

TEMPERATURE IN THE WORKPLACE POLICY

Official



NORFOLK
CONSTABULARY



SUFFOLK
CONSTABULARY

TEMPERATURE IN THE WORKPLACE

Owning Department: JOINT ESTATES AND FACILITIES SERVICES

Department SPOC: Head of Estates

Risk Rating: Low

Legal Sign Off: 24/07/2023

JNCC: March 2023

Published Date: 25/07/2023 (V3)

Review Date: 05/03/2027

Official

Version Number: 3

Page 1 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

Index

1. Introduction	2
2. Statement of Policy	3
3. Applicability	3
4. Key Principles	3
5. Legislative Background	4
6. Overseeing Heating and Cooling Compliance	4
7. Heating Buildings: Roles and Responsibilities	5
8. Mitigating the Impact of Low Temperatures in Winter	7
9. Cooling Buildings	8
10. Mitigating the Impact of High Temperatures in Summer	10
11. Provision of Temporary Heating or Cooling	11
12. Definitions	12

Legal Basis

Legislation specific to the subject of this policy document:

- Regulatory Reform (Fire Safety) Order 2005
- Workplace (Health, Safety and Welfare) Regulations 1992

Other relevant legislation which you must check this document against (required by law)

- Human Rights Act 1998 (in particular A.14 – Prohibition of discrimination)
- Equality Act 2010
- Crime and Disorder Act 1998
- Health and Safety at Work etc. Act 1974 and associated Regulations
- General Data Protection Regulation (GDPR) and Data Protection Act 2018
- Freedom of Information Act 2000
- The Civil Contingencies Act 2004

Other documentation which you must check this document against:

- College of Policing – Code of Ethics
- Norfolk and Suffolk Constabularies' Standards of Professional Behaviour
- College of Policing – Authorised Professional Practice
- Health and Safety Policy
- Use of Portable Electrical Equipment in the Workplace Policy

1. Introduction

- 1.1 This policy document has been developed in support of Norfolk and Suffolk Constabularies' (the Constabularies) Environmental Strategy with the aim to minimise energy usage, carbon emissions and to reduce energy costs whilst providing acceptable internal working conditions.
- 1.2 The Constabularies are equally committed to complying with the Workplace (Health, Safety and Welfare) Regulations 1992 to ensure all officers and staff are provided with safe and reasonable working environments. This policy defines a

Official

Version Number: 3

Page 2 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

target temperature at which the workplace environment will be maintained within the constraints of practicality and cost-effectiveness.

2. Statement of Policy

- 2.1 This policy has been formally agreed via the approved policy development/review process. It will be maintained by the Estates and Facilities Department in conjunction with the Central Policy Unit.
- 2.2 The policy is intended to promote equality, eliminate unlawful discrimination and actively promote good relations regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, economic or family status.
- 2.3 Managers have a responsibility to ensure this policy is applied fairly, and unless otherwise stated, all policies and procedures are non-contractual.

3. Applicability

- 3.1 Unless otherwise stated, this policy applies to all police officers (including officers of the Special Constabulary) and all members of police staff (including police support volunteers) (referred to collectively as employees).

4. Key Principles

- 4.1 This policy aims to ensure that our estate buildings (including PFI premises at Operations and Communication Centre (OCC) and Police Investigation Centres (PICs)) provide a reasonable working environment.
- 4.2 It describes the objectives and responsibilities for providing buildings with reasonable working environments within the Constabularies. It covers all persons employed by the Constabularies and all persons affected by the work of Constabulary employees.
- 4.3 It is vital to the effectiveness of the policy that the document is available to all employees and that they understand its contents and are aware of their role in mitigating the impact of temperature extremes in their working environment.
- 4.4 This policy will detail the arrangements for incident reporting and investigation if employees are of the opinion that the temperature of their working environment is not reasonable.
- 4.5 It is the policy for the Constabularies not to fit artificial cooling within their properties, except where technical/operational reasons justify it or where thermal discomfort is experienced.
- 4.6 The Estates and Facilities Department has a clear approach to new building acquisitions, new builds and existing buildings to avoid costly installation, maintenance and high energy bills for heating and artificial cooling.
- 4.7 Any existing units used for artificial cooling that require repair or replacement will be assessed under this policy.

