

Guidance for Health and Safety Representatives on:-

- Periodical Inspections
- Depot Accommodation
- Personal Needs Break Locations
- Walking Routes
- Provision of operational toilet and welfare facilities

ASLEF

The train
drivers' **union**

**>>> Workplace Facilities
Guidance Document**

April 2023

>>> Approval and Authorisation of this Document

This document was produced by the Executive Committee under the authority of the 2019 AAD – Item 35 and supersedes any previous policy documents on this issue.

Revision and amendments of this document can only be carried out on the authority of the Executive Committee.

Issue Record

Version	Date	Remarks
1.0	September 2019	First Issue.
2.0	July 2021	Amended to reflect the decision of the 2021 AAD around the provision of PNB points.
3.0	April 2022	Updated to reflect the production of the guidance documents “Health and Safety in the Workplace” and “Health and Safety Machinery Agreements”.
4.0	April 2023	Updated to reflect the 2022 AAD policy on the provision of toilet facilities. Document renamed “Workplace Facilities”

>>> Terms Used in this Document

For the purpose of this document, the term “train operator” refers to Train Operating Companies and Freight Operating Companies.

>>> Purpose

This document provides guidance on:-

- Periodical Inspections
- Depot Accommodation
- Personal Needs Break Locations
- Walking Routes
- Provision of operational toilet and welfare facilities¹

For advice on the requirements for driving cabs please see the relevant guidance on the ASLEF website.

This document must be used in co-ordination with the relevant legislation and corresponding guidance where available. Useful sources are listed in Appendix A.

¹ For freight and passenger train operation

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Introduction

ASLEF has been representing Drivers for 142 years and during this time a lot has changed. The infrastructure, stations and facilities have been transformed, and now major stations are more like shopping malls than stations, as our industry caters for ever increasing passenger numbers.

As passenger expectations change, so does that of our members and it is important that we negotiate modern, clean, functional, and well-maintained facilities, that take into consideration our ever-changing membership. We must ensure that companies provide accommodation and facilities that ensure that our continually diverse workforce do not feel marginalised due to a lack of proper facilities.

The days where (a predominantly male) workforce had to urinate and defecate without the use of sanitised toilet facilities should be a thing of the past, however, this is sadly not the case. Fortunately, more and more women are becoming train drivers, and this has done a great deal - through the work of the Women's Representative Committee (WRC) to shine a light on the conditions that were hitherto accepted as a "part of the job".

Drivers can suffer from the lack of toilet provision with illnesses like Crohn's disease, irritable bowel syndrome and ulcerative colitis. Not to mention the impact on dealing with menstruation and the associated issues that brings (like toxic shock syndrome).

The nature of our privatised industry has changed. Changes to terms and conditions in recent years (especially in the freight sector) have brought about the need for greater flexibility by our members.

Also, the selling of assets in the freight sector has meant that there has been a steady decline in traincrew accommodation (and in turn toilet facilities). There has also been the perennial problem of the provision of welfare facilities at worksites and other locations where our members are required to carry out their duties on a frequent basis (like sidings, turnback points and relieving points).

The following guide is for the use of Health and Safety Representatives and local machinery Representatives when dealing with issues around traincrew accommodation and facilities as well as operational facilities (like toilet on worksites), whether you are performing routine inspections or helping deliver new accommodation to our members.

Although Health and Safety protections have been continually cut back by successive Conservative governments, there is still a lot of guidance and legislation that can assist you to achieve, not only what is morally right, but also what is legally right for our members.

ASLEF Executive Committee

>>> General Requirements²

Personal Needs Breaks

Personal needs facilities must:

- Be shown on all relevant diagrams.
- Only be scheduled at authorised locations³.

Co-sharing of Facilities

Due to the fragmented way the rail industry is organised, train operators are becoming increasingly aware that their facilities are being used by other operators who do not contribute to their upkeep.

At the current time, ASLEF see this as an issue for the train operators to resolve themselves and that our representatives and members are not to be a bar to fellow ASLEF members using any facility.

All ASLEF members must have an unambiguous right to personal needs facilities. To this end, negotiators should encourage train and freight operators to enter into facilities agreements with other train and freight operators where appropriate.

Temperatures

At the time of writing the first version of this document, the UK was going through a period of record-breaking high temperatures and it should be a requirement of all facilities to have air-conditioning.

