



HS Broadcast – Staff Kitchen

I was recently in conversation with an employee of a client to whom I provide health & safety advice, who insisted that the client was in fact breaking the law by not providing a well-equipped kitchen. I explained the law to him but he said that the employer should make a fridge, dishwasher, microwave and a table and chairs readily available for all staff. I had to go into some detail to demonstrate that in fact he was mistaken and a fully equipped kitchen does not have to be provided.

The Workplace (Health, Safety and Welfare) Regulations of 1992 cover rest and eating facilities but they don't mention kitchens. However, it is stated that the only electrical equipment you may need to provide by law is a means of heating food, such as a microwave. Please note, this is only necessary if hot food cannot be obtained in, or reasonably near to, your premises, e.g. within a 15 minute walk.

Please also remember that a dedicated eating area is only compulsory if one or both of the following apply;

- 1) If your employees lack access to a clean, uncontaminated environment to eat food, e.g. factory-based staff;
- 2) If there's no suitable seating or surface close by for them to eat at, e.g. those who work in public areas.

If neither of the above applies then employees can use their desks (although this has its downsides and may be subject to the employer's own workplace policy).

Where eating facilities are provided, you are obliged to include a means of preparing or obtaining a hot drink, e.g. via a kettle or vending machine.

I have also come across employees who believe that the employer must provide a fridge for staff to store their food and drinks. This again is incorrect, although there is an exception for the storing of medicine where the employee's condition qualifies as a protected disability.

Another exception is if an employee has a qualifying disability that requires a restricted diet, e.g. coeliac disease. Here, many suitable foods for sufferers need refrigeration. In these situations an employer must provide a fridge in order to comply with "reasonable adjustments". Please remember that the onus is on the employee to show that their medical condition is a qualifying disability.

You also need to be aware that any kitchen facility that you do provide must be capable of being kept clean. As well as sinks and worktops, this includes tables and chairs in an eating area. The worst germ magnets are dirty and unemptied fridges and microwaves encrusted with burnt food residue. These are health and hygiene hazards that could lead to food poisoning and sickness absence if not effectively managed. You should ensure that the cleaning of fridges and microwaves is actively managed.



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I would suggest that having a dedicated kitchen monitor, whilst good in theory, unfortunately does have a history of not working. It is far better and more effective to have a set of kitchen rules and then strictly ensure that the rules are followed. These rules should cover regular fridge checks to remove out-of-date food as well as staff cleaning up after them. Failure to follow such rules may then lead to disciplinary action.