

# **FPC DRAFT GUIDANCE ON PROVISION OF CARAVAN ACCOMMODATION FOR TEMPORARY WORKERS IN THE UK FOR CONSULTATION**

**November 2016**

The Fresh Produce Consortium was approached by members of the UK Accommodation Working Group (formerly known as the Nickle Farm Working Group) and the Ethical Trading Initiative to look at developing industry guidance on the provision of caravan accommodation for temporary workers in the UK. The group had been working to produce a draft standard following a critical TV documentary.

FPC has proposed to develop guidance which aims to engage all sectors of the industry to work together over time to improve conditions where necessary. Initial feedback was provided by the Fresh Produce Consortium's Board of Directors, members of the UK Accommodation Working Group and to the ETI/retailer group for feedback.

We have also engaged with the Gangmasters Licensing Authority which has provided comments and has indicated its support to endorse the guidance.

Feedback from FPC members, which includes retailers, processors, packers, wholesalers, distributors and growers, has provided practical advice and input from a range of experts who are involved directly in the provision of caravan accommodation.

This guidance focuses on caravan accommodation; it is recognised that there are other forms of temporary accommodation and we welcome feedback from members on whether the principles may be applicable to other forms of temporary accommodation.

The guidance will be circulated for a wider consultation during the current UK season with other organisations, labour providers and growers to encourage use of the guidance and feedback on its practical application and participation in the development of further enhanced advice for the 2017 season.

The purpose of this guidance is to encourage stakeholder debate to develop good practice whilst securing industry input and support. We fully anticipate this document to evolve.

We welcome feedback on the guidance as part of our consultation which takes place until 2 January 2017.

## Introduction

The Fresh Produce Consortium recognises the need to provide guidance to members on the provision of caravan accommodation for temporary workers in the UK. Whilst some aspects of worker accommodation may be covered adequately by legislative requirements there are significant elements which are not, and where the industry could benefit from sharing good practice to ensure that workers employed in our industry live not only in a safe environment, but in one which is acceptable in terms of comfort and security.

There is a range of accommodation available in the UK and this guidance focuses specifically on caravans provided for temporary workers. The period of continuous occupancy for a temporary worker is considered normally to be up to ten months.

**The site owner will need to check the local authority's planning regulations to ensure that interpretations of this guidance are acceptable to that authority.**

This guidance is not intended to be interpreted as being an industry standard for caravan accommodation and we welcome comments from FPC members and other organisations on developing this guidance further on behalf of the UK fresh produce industry. Our intention is that this guidance should set out what is legally required, what makes good practice and identify aspects where the industry can work together to improve conditions for temporary workers.

The guidance includes a self-assessment checklist which is intended to be used by growers to assess the status of their accommodation against the benchmark indicators which include regulatory requirements and recommendations of good practice.

FPC will review this guidance regularly based on feedback, and will consider any further action as necessary.

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## Legal requirements

This guidance focuses on the provision of temporary accommodation for seasonal workers in caravans. These accommodation units may be self-contained with sleeping, sanitary and cooking facilities, or there may be separate communal facilities provided such as a kitchen or toilet block.

A caravan is defined under legislation as "*any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted*".

There are no comprehensive national or international regulations relating specifically to workers' temporary accommodation or for caravans used as temporary accommodation. However, regulatory requirements covering health and safety, water supply and fire safety must be met for all types of accommodation:

- First aid must always be available on site and should meet the requirements of the [Health and Safety \(First Aid\) Regulations 1981](#).
- Water supplies must meet the standards set under the [Water Supply \(Water Quality\) Regulations 2000](#). Where private drinking water supplies are used these must meet the requirements of the [Private Water Supplies Regulations 2009](#).
- The [Environmental Protection Act 1990](#) defines the fundamental structure and authority for waste management and control of emissions into the environment.
- A fire safety risk assessment should be carried out prior to occupancy in accordance with the [Regulatory Reform \(Fire Safety\) Order 2005](#).
- The [Furniture and Furnishings \(Fire\) \(Safety\) Regulations 1988](#) (as amended) sets levels of fire resistance for domestic upholstered furniture, furnishings and other products containing upholstery and responsibilities which apply to the supplier of the furniture, including a landlord letting property as a source of income.

Certain aspects of regulations which cover the provision of permanent dwellings used as temporary accommodation will be relevant and should be considered.

