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# Guidance on the provision of Welfare facilities for asbestos work

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**GN009-V1023-Welfare facilities for asbestos work**

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## GUIDANCE ON THE PROVISION OF WELFARE FACILITIES FOR ASBESTOS WORK

### 1. BACKGROUND

- 1.1 This guidance note explains the legal requirements regarding 'welfare facilities'. Some contractors may not recognise the extent of legal duties and their plans of work may fail to fully address welfare provision. In some cases, they refer to the use of 'nearby cafes' or public conveniences. Complete welfare-provision often requires good cooperation, coordination and communication between client, contractor, and principal contractor etc. Furthermore, the transitional, short-term nature of asbestos work may present challenges.
- 1.2 The basic legal requirements are very well defined and have been in place for a long time. This means that any failure to provide adequate welfare could have serious implications for HSE's confidence in a contractors' general management arrangements.

### 2. KEY POINTS

What are 'welfare facilities'?	<ul style="list-style-type: none"> <li>• Toilets &amp; washing facilities with hot and cold (or warm) water.</li> <li>• Rest areas (incorporating a place for preparing hot drinks &amp; eating food)</li> <li>• Access to drinking water</li> <li>• Changing rooms &amp; lockers (where workers need to change into special clothing)</li> </ul>
Whose responsibility are they?	<p>All contractors need to ensure that there are adequate facilities for workers under their control.</p> <p>In many cases, welfare provision will require cooperation and coordination between several different organisations. This coordination needs to be clearly addressed at the planning stage, and the agreed arrangements clearly described in the plan of work.</p>

### 3. "WELFARE" AND HEALTH AND SAFETY MANAGEMENT

- 3.1 Provision of suitable and sufficient welfare facilities is one of an employer's fundamental legal duties as set out in Section 2 of the Health and Safety at Work etc. act 1974
- 3.2 The Construction (Design and Management) Regulations 2015 (CDM 2015) place specific duties on contractors, clients and others involved in construction work. The definition of 'construction work' is very broad and will include asbestos removal tasks (licensed and non-licensed). For example, it includes, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration, or other maintenance (including cleaning which involves the use of water or an abrasive at high pressure, or the use of corrosive or toxic substances), de-commissioning, demolition or dismantling.
- 3.3 Schedule 2 of CDM 2015 describes the minimum welfare facilities required for all construction sites. Welfare requirements on contractors will apply regardless of whether the project is CDM 2015 "notifiable".

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- 3.4 A company's approach to arranging welfare provision needs to consider:
- The type of work being carried out
  - The number of workers and work location
  - Cleaning and maintenance responsibilities and regimes
- 3.5 A 'suitable and sufficient' plan of work for licensed asbestos removal will identify where / how facilities are to be provided. General / generic statements (e.g., "Welfare to be provided by client") do not explain what site teams should expect on site.
- 3.6 It follows that site assessors, planners, supervisors, and auditors / visiting managers need to understand the minimum standards for welfare provision and take welfare facilities into account when considering workplace transport and other 'access' or site management issues. In addition:
- The company's training and / or general procedures need to cover welfare requirements.
  - The company's general arrangements for monitoring performance must also look at welfare provision; 'audits' (or 'senior management tours') etc. should expect to identify where welfare provision does not meet the minimum legal standard.

#### **4. WELFARE FACILITIES – BASIC REQUIREMENTS**

- 4.1 Any reference to something 'provided or made available' means that the facility is in a readily accessible, suitable location. For example, a toilet that is 'made available' but is more than a 150m walk away is unlikely to be considered readily accessible. (Where possible there should be separate facilities for men and women - failing that, rooms with lockable doors.)
- 4.2 Toilets & washing facilities
- 4.2.1 Rooms containing washing facilities and toilets must be kept clean and orderly; they must be adequately ventilated and lit.
- 4.2.2 Flushing toilets, connected to mains water and drainage should be provided where available. Otherwise, use toilets with a built in water supply and drainage tanks. Portable chemical toilets (also known as plastics) are acceptable where you cannot provide flushing toilets.
- 4.2.3 In addition, to be suitable any toilet closet will also require:
- Toilet paper on holders or dispensers
  - Suitable means of cleaning (e.g., toilet brush)
  - Hooks so clothing and articles don't have to be placed on the floor
  - Suitable means for the disposal of sanitary products and dressings in toilets used by men and women.

- 4.2.4 A 'suitable and sufficient' number clean and working toilets must be provided or made available. This will depend on the number and type of toilet provided, and the ratio of men to women.
- 4.2.5 The following tables give the minimum number of facilities necessary within the workplace. The number of people at work shown in column 1 refers to the maximum likely to be in the workplace at any one time. Table 2 may be followed as an alternative to column 2 of Table 1 if toilets are only used by men.

Table 1: Number of toilets and washbasins for mixed use (or women only):

Number of people at work	Number of toilets	Number of washbasins
1-5	1	1
6-25	2	2
26-50	3	3
51-75	4	4
76-100	5	5

Table 2: Toilets used by men only:

Number of men at work	Number of toilets	Number of urinals*
1-15	1	1
16-30	2	1
31-45	2	2
46-60	3	2
61-75	3	3
76-90	4	3
91-100	4	4

\*A urinal may either be an individual urinal or a section of urinal space which is at least 600 mm long.