The HSE advise that “the law does not state a minimum or maximum temperature, but the temperature in workrooms should normally be at least 16°C or 13°C if much of the work involves rigorous physical effort”.

Also, Regulation 7 of the *Workplace (Health, Safety and Welfare) Regulations 1992* deals specifically with the temperature in indoor workplaces and states that:

“During working hours, the temperature in all workplaces inside buildings shall be reasonable.” In line with this advice, ASLEF recommends an absolute maximum temperature of 26 degrees Celsius and representatives should ensure that all facilities are equipped with air-conditioning and heating systems that can achieve this.

Maintenance and Reporting Processes

The fixtures, fittings and electrical appliances of all depot accommodation and PNB facilities should be maintained to a high standard. Companies must also have an easy to use reporting process to allow members and representatives to raise concerns and identify defects so that they can be rectified in a reasonable timeframe.

The *Electricity at Work Regulations 1989* require that any electrical equipment that has the potential to cause injury is maintained in a safe condition. However, the Regulations do not specify what needs to be done, by whom or how frequently (they don’t make inspection or testing of electrical appliances a legal requirement, nor do they make it a legal requirement to undertake this annually) ⁴.

Cleaning

Most train operators now employ private contractors to carry out their cleaning responsibilities. Experience shows that these contractors win bids in relation to their cost to the train operator and whilst they might agree to fulfil the cleaning requirements, they do so under tight financial constraints.

These same constraints affect the number of employees they have fulfilling the contract and the pay and terms that they are employed on. This may impact on the quality of the service that is delivered in many ways.

You should continually monitor the quality of cleaning that takes place and ensure that management are made to exert pressure on the contractor if they are failing in their obligations

² This section applies to all depot accommodation and PNB facilities.

³ Authorised locations are those inspected and agreed by ASLEF representatives

⁴ HSE website

and if necessary ensure that changes are made to the contract to take into account our requirements.

All areas should be part of a regular cleaning regime and in addition, consideration should be given to the following:

- The cleaning of electrical equipment especially where this is used in connection with the preparation of food.
- Rubbish should be collected daily, with consideration given to more frequent collections if there is a large footfall at the location concerned.
- Planned and regular deep cleaning should take place to deal with the build-up of dirt and grime related to frequent use of facilities like showers, ovens etc.
- The frequency of cleaning should be adjusted to consider the number of people using the facilities at a particular location.

Security and Privacy

Most train operators have some kind of security system to prevent unauthorised access - whether this is a coded lock or a key card entry system. These security measures should be able to prevent members being harassed by the public during their PNB's, as well as delivering some basic theft prevention. However, representatives may want to consider negotiating lockable storage for expensive personal and company electronic items that are now commonplace.

>>> Periodical Inspections

General

One way to ensure that train-crew accommodation and PNB points are kept up to standard is by carrying out periodical inspections. Health and Safety guidance suggests that the frequency and planning of inspections is agreed with the company, but quarterly inspections are a right⁵.

The purpose of the inspections is to ensure that any damage is noted and booked for repair, and adjustments to the cleaning regime or improvements to the accommodation are logged and arranged as necessary and in a timely manner.

Most of the time these inspections will take place with management on planned formal inspections, however there may be times when inspections are carried out on a less formal basis when the need arises (e.g. after an accident).

Some tips for inspections:

- Always keep notes of your inspection/s.
- Use a checklist to ensure that you've covered everything.
- Take pictures to refer to if necessary.
- Get the manager responsible to sign and acknowledge the report or checklist.
- Follow up on progress with improvements.
- Issue improvement notices if necessary.

>>> Depot Accommodation

General

Depot accommodation should be clean, functional, well ventilated and with enough light. There should be air-conditioning and heating to ensure the rest area is sufficiently warm in winter and cool in summer. Each room or facility should be spacious and welcoming to ensure our members have a decent rest.