### Caravan Sites

Once a person brings a caravan onto a piece of land for the purpose of human habitation the land becomes a caravan site. The '[Caravan Sites and Control of Development Act 1960](#)' covers the provision of a caravan site licence by the local authority to use or permit the use of land for a caravan site. The Act prohibits the use of land as a caravan site unless an appropriate licence is held and allows the local authority to attach conditions with regard to:

- Density and space between caravans.
- Roads and footpaths.
- Hard standings.
- Drainage, sanitation and washing facilities.
- Water supply.
- Refuse disposal.

- Fire fighting appliances: fire points; fire fighting equipment; fire warning; maintenance; fire notices; fire hazards; note on fire hydrant; telephones.
- Storage of liquefied petroleum gas.
- Electric installations.
- Storage space.
- Car parking.
- Recreation space.

Under the [Town and Country Planning \(General Permitted Development\) Order 1995 \(as amended\)](#) **planning consent is not required where agricultural land is in the same ownership and the accommodation is provided for agricultural workers.** The Order sets out a number of provisions which must be met.

[Housing Act 2004](#) and associated statutory instruments apply to permanent dwellings and not to moveable dwellings used as temporary accommodation. However, the Act can provide guidance on identifying common health and safety hazards. More details are provided in Appendix 2 of the space standard for sleeping areas from [section 324 of the Housing Act 1985](#).

#### [Housing Health and Safety Rating System](#)

This is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales.

There are 29 hazards under the Housing Health and Safety Rating System which are:

Damp and mould growth	Excess cold
Excess heat	Asbestos and manufactured mineral fibres
Biocides	Carbon monoxide and fuel combustion products
Lead	Radiation
Uncombusted fuel gas	Volatile Organic Compounds
Crowding and space	Entry by intruders
Lighting	Noise
Domestic hygiene	Pests and refuse
Food safety	Personal hygiene
Sanitation and drainage	Water supply for domestic purposes
Falls associated with baths etc.	Falls on level surfaces
Falls associated with stairs and steps	Falling between levels
Electrical hazards	Fire

Flames, hot surfaces etc.

Collisions and entrapment

Explosions

Position and operability of amenities

Structural collapse and falling elements.

For more advice see the [Department for Communities and Local Government's 'Housing Health and Safety Rating System: Guidance for Landlords and Property Related Professionals'](#).

### **Gangmasters Licensing Authority Standards**

Accommodation may be provided by a licensed GLA gangmaster. Certain [Standards of The Gangmasters Licensing Authority](#) apply to accommodation and the GLA provides guidance on when a licence holder is considered as providing accommodation – see Appendix 3 for more details.

Whilst a company may not be directly providing temporary accommodation to workers Labour Users have a responsibility to ensure that temporary workers are housed in suitable accommodation which is safe and comfortable.

### **Assurance schemes and standards**

There are a number of different assurance schemes and standards which are used in the UK fresh produce industry.

The [Ethical Trading Initiative \(ETI\) Base Code](#) is founded on the conventions of the International Labour Organisation (ILO) and is an internationally recognised code of labour practice. Assurance schemes and standards which use the ETI Base Code as a means of auditing or reviewing conditions in place can refer to ETI principle 3: Working conditions are safe and hygienic states *'Accommodation, where provided, shall be clean, safe, and meet the basic needs of the workers'*.

### **CIEH Accommodation Standard**

The Nickle Farm Working Group commissioned the Chartered Institute of Environmental Health to develop an Accommodation Standard as interim guidance.

## Benchmark indicators

Good and best practice is continually evolving and we have set out to capture and share those elements which we believe should be common practice among providers of temporary accommodation in the UK.

The following benchmark indicators are based on regulatory requirements, recommendations from the Chartered Institute of Environmental Health (CIEH), the Association of Labour Providers (ALP), local authority guidance on caravan sites and the [International Finance Corporation and the European Bank for Reconstruction and Development \(IFPC/EBRD\) guidance note 'Workers' accommodation: processes and standards'](#).

### External site

Benchmark:

- The location of accommodation should avoid safety hazards such as machinery, ideally away from flooding and other natural hazards. The [Environment Agency's Flood Risk Map](#) will indicate if the site is in an area for potential flooding.
- The site should be adequately drained to avoid accumulation of stagnant water with water pipes and site drainage approved by the local authority as compliant with relevant Building Regulations.
- Where possible, accommodation should be located within a reasonable distance from the place of work, otherwise consideration should be made to provide transport from the accommodation to the place of work.