Official

Version Number: 3

Page 3 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

- 4.8 Existing artificial cooling units will be decommissioned and/or removed where changes of occupancy or function does not require their use to maintain a compliant environment.

5. Legislative Background

- 5.1 Norfolk and Suffolk Constabularies have a duty of care under the Health and Safety at Work Act etc.1974 for the welfare of our employees.
- 5.2 Whilst minimum workplace temperatures are defined in legislation, no upper temperature limit is defined.
- 5.3 The Workplace (Health, Safety and Welfare) Regulations 1992 state that:

- During working hours, the temperature in all workplaces inside buildings shall be reasonable.
- A workplace shall be adequately thermally insulated where it is necessary, having regard to the type of work carried out and the physical activity of the persons carrying out the work.
- Excessive effects of sunlight on temperature shall be avoided.
- 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.

Please Note: this would include legionella or the build-up of other bacteria within the artificial cooling system causing illness or sick building syndrome.

- A sufficient number of thermometers will be provided to enable persons at work to determine the temperature in any workplace inside a building.

Further approved code of practice provides:

- The temperature for sedentary (office) work should normally be at least 16°C and 13°C for work which involves rigorous physical effort. Our thermal comfort target temperature is 21°C for sedentary office work.
- The workplace must be adequately ventilated.
- These temperatures may not necessarily provide reasonable comfort, depending on other factors such as air movement, relative humidity and worker clothing. Temperature readings should be taken close to workstations, at working height and away from windows and sources of radiant heat.
- These temperature guidelines do not apply where it would be impractical to maintain those temperatures, for example in rooms which have to be open to the outside, or where products have to be kept cold. In such cases, the temperature will be maintained as close to those mentioned as practical.

6. Overseeing Heating and Cooling Compliance

- 6.1 This policy covers roles and responsibilities for heating and cooling in all the Constabularies' buildings, ensuring those responsible for the buildings to which employees and the public have access to, enjoy a reasonable environment.

Official

Version Number: 3

Page 4 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

6.2 In general, this policy requires the following:

Chief Constable	As the responsible person for Health and Safety within the organisation, to ensure: • Organisational compliance with the Workplace (Health, Safety and Welfare) Regulations 1992. • Ensuring the provision of appropriate financial and physical resources to support the provision of reasonable building environments.
Assistant Chief Officer (Estates Portfolio Holder)	Responsible for: • Acting on behalf of the Chief Constables to review, consider, implement and maintain the obligations placed on either Chief Constable via the Health and Safety Committee. • Ensuring audit arrangements exist to oversee compliance
Head of Estates	Responsible for: • Ensuring associated maintenance and testing responsibilities are undertaken in line with statutory requirements. • Reviewing this policy on a regular basis and updating in order to take into account legislative changes and the application of continuous improvement based upon best practice.
Health and Safety Manager	Responsible for: • Ensuring the monitoring of compliance with the requirements of this policy. • Providing recommendations to maintain thermal comfort based upon a risk assessment.
All Employees	Responsible for: • Ensuring co-operation with managers/supervisors on matters of temperature in the workplace compliance. • Ensuring they do not misuse or interfere with equipment provided for the buildings. • Adapting their behaviours to cope with thermal comfort EG: adding or removing clothing, changes in posture, moving to or away from cooling / heating sources.

