

Welfare on Construction Sites – A Legal Duty and a Safety Control

Welfare is a fundamental and basic necessity for all workers and is a legal requirement under the Health and Safety at Work etc. Act 1974 (HSWA) and the Construction (Design and Management) Regulations 2015 (CDM).

Providing suitable welfare facilities sets the standard and culture for a project and demonstrates respect for workers and their dignity. It assists in protecting health and reduces exposure to hazardous substances such as cement, lead, and micro-organisms. With suitable facilities established this will help prevent accidents caused by distraction, discomfort, or poor hygiene.

Good welfare is not optional — it is a vital control measure and good business practice.

Workers have an important responsibility to look after the welfare facilities provided for them. These facilities, such as toilets, washing areas, rest spaces, and drinking water points, are essential for maintaining health, hygiene, and wellbeing at work. By using them correctly, keeping them clean and tidy, and reporting any damage or issues promptly, workers help ensure that the facilities remain safe, hygienic, and available for everyone. Respecting welfare facilities also demonstrates consideration for colleagues and supports a positive, healthy working environment for all.

In the **UK**, under the **Health and Safety at Work etc. Act 1974**, employees must:

- **Take reasonable care** of their own health and safety and that of others, and
- **Co-operate with their employer** on health and safety matters.

This means operatives are legally expected to:

- Use welfare facilities **as intended**,
- **Not intentionally misuse or damage** them, and
- **Report defects or problems** they become aware of.

Minimum Welfare Expectations on Site

All construction sites must provide **suitable, sufficient, and readily accessible** welfare facilities, including:

- Sanitary conveniences (toilets)
- Handwashing facilities with hot and cold (or warm) running water, soap, and drying facilities
- Drinking water that is wholesome and clearly identified
- Changing facilities and lockers where special clothing is worn
- Rest areas with seating, tables, heating, and facilities to prepare and eat food

Facilities must be:

- Available before work starts
- Available at all times while work is ongoing
- Clean, well-lit, ventilated, and maintained

Key Legal Responsibilities (CDM)

- **Clients must ensure suitable welfare arrangements are planned and provided for the duration of the project.**
- **Principal Contractors must ensure welfare facilities complying with Schedule 2 are provided and maintained throughout the construction phase.**
- **Contractors must ensure welfare requirements are met for their workers and coordinate with the Principal Contractor.**
- **Domestic projects: Welfare duties are transferred to the contractor, Principal Contractor, or Principal Designer depending on the project setup.**

Toilets and Washing – Key Standards

- Toilets must be readily accessible (generally within 150m or one floor up/down).
- There must always be at least one WC. Urinals alone are never sufficient.
- Sanitary waste bins must be provided in toilets.
- Washing facilities must be located near toilets, changing rooms, and eating areas.
- Facilities must be adequate for the size, duration, location, and composition of the workforce.

Enforcement may be issued where welfare facilities are missing, inadequate or poorly maintained.

HSE Inspectors and Visiting Officers will:

- Consider welfare at **every construction inspection**
- Normally issue an **Improvement Notice**
- Consider **prosecution** for repeated or serious breaches

Welfare is not a luxury or an afterthought. It is a **legal duty**, a **health protection measure**, and a clear indicator of how seriously a project values its workforce.