Site with multiple units

- Any gateway to the site should have a minimum 3.2 metres wide with a 3.7 metres height clearance.
- Emergency vehicle routes should be visible and clear of obstruction.
- Carriageways should be at least 3.7 metres wide.
- Warning notices should be displayed about overhead electric lines displayed at site entrance and on line supports.
- Overhead cables across roads should be at least 4.5 metres high.
- Where trees are present on site they should be maintained, particularly where trees are close to unit and branches could overhang units.
- Pedestrian and traffic routes should be safe for residents.
- Carriageways should be within 45 metres of all units and toilet blocks.
- Each unit and toilet block should be connected to the main carriageway by a footpath at least 0.75 metres wide, and surfaced with a suitable material.
- Site boundaries should be delineated on the ground by fencing or other means.
- Parking may be permitted next to a unit and consideration should be given to the proximity to other units (refer to your local authority's guidance and advice from fire safety expert).

- Designated parking areas should be sufficient (<11 cars minimum 10 metres away from any unit/>10 cars minimum 18 metres).
- The positioning of units in relation to any public road and spacing between units should be based upon consultation with a qualified fire safety professional and evidenced with the appropriate risk assessment. For new-build sites or where a site is completely overhauled or re-designed, no unit shall be stationed within 6 metres of any public road, or within 6 metres of another unit (3.5 metres corner to corner if units are staggered). If this is not achievable, then other arrangements may be made, in consultation with a qualified fire safety professional and evidenced with the appropriate risk assessment.

### **Room space**

Caravans should be able to be kept clean and be provided in a good condition, with sufficient space to allow workers to rest properly and maintain good standards of hygiene. It remains the responsibility of the provider of the accommodation to ensure that units and sanitary facilities are in good condition. Adequate numbers of beds and of an appropriate size are essential. There should be sufficient living space for the number of persons accommodated within the unit such that a comfortable level of personal space is provided.

Bedroom sizes must be assessed to determine suitable occupancy numbers e.g. twin room sizes may not prove suitable for two adults. The following criteria are proposed for use to define the minimum requirements when determining whether a room is suitable as a bedroom for one or more adults:

- The individual beds shall be a minimum of 1800 mm long.
- The individual beds shall be a minimum of 600 mm wide.
- The space between the beds shall be sufficient to access each bed position comfortably.

Single beds should be provided to replace double beds if requested. The number of residents should be checked frequently to ensure there is an acceptable level of occupancy and to avoid overcrowding and safety issues.

The Housing Act applies to permanent dwellings and not to moveable dwellings used as temporary accommodation. However, the Act can provide guidance on the provision of a 'decent home' standard. See Appendix 2.

- Access doors to each unit should be lockable, with unit locks able to be opened from the inside without a key.
- There should be mobile partitions or curtains to ensure privacy at windows.
- Every unit should be provided with adequate furniture such as table, chairs, a mirror and adequate illumination.
- Separate sleeping areas are provided for men and women, except in family accommodation.
- A separate bed for each worker is provided and the practice of 'hot bedding' avoided.
- Double deck bunks are not advisable for fire safety and hygiene reasons.
- Each worker is provided with a mattress as a minimum. Workers should be advised in their recruitment pack whether they should provide their own pillow, cover and clean bedding.



- Facilities for the storage of personal belongings for workers are provided. It is suggested that there should be adequate space to store a small suitcase (typically under the bed or in a central store) and to store clothes in an easily accessible location, preferably close to the sleeping areas. Separate storage for work boots and other personal protection equipment, as well as drying/airing areas may need to be provided depending on time of year/weather conditions.
- Floors should be of a material which is easily cleanable with domestic cleaning products/appliances.
- Secure non-slip steps with uniform rise should be provided where necessary to access an accommodation unit. If necessary a hand or rail grab should be fitted to prevent trips or falls between uneven surfaces.
- The structural integrity of the units must be checked frequently (monthly/quarterly checks) to identify and remedy any defects e.g. loose canopies/porches or damaged ceilings.
- The area underneath each unit should be kept clear at all times and no combustible material should be stored underneath.
- The site should be kept clear of pests.