7. Heating Buildings: Roles and Responsibilities

All Employees	Responsible for: • Ensuring any failure of the heating service to a building (except PFI OCC and PICs) is reported to the Estates Unit helpdesk.
---------------	---

Official

Version Number: 3

Page 5 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

	- Ensuring the failure of the heating service in a PFI building at OCC and the PICs is reported to the contractor running the site. (The Estates Department helpdesk may provide the contact details if required). Please Note: See the Estates and Facilities Department guidance sheet on the constabulary intranets for contact phone numbers. - Ensuring main plant boiler and control panel settings are not altered or tampered with. Main boiler and plant settings will only be set or changed by the Estates and Facilities Department or authorised contractors only. - If an individual requires a reasonable adjustment due to their permanent or temporary medical, disability or any other personal needs, this is to be reported to the Health and Safety Unit.
Head of Estates	Responsible for all buildings (except PFI OCC & PICs): - Ensuring all office accommodation within buildings will be kept at or is capable of being kept at an average temperature target of 21°C, but no less than 16°C. Please Note: Normally maintained during the period 1st October to 1st May (subject to prevailing weather conditions). - Ensuring all other working areas/accommodation within buildings will be kept at or is capable of being kept at an average temperature target of 16°C maintained. Please Note: Normally maintained during the period 1st October to 1st May (subject to prevailing weather conditions). - Ensuring all other working storage areas/accommodation within buildings will be kept at or is capable of being kept at an average temperature target of 13°C. Please Note: Normally maintained during the period 1st October to 1st May (subject to prevailing weather conditions). - Ensuring all non-working storage areas, transport workshops, garages and other out-buildings are not provided with a heating service, but may be provided with frost protection, depending on the nature of the materials stored. - Ensuring the heating service will be provided for <u>non</u> 24/7 premises such as offices from 0700 to 1900. - Ensuring a heating service is provided outside of the above to buildings where operational use/hours demand to suit the hours of use for the building. - Ensuring outside of the above times, the heating service will be set back or default to frost protection for non 24/7 buildings only. - Ensuring that timer controls will be fitted to the heating service, to police stations and offices where the use of the

Official

Version Number: 3

Page 6 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

	accommodation is intermittent during a 24/7 period. (E.g. the provision of a heating service on/off push button in the accommodation/offices). • Ensuring the urgent repair, maintenance and servicing of the heating service in accordance with statutory requirements. • Ensuring that when planned maintenance upgrades are undertaken to heating services in a building, the new system is capable of enhanced temperature control by the staff occupiers to reduce our energy costs and carbon emissions.
PFI Manager	Responsible for PFI buildings (OCC and PICs): • Ensuring all PFI buildings that have a heating service are provided in accordance with statutory and our PFI contract requirements.

8. Mitigating the Impact of Low Temperatures in Winter

8.1 There are low cost alternatives to remove and or prevent the build-up of cold/low temperatures within accommodation.

All Employees	All employees are responsible for mitigating the impact of low temperatures in the winter by: • Dressing appropriately. • Closing windows and doors. • Ensuring local thermostats and/or thermostatic radiator valves are turned on. • Where and when non-essential, ensuring any artificial cooling is turned off. • Being flexible and reasonable to accommodate premises layout or desk allocation changes within the unit, department or premises to aid the varying degrees of temperature comfort experience by different staff within the premises. (e.g. some people may wish to sit next to a window, radiator, air conditioning unit etc., or not). • Ensuring that if constant unreasonable discomfort is being experienced, a report is made to the Health and Safety Unit and the Responsible Person for the building.
Responsible Person	Responsible for: • Ensuring that Health and Safety Unit are assisted in any temperature review.
Head of Estates	Responsible for:

Official

Version Number: 3

Page 7 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

	Ensuring that the Health and Safety Unit are assisted in any temperature review and implement any approved recommendations within a reasonable timescale.
Health and Safety Manager	Responsible for: Investigating and reviewing any staff report of discomfort and report outcomes and recommendations to the Head of Estates within a reasonable period and update the Joint Health and Safety Committee (chaired by DCC) of the same at the next meeting.

