



Workplace temperature

Standard Note: SN/SC/982
Last updated: 12 May 2010
Author: Louise Smith
Section: Science and Environment Section

This note sets out controls on workplace temperature.

There is no simple answer as to what the minimum or maximum workplace temperature should be. The most explicit requirements for workplace temperatures appear in the *Workplace (Health, Safety and Welfare) Regulations* SI 1992/3004. Regulation 7 states:

- (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.

Practical advice on compliance with the above regulation is given in an associated [Approved Code of Practice](#); this includes mention of minimum temperatures. Normally workrooms (a place where a room where people normally work for more than short periods) should have a temperature of at least 16°C unless much of the work involves severe physical effort, in which case the temperature should be at least 13°C.

No maximum temperature is specified, though where the workroom temperature "would otherwise be uncomfortably high ... all reasonable steps should be taken to achieve a reasonably comfortable temperature"

The [Health and Safety Executive website](#) contains a number of guides for employers and employees on how to manage temperature on the workplace.

The Government has asked the HSE to review and analyse the latest information relating to workplace temperatures and to report to Ministers in May 2010 with possible views on reform of the current system.

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as being up to date; the law or policies may have changed since it was last updated; and it should not be relied upon as legal or professional advice or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

This information is provided subject to [our general terms and conditions](#) which are available online or may be provided on request in hard copy. Authors are available to discuss the content of this briefing with Members and their staff, but not with the general public.

Contents

1	Minimum and maximum temperatures	2
2	Workplace temperature statistics	5
3	European law	5
4	Workplace temperature in other countries	6

1 Minimum and maximum temperatures

Under section 2 of the *Health and Safety at Work etc. Act 1974*, an employer has a general duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees. Explicit requirements for workplace temperatures appear in the *Workplace (Health, Safety and Welfare) Regulations SI 1992/3004*. Regulation 7 states:

- (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.

Practical advice on compliance with the above regulation is given in an associated [Approved Code of Practice](#); this includes mention of minimum temperatures. Normally workrooms (a place where a room where people normally work for more than short periods) should have a temperature of at least 16°C unless much of the work involves severe physical effort, in which case the temperature should be at least 13°C. These temperatures may not, however, ensure reasonable comfort, depending on other factors such as air movement and relative humidity.

The Approved Code of Practice carries more weight than mere guidance; if it is not complied with then employers may have to demonstrate that they have complied with the general requirements of the regulations in some other, appropriate way.

No maximum temperature is specified, though where the workroom temperature "would otherwise be uncomfortably high ... all reasonable steps should be taken to achieve a reasonably comfortable temperature".¹ Possible measures could include insulating hot pipes, providing air conditioning and fans, shading windows and siting workstations as far away as possible from heat sources.

What constitutes a reasonably comfortable temperature is of course highly subjective. However, some indication may be gleaned from the following set of temperatures for different types of work recommended by the Chartered Institute of Building Services Engineers (CIBSE):

¹ Health and Safety Commission, *Workplace (Health, Safety and Welfare) Regulations 1992: Approved Code of Practice and Guidance*, 1992

- (a) heavy work in factories 13°C
- (b) light work in factories 16°C
- (c) hospital wards and shops 18°C
- (d) office and dining rooms 20°C²

The HSE guidance publication, *Thermal Comfort in the Workplace*, seeks to define thermal comfort, and states:

'An acceptable zone of thermal comfort for most people in the UK lies roughly between 13°C (56°F) and 30°C (86°F), with acceptable temperatures for more strenuous work activities concentrated towards the bottom end of the range, and more sedentary activities towards the higher end.'³

The 30°C figure in the guidance is relevant but has no force in law. HSE's current guidance is based on assessing the number of people who feel uncomfortable. The advice is that if the proportion of the workforce complaining of discomfort passes certain thresholds, the manager needs to conduct a risk assessment and possibly take action. The thresholds are set out in the following table:

Air conditioned offices	Are more than 10% of employees complaining of being too hot or too cold?
Naturally ventilated offices	Are more than 15% of employees complaining of being too hot or too cold?
Retail businesses, warehouses, factories and all other indoor environments that may not have air conditioning	Are more than 20% of employees complaining of being too hot or too cold?