### Heating, lighting and ventilation

Benchmark:

- The accommodation must be kept wind and watertight and in good repair.
- Precautions should be in place to protect against frost in the winter months to ensure that the unit is comfortable and that sanitary and toilet facilities function correctly.
- Heating and ventilation should be appropriate for the climatic conditions.
- Fixed heating appliances should be designed to be capable of raising and maintaining the temperature in areas as follows (UK & WHO standards):
  - lounge/dining room 18 °C
  - bathroom/toilet (including communal) 14 °C
  - kitchen (including communal) 16° C
  - bedrooms 14 °C
  - hallways 14 °C.
- Gas installations must be maintained at least annually by a suitably qualified person registered with the [Gas Safe Register](#) and records kept for at least two years. Tenants should be provided with a copy of the gas safety certificate, displayed on the wall in the unit.
- Storage of calor gas bottles should be at a safe distance from the units and replacement should be carried out by the site manager or a designated person. LPG cylinders should be stored in accordance with UKLPG Code of Practice No. 7 'Storage of Full and Empty LPG Cylinders and Cartridges'. Separation distances vary depending on the quantities of LPG being stored.
- Adequate ventilation should be provided for all rooms by a window or mechanical ventilation.
- Permanent ventilation should be provided in rooms with gas heating appliances.

- Both natural and artificial lighting should be provided and maintained. It is best practice that the window area represents not less than 5% to 10% of the floor area.
- An adequate number of electrical sockets should be provided in each unit.
- Approved electrical outlets should be installed in accordance with BS 7671 (wiring regulations). Electrical installations must be inspected once every 12 months or every 3 years if underground by a qualified electrician who provides an inspection certificate to the site manager.
- Electrical appliances supplied should have a CE manufacturers' (European law compliance) marking.
- All portable electrical appliances, including those brought on site by residents, must be checked at least every 12 months and have an in date PAT (portable appliance test) sticker/re-test date sticker on each plug.
- Emergency lighting should be fitted in communal areas.

### **Sanitary and toilet facilities**

Sanitary facilities include toilets, urinals, washbasins and showers, all of which should be kept clean and in fully working condition.

- Facilities should be easily cleanable.
- Adequate privacy should be ensured, including lockable doors.
- Hand wash basins and showers must be provided, kept in good working condition and cleaned frequently.
- An adequate number of hand wash facilities should be provided based on a risk assessment. Recommendations vary; in practice some range from one unit to each 10 persons to one unit per 6 workers.
- Hand wash facilities should consist of a tap providing hot water, a basin, soap (in communal areas) and a hygienic means of drying hands.
- An adequate number of shower/bathroom facilities should be provided based on a risk assessment. Recommendations vary; in practice some range from one unit to 14 persons to one unit per 6 workers.
- In communal areas there should be segregation of male/female showers.
- Flooring for showers should be of an anti-slip hard washable material.
- Shower cubicles should have curtains or doors.
- Adequate drying/changing space should be available.
- Suitable light should be provided.
- Shower/bathroom facilities should be provided with a constant supply of cold and hot running water.
- Shower/bathrooms must be ventilated to prevent build-up of condensation. A recommendation is ventilation by mechanical extraction capable of 15 litres per second per cubicle/shower or 6 air changes per hour to avoid build-up of condensation.
- Toilets must be ventilated by natural or mechanical means.

- Shower facilities and related plumbing must be designed, installed, cleaned, disinfected and managed in accordance with the [Health and Safety Commission's Approved Code of Practice 'Legionnaires disease: the control of legionella bacteria in water systems' ISBN 978 0717 617722](#). The management system and risk assessment should include obtaining satisfactory sample results from a [UKAS accredited laboratory](#) before the showers are first used or at the start of each season and thereafter in accordance with the requirements of the site risk assessment.

### **Toilet facilities**

- An adequate number of toilets should be provided for workers to provide privacy based on a risk assessment. Recommendations vary; in practice some range from one unit to 15 persons to one unit for 6 persons, and one urinal per 15 male residents. If toilets are shared by more than 5 people, then separate male and female facilities should be provided.
- Toilet facilities should be conveniently located and easily accessible. A recommendation is for the location of toilet facilities to be less than 90 metres from accommodation units where separate communal facilities are provided, and from 30 to 60 metres from rooms. Toilets should be accessible without any individual having to pass through any sleeping room.
- Women's facilities should have provision for hygienic disposal of sanitary dressings.
- Toilets should be illuminated, have good ventilation or external windows, and have sufficient hand wash basins with hot and cold water.