9. Cooling Buildings

All Employees	Responsible for: - Ensuring any failure of the cooling service to a building (except PFI OCC and PICs) is reported to the Estates and Facilities Department. - Ensuring the failure of the cooling service in a PFI building at OCC and the PICs is reported to the contractor running the site. Please Note: See the Estates and Facilities Department guidance sheet on the OI intranet for contact phone numbers. - Ensuring the main cooling/chiller plant and control panel settings are not altered or tampered with. Main cooling/chiller plant and settings will only be set or changed by the Estates and Facilities Department or authorised contractors only. - If an individual requires a reasonable adjustment due to their permanent or temporary medical, disability or any other personal needs, this is to be reported to the Health and Safety Unit.
Head of Estates	Responsible for all buildings (except PFI OCC and PICs): - Ensuring that where artificial cooling is installed, the temperature will not cool lower than 24°C. - Ensuring that where artificial cooling is installed, the cooling service will be available for non 24/7 premises such as offices from 1000 to 1900, except for cooling to be available for the specific operations of the buildings as required (e.g. all the time for ICT equipment rooms). - Ensuring a cooling service is available outside of the above to non-24/7 buildings where operational use/hours demand. - Ensuring outside of the above times, the cooling service will be set to standby/off only. - Ensuring that timer controls will be fitted to the cooling service, to police stations and offices where the use of the accommodation is intermittent during a 24/7 period. (e.g. the

Official

Version Number: 3

Page 8 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

	provision of a cooling service on/off push button in the accommodation/offices). - Ensuring the urgent repair, maintenance and servicing of the cooling service in accordance with statutory requirements. - Ensuring that when planned maintenance upgrades are undertaken to cooling services in a building, the new system is capable of enhanced temperature control by the staff occupiers to reduce our energy costs and carbon emissions (where practical) and assessed in line with this policy.
PFI Manager	Responsible for PFI buildings (OCC and PICs): Ensuring all PFI buildings that have a cooling service are provided in accordance with statutory and our PFI contract requirements.
Head of Estates and PFI Manager	Responsible for ensuring all artificial cooling systems will only be installed or replaced at the following accommodation types if they meet the following criteria: Crime scene laboratories - where chemical processes or electronic equipment require it, to enable correct operation. ICT equipment rooms - where the operating temperature tolerance range is likely to be exceeded. (The ICT equipment room tolerance may be required for a temperature less than 24°C). Enclosed or sealed rooms – e.g. control rooms where, for security reasons, the windows are unable to open. Risk Assessment - Where a specific Risk Assessment calls for artificial cooling for medical or other operational reasons. Legislation - If required by legislation. - If required to maintain temperature ranges specified within PFI contracts. - Any other exceptional circumstances as authorised by Executive Officers. Also responsible for ensuring that artificial cooling systems may be considered due to the following scenario: - The key determining factor will be if the ambient temperature in an office exceeds 28°C for more than 28 days in a year and all practical measures to alleviate uncomfortable conditions have been fully explored. And the following related scenarios will be considered after the above: - Formal briefing/meeting areas used by employees, members of the public and members of the OPCC and the press.

Official

Version Number: 3

Page 9 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

	• Formal operational functions where employees wear operational uniform and equipment which cannot be reasonably removed. • High density occupation of space, particularly where employees are rarely able to leave the area due to the nature of their work, combined with widespread use of computers and other heat generating equipment. To be considered under the above scenarios, a formal request will be submitted to ACO (Estates Portfolio Holder) for decision whether to install artificial cooling on a case by case basis factoring in the relatively high financial and environmental costs.
--	---

10. Mitigating the Impact of High Temperatures in Summer

10.1 There are low cost alternatives to remove and or prevent the build-up of heat within offices.

Please Note: Air-conditioned buildings use twice as much energy as naturally ventilated buildings.

