working hours, the temperature in all workplaces inside buildings shall be reasonable.' Obviously, the definition of 'reasonable' is open to interpretation, and this could cause a problem if you feel the workplace environment is too cold.

It is worth bearing in mind, too, that the regulations only apply to employees. So, if a member of the public visiting a shopping centre feels that the temperature is too cold, then the only real option they have is to put an extra jumper on!

### Slippery surfaces

An employer's duty of care doesn't just include the inside of a workplace building, but the paths and parking

outside. It is down to an employer to make sure that paths are salted during icy conditions, and that snow or standing water is cleared. As the council won't carry out gritting or salting on private land (only the public footpaths or roads will be covered by the council services), employers may need to either hire in contractors to deal with icy conditions or carry out precautions themselves.

If an employer doesn't ensure that icy paths are salted and an employee slips on the ice, injuring themselves, that could result in an injury at work compensation claim. If the employer doesn't have adequate public liability cover, that slip could be very costly indeed.

### Personal Protective Equipment (PPE) – wrapping up warm

For employers who have teams or workers operating outside or in cold interiors such as refrigeration warehouses, there is a legal obligation to provide adequate PPE. This would include everything from gloves and boots to high-viz jackets, thermal layers and eye protection. If an employer fails to provide adequate PPE, then employees can talk to a legal or union representative and encourage the employer to ensure their health and well-being are catered for.

### Can I refuse to work if it is too cold?

If the temperature drops below 13°C then technically you could be allowed to refuse to continue working, but the law is very grey as to whether you would be entitled to paid leave under those circumstances. The first thing to do is to inform your boss or union representative that conditions are falling below the minimum standards expected of a healthy and safe working environment and to try to resolve the situation amicably. It could simply be a matter of asking them to turn up the heating thermostat a couple of degrees.

If they continue to refuse, then you may have grounds for further action. If you feel that your health is being compromised by a consistently cold working environment and that your employer has not taken steps to fulfil their duty of care, then talk to a solicitor who will be able to advise you on what action to take next.

A working environment that is too cold doesn't encourage productivity and can put workers at risk of health issues. It is up to the employer to make sure they are creating a safe, comfortable workplace. Not only is it part of their duty of care, but it is in their best interests to have a warm, productive workforce who are comfortable in their environment.

**Vinay Verma**  
**020 7299 6924**  
[vinay.verma@riaabg.com](mailto:vinay.verma@riaabg.com)  
[www.riaabarkergillette.com](http://www.riaabarkergillette.com)



Note: This is not legal advice; it is intended to provide information of general interest about current legal issues.