### **Laundry facilities**

Benchmark:

- If a launderette is further than one mile away from the site adequate facilities for washing and drying clothes should be provided based on a risk assessment or alternatively a laundry service may be provided. Standards range from providing sinks or tubs with hot and cold water, cleaning soap and drying rooms to providing washing machines (domestic or industrial) and dryers. Recommendations vary; in practice one washing machine and one tumble dryer per 20 people).

### **Cooking facilities**

Benchmark:

- The cooking area for workers should be separate from sleeping areas. Toilets and bathrooms should not be accessed directly from a kitchen.
- Based on a risk assessment, adequate cooking facilities should be provided. In a unit cooking facilities may comprise an oven or microwave. The cooker should have a minimum of 2 burners/hobs, and be located in a safe position away from doorways.

- in communal kitchens a cooker (minimum 4 rings, oven and grill) should be provided for up to 5 people, with double bowled sink and drainer, or single sink and drainer (up to 10 people).
- Gas installations must be maintained at least annually by a suitably qualified person registered with the [Gas Safe Register](#) and records kept for at least two years. Tenants should be provided with a copy of the gas safety certificate, posted on wall.
- Wall surfaces adjacent to cooking areas are made of fire-resistant materials.
- There should be adequate natural or mechanical ventilation.
- In communal areas a smoke detector should be located in the cooking area.
- A fire blanket and fire door should be installed based on professional advice from Fire Service or advisor.
- Lighting should be of sufficient intensity to enable effective cleaning.
- There should be sufficient 13 amp electrical sockets above the work surface for appliances, with dedicated sockets for fridge/microwave/oven.
- Food preparation tables are equipped with a smooth durable non-corrosive washable surface made of non-toxic materials.
- To facilitate easy cleaning, it is good practice that stoves are not sealed against a wall, benches and fixtures are not built into the floor.
- Floor, ceilings and walls, cupboards and other fixtures should be made of easily cleanable materials e.g. laminated board.
- Sufficient space for the preparation of food and eating should be provided, and should conform to hygiene and safety requirements, including protection against contamination between and during food preparation.
- There must be sufficient space for dry storage of food based on a risk assessment.
- There must be sufficient refrigerated space for food based on a risk assessment, with a maximum temperature of 5°C.
- Provision of adequate freezer space should be considered. For a single unit, a sink with hot and cold potable water, connected to a suitable drainage system, should be provided, with materials for hygienic drying.
- Adequate facilities for cleaning and storage of cooking utensils and equipment are provided.
- Sealable containers should be provided for kitchen/general waste and checks should be made to ensure that waste is not accumulating.

### **Potable water**

Workers should always have easy access to a source of clean water.

Benchmark:

- Drinking water must meet UK drinking water standards and be monitored regularly.
- Tanks used for the storage of drinking water must be constructed and covered to prevent water becoming polluted or contaminated.

## **Wastewater and solid waste**

Wastewater treatment and effluent discharge as well as solid waste treatment and disposal must comply with local effluent discharge standards and be adequately designed to prevent contamination of any water body, and without causing any significant impacts on site residents, the environment or local communities.

Benchmark:

- Treatment and disposal services can be either provided by dedicated or existing municipal facilities.
- Septic tanks must meet the appropriate standards and building regulations.
- The ALP and CIEH recommend that units with their own plumbing system should be connected to the foul drainage system. The connection should be sealable when not in use.
- An adequate number of specific containers for rubbish collection are provided and emptied regularly. Where possible, containers should be non-combustible. It is best practice to locate rubbish containers 30 metres from each accommodation unit on a wooden, metal or concrete stand.
- Pest extermination, vector control and disinfection are carried out throughout the accommodation in compliance with local requirements and good practice. Pest and vector monitoring should be performed on a regular basis to prevent any infestation.

## **Security of accommodation**

Adequate security should be in place to protect workers and their property against theft and attacks and communicated to residents.

## **Health and safety, fire and other hazards**

A specific fire risk assessment must be completed prior to occupation. Professional advice from the local Fire and Rescue Service or advisor will determine the necessary provision of fire points, fire hoses, standpoints and means of communicating with emergency services. The company providing extinguishers will provide a service to meet legal requirements.