Source: HSE web page, [Workplace temperature risk assessment](#)

Where it is not feasible to maintain such temperatures, such as hot or cold production processes, cold or food storage areas, an approximate temperature should be maintained. In areas where work takes place temporarily, temporary heaters or cooling equipment should be provided. Thermometers must also be provided to allow staff to periodically check temperatures.

Hot workplaces can cause heat exhaustion, dehydration, heat cramps and heat strokes, and may exacerbate existing health conditions such as heart problems, high or low blood pressure, respiratory conditions and kidney disease. Failure to act could result in prosecution either by the Health and Safety Executive or the local authority. Measures that might be taken include encouraging staff to wear appropriate clothing which enables arms and legs to be uncovered to assist with cooling, and allowing them to drink plenty of cool water at regular intervals and avoid standing for long periods. Staff might also negotiate with local management to allow them to take breaks in cooler and/or less humid areas or transfer some work to cooler and/or less humid areas, or negotiate to alter working hours so that work can be done in the cooler parts of the day such as early morning.

² Tolley's Health and Safety at Work Handbook 2010, W1104, 2010

³ *Thermal Comfort in the Workplace* HSG194, HSE 1999

HSE guidance on the Regulations, *Workplace health, safety and welfare: a short guide for managers*⁴ sets out how to carry out an assessment of the risk to workers' health from working in hot or cold environments. Employers need to look at environmental factor such as ambient sunlight and temperatures, but they must also consider personal factors such as the level of physical activity, the amount and types of clothing, the duration of exposure. An employer should also consider: measures to control the workplace environment, particularly heat sources; restriction of exposure, by for example, reorganising tasks and organising regular breaks; medical pre-selection of staff who are fit for the type of work; use of suitable light or protective clothing; acclimatisation; training staff in precautions to be taken and supervision to ensure that the appropriate precautions are taken.

There has been pressure for the introduction of a maximum limit in UK law. In February 2009, the Government announced that it was asking the HSE to review the matter. Jonathan Shaw, then minister at the Department of Work and Pensions said:

The Secretary of State has written recently to the chair of the Health and Safety Executive, asking them to revisit the reasons for and against a maximum workplace temperature. He has asked the Executive to ensure that trade unions, and other key stakeholders, are fully engaged in this exercise.⁵

In response to a Westminster Hall debate in February 2010 on workplace temperature, the Parliamentary Under-Secretary of State for Work and Pensions (Jonathan Shaw), gave an update on the HSE's work:

The HSE board received the report, which concluded that, on balance, workplace temperatures do not justify active regulatory intervention but rather, improved joint working between all parties to the issue: the Government, trade unions and employer representatives. The report included a number of options for consideration, from retaining the current approach to amending the approved code of practice to include a maximum upper temperature limit, in addition to the current lower limit.

The report provided some valuable information and showed that there is a wide range of views on the issue, but the HSE board felt that it was inconclusive. It has asked for further evidence to be gathered to scope the full extent of the problems presented. As part of that further work, the HSE is keen to focus attention on those sectors that are most affected, and to identify practical and effective steps that can be taken to tackle the problem in those workplaces. That will not preclude a review of the regulatory provisions, but will help to address the issue more speedily and effectively where needed, while also helping to inform further consideration of whether a maximum temperature or a legal trigger for action, which my hon. Friend the Member for Hayes and Harlington referred to, would be proportionate and effective. So that matter is under active consideration.

[...]

Due to the complexity of the issue and the sheer volume of data and evidence to be analysed, it is not possible to say at this stage what the outcome will be. The HSE board will consider the further evidence gathered at its meeting in April 2010, and a report to Ministers will follow in May 2010.⁶

⁴ HSE, *Workplace health, safety and welfare: a short guide for managers* INDG 244 HSE Reprinted 11/02 [downloaded on 19 April 2010]

⁵ HC Deb 4 February 2009, c1268W

⁶ HC Deb 24 February 2010 c [93-5WH](#)

2 Workplace temperature statistics

John McDonnell MP asked tabled a [number of questions](#) in February 2009 regarding workplace temperatures. The number of complaints received by the HSE about workplace temperatures was given as follows:⁷

Industrial Health and Safety: Temperature

John McDonnell: To ask the Secretary of State for Work and Pensions how many complaints the Health and Safety Executive received on high temperatures in the workplace in (a) 2005, (b) 2006, (c) 2007 and (d) 2008. [254274]