Good depot accommodation should provide for the following facilities:

- Showers
- Drying room
- Same sex locker rooms with seating
- Quiet room⁶
- Toilets and hand washing
- Vehicle parking

Messing Facilities

- Tables and seating
- A microwave or other suitable way of heating food
- Food preparation area

⁵ The Safety Committees Regulations 1977 - Inspections of the workplace (Regulation 5)

⁶ This could also be used as a faith room

- A refrigerator for storing food
- Dishwashing facilities / sink with detergent provided
- Suitable hand washing facilities for the type of work carried out
- Appropriate amount of seating and tables
- Cold drinking water
- Facility for boiling water⁷
- Sockets for electrical equipment

Environment

- Sufficient ventilation
- Window blinds or covers to block excessive sunlight if necessary
- Sufficient artificial lighting
- Heating and air conditioning

Safety

- Accident book
- Safety policy and statements
- Fire evacuation information
- First aid kit⁸
- Information on first aiders⁹
- Fire blanket
- Fire Extinguisher
- Fire alarm¹⁰

Lockers

Our industry has grown and with it our members, placing increased pressure on employers to manage expansion within the confines of current infrastructure. These pressures manifest themselves in many ways but one of them is a reduction in the size of clothes lockers.

⁷ This could be a kettle or urn.

⁸ Suitably stocked and in date

⁹ The *Health and Safety (First-Aid) Regulations 1981* require employers to provide adequate and appropriate first-aid equipment, facilities and people so that employees can be given immediate help if they are injured or taken ill at work.

¹⁰ Where a conventional oven/stove is provided

Lockers of a suitable size¹¹ with enough space to store the following equipment is mandatory:

- Drivers' bags
- Railway publications
- Electronic equipment
- Personal effects
- Uniform (including wet weather gear)

Negotiators should ensure no one is disadvantaged (e.g., cyclists by having to carry all their equipment into work every day due to the inadequate size of their lockers). In addition, negotiators should consider the provision of additional lockers for cycle helmets.

Toilet Facilities

The *Workplace (Health, Safety and Welfare) Regulations 1992* indicate the amount of water closets (WC's) and hand basins you should have according to the number of people in your workplace.

Identifying this number is difficult when we look at the railway industry. After all, although we may have a depot of 200 traincrew perhaps only 15% of those people will be using the facilities at any one time. It is therefore suggested that representatives carry out a survey of footfall within any depot or PNB point, to help identify the maximum number of people using the facilities at a given location.

ASLEF accepts the use of unisex toilets but only when used as a single module/unit with its own lockable door and hand washing facility.

The following should be standard requirements for toilet facilities:¹²

- Enough toilets and washbasins for those expected to use them people should not have to queue for long periods to go to the toilet.
- Where possible, separate facilities for men and women failing that, rooms with lockable doors
- Clean facilities to help achieve this walls and floors should preferably be tiled (or covered in suitable waterproof material) to make them easier to clean
- A supply of toilet paper and, for female employees, a means of disposing of sanitary dressings
- Facilities that are well lit and ventilated

¹¹ Recommended dimensions: Height: 2100mm, Width: 300mm, Depth: 525mm

¹² HSEs booklet: Welfare at work Guidance for employers on welfare provisions

- Facilities with hot and cold running water
- Enough soap or other washing agents
- A basin large enough to wash hands and forearms if necessary
- A means for drying hands, e.g. paper towels or a hot air dryer

Location of depot accommodation

The accommodation should be sited to give as safe access as possible to the places of work and to the transport routes to and from work, staff car parking and bus stops etc.

>>> Personal Needs Break (PNB) locations

General

The responsibility for agreeing the location, use and walking time for each PNB point lies with the industrial machinery representatives (normally the local representatives). Once a PNB point has been agreed (in principle) for use, the relevant Health and Safety Representative will need to inspect the PNB point to ensure that it is safe to use. Once a PNB point has passed its initial inspection, it should be inspected on a regular basis at a frequency agreed with the company (ASLEF best practice is that this should take place quarterly).

In Appendix C you will see a template checklist for a PNB point, this checklist is not exhaustive but should cover the minimum standards expected.

Minimum Standards

As a minimum a PNB point should provide:

- Toilets and hand washing facilities
- A microwave or other suitable way of heating food
- Food preparation area
- Cold drinking water
- Facility for boiling water¹³
- A microwave or other suitable way of heating food
- A food preparation area
- A refrigerator for storing food.
- Dishwashing facilities / sink with detergent provided.

- Suitable hand washing facilities for the type of work carried out
- Appropriate amount of seating and tables
- Sockets for electrical equipment

Environment

- Sufficient ventilation
- Window blinds or covers to block excessive sunlight if necessary
- Sufficient artificial lighting
- Heating and air conditioning

Safety Equipment

- First aid kit
- Fire blanket¹⁴
- Fire Extinguisher
- Fire alarm
- Fire evacuation information

>>> Walking Routes

Responsibilities

The responsibility for agreeing the location, use and walking time for each route lies with the industrial machinery representatives (normally the local representatives). Once a walking route has been agreed (in principle) for use, the relevant Health and Safety Representative will need to inspect the walking route to ensure that it is safe to use. Once a walking route has passed its initial inspection, it should be inspected on a regular basis, at a frequency agreed with the company (ASLEF best practice is that this should take place quarterly).