- Fire extinguishers, as required by the risk assessment, should be clearly marked, easily accessible close to the exit of each unit, and within 30 metres at every unit.
- Water (gas expelled) extinguishers (9 litre capacity) compliant with British Standard 5423:1977 should be located at each fire point in an insulated container to protect from frost.
- Fire exits and routes should be clearly defined and free of obstacles, and be able to be opened without the use of a key.
- Fire assembly points should be positioned safely away from carriageways and clearly marked.

- Notices should be displayed in each unit and any communal areas in the residents' first language indicating: action to take in the event of an emergency; emergency numbers; site manager contact details; full address of the premises and OS map reference.
- A safety assessment and emergency action plan must be prepared, be communicated to and made available to residents. The plan should include training of fire wardens, periodic testing and monitoring of fire safety equipment and periodic drills.
- Regular inspection must be undertaken of electrical fixed wiring, fixed and portable appliances and installations to ensure that they are safe and properly maintained. Any defects must be resolved. Inspection certificates should be kept on site.
- In each unit tamper proof smoke detectors should be fixed securely in position to prevent unauthorised removal. Smoke detectors should be fitted near sleeping areas (and away from cooking areas to avoid false alarms leading to complacency). Where gas is supplied, a carbon monoxide detector should be fixed securely to prevent unauthorised removal.
- Liquid Petroleum Gas cylinders must be connected to the unit in an upright position.
- Alarms and detectors should be tested weekly, with records of inspection maintained on site for inspection.
- A flood risk assessment should be carried out and advice, if appropriate, on warnings/what to do in the case of flooding provided to residents based on advice from the Environment Agency.
- In the event of an emergency all windows should be able to be opened and not fitted with bars or grills.
- Units should be inspected frequently for damp and mould which should be removed immediately with a suitable fungicidal treatment and redecorated if necessary.
- Furniture and furnishings supplied in the accommodation must comply with all relevant legislation (e.g. Furniture and Furnishings (Fire) (Safety) Regulations 1988).
- Adequate external lighting should be provided for residents to see their way at night.

### **Provision of first aid and medical facilities**

First aid must always be available on site and should meet the requirements of the [Health and Safety \(First Aid\) Regulations 1981](#).

Benchmark:

- A number of first aid kits adequate to the number of residents are available in a communal area.
- First aid kits must be adequately stocked. Where possible a 24/7 first aid service/facility is available.
- An adequate number of staff/workers should be trained to provide first aid.

Workers have easy access to medical facilities and medical staff such as GP (attending as a temporary patient without having to register if their stay is less than 3 months).

### **Leisure, social and telecommunication facilities**

Basic leisure and social facilities are important for workers to rest and socialise in their free time, particularly where workers' accommodation is located in a remote area away from a community. Adequate means to communicate with the outside world is important for workers living away from families. Consideration of cultural and religious observances should be made.

Benchmark:

- Consider provision of indoor facilities for use in bad weather. Any social areas must be safe and legal.
- If good public transportation is not available to a nearby shop then provision should be made for each individual to be transported to facilities at least once a week.

## Site management

A written management plan should be in place including management policies or plans on health and safety, security, living conditions, workers' rights and representation, relationships with the local community and grievance processes.

There is a combination of responsibilities held between the company, site manager, any contractor and the residents.

A clear mechanism by which residents can raise any concerns and make suggestions for improvements should be in place, including a process for providing feedback and resolving issues. Training for the site manager should include how to address any complaints or issues which are reported by residents.

The site manager will be responsible for overseeing residents, and ensuring the implementation of accommodation standards and for the implementation of the management plan. It is important that the manager is adequately trained and competent, with the corresponding authority, to carry out his/her role.

If the facility is being managed by a contractor, the standards should be specified in the contract and mechanisms put in place to ensure that they are implemented. There should be clear contractual management responsibilities, monitoring and reporting requirements. It is the responsibility of the business/grower who is working with the contractor to ensure that all conditions of accommodation are being monitored and meet the necessary requirements.

The company in charge of managing the accommodation should have the prime responsibility for ensuring the workers' physical well-being and safety. This involves making sure that facilities are kept in good condition (e.g. respecting sanitary standards and fire regulations), as outlined in this guidance, and that adequate health and safety plans and standards are designed and implemented. A pest control plan should be in place with regular inspection of the site and units and any follow up steps taken to eradicate pests by a suitably qualified person.