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- 4.2.6 If using portable chemical toilets, you need 1 for every 7 people working a 40 hour week.
- 4.2.7 Workers should not have any significant wait when they need to use a toilet. Such a wait can cause distress or exacerbate health issues.
- 4.2.8 Workers should not have to walk more than 150m to a toilet facility. On larger sites this may therefore necessitate the provision of satellite conveniences in more remote parts of the site / away from central compounds.
- 4.2.9 For very remote sites or sites covering a large distance it may not be possible for workers to access a convenience without transport. However, in those instances that transport should always be available, and the journey time should be equitable to the time taken to walk 150m.
- 4.2.10 Washing facilities will include showers for very dirty or hazardous work and these will be separate from general washing facilities. Sinks should be large enough to wash face, hands, and forearms. They must be provided in the immediate vicinity of every toilet. They should also be provided next to rest areas, where these are far from toilets.
- 4.2.11 All washing facilities must include:
- Supply of hot and cold (or warm) water
  - Soap, or similar
  - Towels, or other means of drying
- 4.3 Rest areas or rest rooms
- 4.3.1 Rest rooms or rest areas must be provided or made available. These areas will:
- Have tables and chairs (with backs) to accommodate the number of people likely to use them at any one time
  - Include facilities to prepare / eat meals, including a kettle (or similar)
  - Be heated / ventilated / lit as necessary to maintain a comfortable environment
- 4.4 Drinking Water
- 4.4.1 An adequate supply of drinking water must be provided or made available. Cups (or similar) must also be provided, unless the water is provided from a drinking jet / fountain etc.
- 4.5 Changing rooms and lockers
- 4.5.1 Changing rooms must be provided in situations where workers need to change into special clothing and, for reasons of either health or propriety, they cannot be expected to change elsewhere. Changing rooms need to be equipped with seating and have places for workers to lock away clothing or personal effects.

## 5. DECONTAMINATION UNITS (DCUs) AS CHANGING AND WASHING FACILITIES

- 5.1 Where decontamination units are required for removal work, these should be capable of meeting the 'welfare' requirement for changing rooms and lockers. However, DCUs do not provide general washing facilities as defined above: use of the shower section of a DCU is subject to decontamination procedures and access is restricted to those working in asbestos areas. As mentioned above, washing facilities will be required with/ near toilets (and rest areas, if these are a long way from toilets).
- 5.2 For asbestos removal work not requiring a DCU (i.e., non-licensed works) specific changing rooms are not required, as asbestos coveralls are generally worn over work clothing.

## 6. USE OF 3<sup>rd</sup> PARTY WELFARE FACILITIES

- 6.1 It is accepted that contractors make use of a "client's existing facilities, public facilities or local businesses". However, contractors need to be able to demonstrate that clear agreements have been made as part of planning for the work. In all cases workers must have facilities that are readily accessible (open at all relevant times), provided at no cost to workers, and which meet the basic requirements detailed in section 4 of this guidance note. In practice it is unlikely that local businesses will offer such agreements

## 7. RESPONSIBILITIES DEFINED IN THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 (CDM 2015)

- 7.1 There are links to sources of further information on CDM 2015, below. To summarise, responsibility for providing welfare may fall to multiple dutyholders:
- 7.1.1 Clients have an absolute duty to ensure that they have made 'suitable arrangements for managing a project. Regulation 4(2)(b) interprets and explains this further making it clear that such arrangements include that 'the facilities required by schedule 2 are provided in respect of any person carrying out construction work'. In practice this means that a client needs to create an environment or circumstances where the work can be carried out with the appropriate welfare facilities in place. An agreement needs to be reached with the Principal Contractor / Contractor before work starts about the facilities required for the whole duration of the construction work. Use of the client's own on-site facilities should not be the default option – particularly in relation to domestic work.
- 7.1.2 Workplaces engaging peripatetic workers (working or based in various places for relatively short periods), where there is not a specific construction site as defined - i.e., not specifically fenced off or otherwise segregated from the rest of the workplace, are legally required under The Workplace (Health, Safety and Welfare) Regulations 1992 to make available their facilities for use. Clients have an explicit duty to check that adequate welfare facilities are in place before work starts.
- 7.1.3 Principal contractors must ensure that welfare facilities are provided throughout the construction phase, and that these are maintained and reviewed throughout the work.

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7.1.4 Individual contractors are responsible for planning and managing their work in compliance with legal requirements. They must ensure adequate welfare arrangements are in place for their staff. For larger / more complex projects, contractors must coordinate their activities with others, particularly with the principal contractor and principal designer.

7.2 Cooperation and coordination with others is clearly very important. On multi-contractor sites, asbestos contractors need to ensure that welfare arrangements are properly explored and clarified at the planning stage.

## 8. SOURCES OF FURTHER INFORMATION

### 8.1 HSE Guidance

- [Construction information sheet 62 “Welfare facilities: what you need to know as a busy builder”](#)
- [Construction welfare “frequently asked questions”](#)
- [Welfare at work \(INDG 293\) guidance for non-construction situations.](#) includes tables suggesting the minimum number of toilets / washbasins, dependent on number of people at work.

8.2 [General guidance on Construction \(Design and Management\) Regulations 2015 \(CDM 2015\)](#)

8.3 [HSE operational guidance for inspectors ‘Welfare standards for construction work’](#)