Where a walking route is used by multiple depots covered by the same train operator then it is best practice for one health and safety representative from one depot to have sole responsibility for a particular walking route. This should depend on the following factors:

- Which depot is nearest to the walking route

¹¹ This could be a kettle or urn

¹² Where a conventional oven/stove is provided

- Which depot uses the walking route the most
- Other agreed method in the Health and Safety machinery

For this process to work effectively, there should be a common standard agreed with the company concerned so that each walking route is assessed to the same standard regardless of which health and safety representative carries out the inspection.

Inspections

In Appendix D there is an example of a walking route checklist which should be agreed and used within the company concerned when carrying out an inspection. There should also be agreed timelines for when remedial work needs to be carried out, and a process for closing a walking route that is unsafe.

When carrying out an inspection, it is good practice to take pictures of any areas of concern and document them in a report alongside the checklist. Once the inspection is complete, you should pass on a copy of the report and checklist to the manager responsible.

You should ensure that the company has a record of all walking routes in a place where staff can gain easy access (e.g., booking on point). This should contain details of the route including:

- Geographical location
- Local risks
- Details of the last inspection
- Walking time agreed

Issues with walking routes are sometimes difficult to resolve, as the managers responsible for them do not know how to get remedial work done. It is also worth noting that whilst you and your company may recognise certain walking routes, these won't necessarily be what the infrastructure company (e.g., Network Rail) or site owner will recognise and this difference is crucial, especially when there is a need to carry out remedial work.

It is therefore good practice to be in contact with the infrastructure manager or site owner responsible for your area and liaise with them and your manager so that everyone is clear on who is responsible for what.

>>> Provision of operational toilet and welfare facilities

(For freight and passenger services).

General

It is not unreasonable to expect toilet facilities for all drivers where there are train regulating points and remote locations where they are expected to work or relieve trains, including third party locations and worksites.

The following requirements apply to freight and passenger train operation where there is a reasonable expectation for employer to provide the facilities expected by ASLEF.

Worksites

All engineering worksites should have welfare and toilet facilities for all staff to use including traincrew and worksite staff. These facilities should be within a reasonable walking distance for all staff concerned - so consideration should be given to multiple facilities being provided on a large worksite.

Relieving Points

Companies should give consideration to the location of relieving points to ensure that there are adequate facilities for traincrew to shelter and keep warm and have access to toilet facilities especially where traincrew may be expected to wait for some time.

Unstaffed stations should be avoided unless traincrew have access to toilet facilities and a PNB point for the duration of their diagrammed stay.

Turn Back Points

It is acknowledged that there are authorised turnback points which are used infrequently as a part of contingency plans during periods of disruption where no toilet facilities may be required, however where a turnback point is frequently used as a part of normal service requirements or as a part of prolonged disruption (e.g., engineering work) then there should be toilet facilities provided.

Requirements for Operational Toilet Facilities

The highest level of toilet provision should be provided where possible. The hierarchy for toilet facilities is as follows:-

- 1 Hard-standing toilet facilities in an accommodation building where facilities for traincrew are already established.
- 2 Public toilets.
- 3 Portable toilets are acceptable for use in worksites, relieving points or turn back points.

All toilet facilities must be regularly cleaned and maintained.

Use of Public Toilets

It is acceptable for public toilets to be used if they are part of a regular cleaning regime. They are not acceptable for use when there are usable traincrew facilities at the same location.

Continuous Driving Breaks

Toilet facilities on trains cannot be relied upon for the use of traincrew as they can sometimes become defective, or retention tanks become full. Continuous driving breaks must be diagrammed at a location where toilet facilities are available and not rely on onboard facilities.