Jonathan Shaw: The information requested is as follows:

	<i>Number of complaints</i>
2004-05	2
2005-06	2
2006-07	2
2007-08	1

Source:

The information has been obtained from HSE's operational information system (COIN)

It was also revealed that there have been no prosecutions in recent years relating to workplace temperature:

John McDonnell: To ask the Secretary of State for Work and Pensions how many prosecutions of employers the Health and Safety Executive undertook in cases of failure to manage high temperatures in the workplace in (a) 2005, (b) 2006, (c) 2007 and (d) 2008. [254275]

Jonathan Shaw: From 1 April 2004 to 31 March 2008, the Health and Safety Executive took no prosecutions as a result of employers' failures to manage high temperatures in the workplace.

Although outside the period specified in the question, legal proceedings have recently been initiated by HSE related to a workplace fatality in 2006-07 in which heat stress was implicated.⁸

3 European law

Much UK health and safety law is now based on EU law, which is also based on the risk assessment principle. The approach to risk assessment is based on the 1989 'Framework

⁷ HC Deb 23 February 2009 [c73W](#)

⁸ HC Deb 23 February 2009 [c73W](#)

Directive'.⁹ Further guidance on how risk assessment should be carried out is contained in the European Commission's *Guidance on risk assessment at work*.¹⁰ The Framework Directive does not mention temperature and the guidance document only does in an annex giving examples of situations where a risk assessment may be needed.

EU member states use the principles outlined in the Framework Directive, but some have a more prescriptive approach.

4 Workplace temperature in other countries

In Germany, a maximum of 26°C is the norm but the guidelines state that, if the outside temperature is higher, a workplace temperature may in certain circumstances be higher than 26°C.¹¹ How often and by how many degrees the temperature may be higher is not set out.

In France, no particular temperature is specified in the Work Code. However, some of its provisions on the management and ventilation of workplaces and on the provision of drinking water aim to ensure an acceptable working environment. Article L. 4121-1 of the Work Code specifies that the employer must take the necessary measures to ensure the safety and health of employees, which includes temperature. Article R. 4225-2 lays down that the employer must provide fresh drinking water.¹²

In Spain, *Real Decreto 486* of 1997 lays down that, in places where sedentary work takes place, the temperature should be between 17 and 27°C. In places of light physical work, an acceptable temperature will be between 14 and 25°C. On the other hand, the *Decreto* also states that the norms should be applied 'taking into account the limitations or conditions resulting from the particular characteristics of the workplace, the processes that take place there and the climate where the workplace is located'. This would appear to give something of a get-out clause on the otherwise strict conditions.¹³

In the Republic of Ireland, there is no maximum temperature stated under the regulations but, as a guideline, a minimum comfortable working temperature for indoor sedentary workers is 17.5°C.¹⁴ It is obligatory for enclosed workplaces to be adequately ventilated.

Canada, the USA and New Zealand do not apply a maximum temperature.¹⁵ The Canadian guidance explains that comfort depends on many other factors, such as humidity, clothing and work demands.¹⁶

⁹ [Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work](#), Official Journal L 183 , 29/06/1989

¹⁰ [Guidance on risk assessment at work](#), Office for Official Publications of the European Communities, 1996

¹¹ European Agency of Safety and health at Work, European network- Germany- [Arbeitsstaetten Richtlinie 6, Raumtemperatur](#) [19 April 2010]

¹² Institut National de Recherche et de Sécurité pour la prévention des accidents de travaux et les maladies professionnelles web page, [Travailler par de fortes chaleurs en été](#) [19 April 2010]

¹³ [REAL DECRETO 486/1997](#), of 14 April establishing minimum conditions of safety and health in work places. BOE nº 97 23/04/1997

¹⁴ [Guide to the Safety, Health and Welfare at Work \(General Application\) Regulations 2007](#) (S.I. No. 299 of 2007), Chapter 1 of part 2: workplace

¹⁵ New Zealand Department of Labour, FAQs, [Maximum work temperature](#) [on 15 February 2010]

¹⁶ Canadian Center for Occupational Health and Safety webpage, [Maximum Temperature Limit for Working](#) [on 19 April 2010]