All Employees	All employees are responsible for mitigating the impact of high temperatures in the summer by: • Dressing appropriately. Review Personal Protective Equipment when not required. Removal of ties remains at the discretion of the Chief Constables. • Maintaining hydration (water or diluted squash being preferable to carbonated drinks). • Using window shading, e.g. blinds etc. • Using local desk fans. • Opening windows to increase air movement/ventilation when appropriate. • Taking regular short breaks to hydrate or cool down. • Making use of flexible work systems where possible to reduce exposure to periods of peak temperature. • Working away from direct heat gain and being flexible and reasonable to accommodate premises layout or desk allocation changes within the unit, department or premises to aid the varying degrees of temperature comfort experience by different staff within the premises. (e.g. Some people may wish to sit next to a window, radiator, air conditioning unit etc. or not). • Taking personal responsibility to switch off all non-essential electrical equipment when not in use to reduce heat build-up. • Ensuring local thermostats and/or thermostatic radiator valves are turned off.
---------------	---

Official

Version Number: 3

Page 10 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

	- Keeping doors and windows of working space closed if artificial cooling is in use to ensure the artificial cooling functions correctly. - Ensuring that if constant unreasonable discomfort is being experienced, a report is made to the Health and Safety Unit and the Responsible Person for the building.
Responsible Person	Responsible for: Assisting the Health and Safety Unit in any temperature review
Head of Estates	Responsible for: Ensuring that the Health and Safety Unit are assisted in any temperature review and implement any approved recommendations within a reasonable timescale.
Health and Safety Manager	Responsible for: Investigating and reviewing any staff report of discomfort and report outcomes and recommendations to the Head of Estates within a reasonable period and update the Joint Health and Safety Committee (chaired by DCC) of the same at the next meeting.

11. Provision of Temporary Heating or Cooling

All Employees	Are <u>NOT</u> responsible for and are <u>NOT</u> permitted to purchase portable heating and cooling equipment. Desk fans may be requested via the equipment budget holder. Any such equipment obtained is subject to separate portable appliance testing arrangements – see Use of Portable Electrical Equipment in the Workplace Policy. Personal equipment must not be brought in from home. Responsible for: - Ensuring requests for temporary portable heaters or coolers are made via the Estates and Facilities Department when the existing heating or cooling service has failed in the building. - When the heating or cooling service is still functioning, but additional temporary/portable heating or cooling equipment is required, ensure the request is made to the Health and Safety Unit. - Advising the Responsible Person for the building that a request has been made for either portable heaters or coolers.
Head of Estates	Responsible for:

Official

Version Number: 3

Page 11 of 12

TEMPERATURE IN THE WORKPLACE POLICY

Official

	• Ensuring the reasonable purchase and supply of portable heating or cooling equipment to a building when the main heating or cooling service has failed for an unreasonable period. • Ensuring the reasonable purchase and supply of portable heating or cooling equipment following an assessment by the Health and Safety Unit. • Maintaining a log of all portable heaters and coolers used in the Constabularies' premises. • Ensuring that all portable heating and cooling equipment is removed from sites and destroyed at the end of its economic life or sooner if the manufacturer's instructions dictate.
Facilities Manager and PFI Manager	Responsible for: • Ensuring that all portable heating and cooling equipment is PAT tested once a year. • Ensuring the contracted caretaking service assists the Estates Unit when required, to take and bring back portable heaters and coolers to and from sites as and when required.
Responsible Person	Responsible for: • Ensuring that any portable heating or cooling equipment used within the building is used and located in a safe manner.
Health and Safety Manager	Responsible for: • Investigating and reviewing any staff request for additional temporary portable heating or cooling within a reasonable period.

12. Definitions

Term	Definition
Responsible Person (Local)	A 'Responsible Person' (Local) is assigned to each of the Constabularies' premises. It is their responsibility to ensure local Health and Safety compliance in accordance with the Joint Health and Safety Responsible Person Guidance.

Official

Version Number: 3

Page 12 of 12