>>> Appendix A

Publications and Further Reading

- | | |
|------|--|
| I | 2015 Safety Representatives and Safety Committees handbook 1977 (Brown Book) can be downloaded from the members section of the ASLEF website and can also be found at: https://www.tuc.org.uk/sites/default/files/BrownBook2015.pdf |
| II | TUC Health & Safety Inspections guide https://www.tuc.org.uk/research-analysis/reports/health-safety-inspections-tuc-guide |
| III | TUC Risk Assessments guide https://www.tuc.org.uk/sites/default/files/extras/riskassessment.pdf |
| IV | TUC Safety Representatives: Getting more than the minimum (covers Union Improvement Notices) https://www.tuc.org.uk/research-analysis/reports/safety-representatives-going-beyond-minimum |
| V | ACAS Code of Practice Time off for trade union duties and activities https://www.acas.org.uk/acas-code-of-practice-on-time-off-for-trade-union-duties-and-activities/html |
| VI | The Control of Noise at Work Regulations 2005 |
| VII | The Control of Substances Hazardous to Health (COSH) Regulations 2002 (as amended) |
| VIII | The Health and Safety (First Aid) Regulations 1981 |
| IX | Health and Safety at Work etc. Act 1974 |
| X | Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) |
| XI | Workplace (Health, Safety and Welfare) Regulations 1992 |
| XII | The Regulatory Reform (Fire Safety) Order 2005 |
| XIII | Electricity at Work Regulations 1989 |
| XIV | Trade Union and Labour Relations (Consolidation) Act 1992 |

>>> Appendix B

Depot Inspection Checklist – Example

Key
G: Good
S: Satisfactory
P: Poor

Date	
Time	
Inspected by (Staff Side):	Inspected by (Management)
1	1
2	2
3	3

Item	Remarks
Safety Policy Handbook	
Walking Route Folder	

Item	Standard			Notes
------	----------	--	--	-------

Item	G	S	P	Description of any defects
------	---	---	---	----------------------------

External Exits				
Internal Exits				
Conditions Underfoot				
Paintwork				
Lighting				
Fire Equipment				
Windows				
Ceiling				
Cleanliness				

Item	Standard			Notes
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Admin Office	G	S	P	Description of any defects
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External Exits				
Internal Exits				
Conditions Underfoot				
Paintwork				
Blinds/Curtains				
Windows				
Ceiling				
Electrical Equipment				
Temperature				
Ventilation				
Seating				
Workstations				
Storage				
Cleanliness				

>>> Appendix C

PNB inspection Checklist – Example16

Personal Needs Break Checklist

Location	DATE

	Item/Area	OK	Remarks
1	Fire extinguisher in date needle in green area		
2	Fire blanket*		
3	Fire exit signed		
4	Fire alarm break glass box		
5	Fire evacuation details meeting point		
6	First aid box sealed eye wash kit sealed bottles		
7	First aid posters first aider listed and contact phone numbers		
8	Tables sturdy and safe		
9	Chairs sturdy and safe		
10	Heating working		
11	Waste bins with lids		
12	Lighting all bulbs working and emergency lighting		
13	Sink with hot and cold running water		
14	Liquid soap and hand towels in dispenser		

	Electrical equipment	OK	Remarks
	All electrical items to have PAC test stickers in date)		
A	Fire extinguisher in date needle in green area		
B	Fire blanket*		
C	Fire exit signed		
D	Fire alarm break glass box		
E	Fire evacuation details meeting point		

* If conventional oven fitted

>>> **Appendix D**

Walking Route Inspection Checklist – Example

Walking Route Checklist

Location		DATE		

1	Criteria	Y	N	N/A
2	Does the underfoot surface provide an adequate walking condition? Comments if no:			
3	Is there adequate lighting during hours of darkness? Comments if no:			
4	Are accesses clearly signed, warning members of the public that access is prohibited and to make them aware that the railway is hazardous?			
5	Where the route ends at or alongside a running line is there a barrier to prevent accidental access to the track?			
6	If the route comes within one metre of a conductor rail, is a guard board provided?			
7	Are handrails in place to prevent falling or slipping where required (i.e., sharp changes in gradient)?			
8	Is the route at least 0.7m (2'4") in width?			
9	Are the working arrangements being complied with?			
10	Is the route generally clear of rubbish, debris, and obstructions?			

1	Criteria	Y	N	N/A
11	Is the route clearly displayed in the Local Safety Policy?			
12	Where steps or ramps at the end of the route lead directly to the line-side, is a place of safety with a hard level surface provided?			
13	Are there 'Limited Clearance' warning signs where a continuous position of safety is interrupted for a distance of more than two metres?			
Walking Route assessed as:				
Remedial Action needed:				



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