Workers should be advised through their recruitment package of what facilities are provided by the site owner or whether they will need to provide their own, e.g. bed linen.

An induction should be provided for workers regarding health and safety requirements, fire safety and hygiene standards. Emergency contact numbers must be provided and kept up-to-date. A register of employees should be maintained by the site manager, with information on next of kin and emergency contacts and any relevant medical information (e.g. allergies).

Any breakdowns of equipment or breakages should be reported to the site manager and dealt with as soon as practicably possible. This should be an obligation included in the induction for residents.

Records of inspections must be maintained, dates carried out, hazards identified and remedial action undertaken.



A risk assessment will determine the required frequency of inspections. Recommendations vary, and good practice can include weekly or fortnightly checks to identify any problems and resolve them in a timely way.

The person in charge of managing the accommodation has a specific duty to report to the health authorities any outbreak of a contagious disease, food poisoning and other important casualties.

### **Workers' rights and information**

Any house rules should be reasonable and non-discriminatory, respecting workers' gender and religious, cultural and social backgrounds. Wherever possible workers should be given a choice about whom they share any facilities, taking into account differences in cultural and social backgrounds and offering single sex accommodation. If workers are experiencing any issues with regard to discrimination for whatever reason then they should have the means to report this directly to the site manager.

Information on support networks as well as other organisations which could provide help should be available to all workers, for example, website addresses and contacts for organisations which support issues in discrimination, mental health, nutrition, and skills development. This information should be displayed in common areas, and also be available from the site manager on request.

Site managers should take into consideration the need to respect workers' privacy and balance this alongside the need to maintain health and safety requirements, fire safety and hygiene standards.

### **Reporting issues**

It is important that workers know that they can raise issues with regard to their accommodation. Processes and mechanisms for workers to report any issues should be in place and communicated to workers. It is considered good practice to involve workers in establishing such a mechanism. The mechanism in place should not only provide a direct link to the site/farm manager, but also a clear feedback loop to ensure that residents are kept informed. The chosen process could be shared with workers, for example on notice boards or leaflets. This information should be communicated clearly to all residents as part of their induction.

Residents should have access to a procedure for handling grievances which is communicated as part of their induction. Where possible, worker representatives should liaise with the site manager (whether contractor or grower directly). An up-to-date list of any worker representatives or worker committee members should be accessible to workers and their roles communicated as part of the induction process.

Where accommodation is located within or next to local communities it is good practice to design a community relations management plan to manage any potential impacts. This plan could consider: impact on local employment; infrastructures e.g. roads, transport, telecommunications, water sanitisation, health care; social and cultural cohesion.

## Self-help checklist for provision of caravan accommodation

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Benchmark	Acceptable	Requires improvement <sup>1</sup>	Unfit for use <sup>2</sup>	Review and comments
<b>Legal framework</b>				
Have the international/national/local regulatory frameworks been reviewed?				
Are mandatory provisions on workers' accommodation identified? (Health and safety; water supply; fire safety)				
<b>External site</b>				
Is the location of the facilities designed to avoid flooding or other natural hazards?				
Is the site adequately drained?				
Is the accommodation wind and watertight, and in good repair?				
Are multiple units adequately spaced apart? (Based on consultation with qualified fire safety professional and evidenced in your risk assessment)				
Are pedestrian and traffic routes safe for residents? (Based on consultation with qualified fire safety professional and evidenced in your risk assessment) <ul style="list-style-type: none"> <li>• Carriageways at least 3.7 m wide</li> <li>• Overhead cables across roads at least 4.5 m high</li> <li>• Carriageways within 45 m of all units/toilet blocks</li> <li>• Unit/block connected by surfaced footpath at least 0.75 m wide</li> </ul>				

<sup>1</sup> Requires planned and prompt maintenance but remains in use. <sup>2</sup> Unfit for occupation until remedial action is completed.

**Self-help checklist for provision of caravan accommodation**

<b>Benchmark</b>	<b>Acceptable</b>	<b>Requires improvement<sup>1</sup></b>	<b>Unfit for use<sup>2</sup></b>	<b>Review and comments</b>
<b>Room space</b>				
Is the space acceptable for number of residents?				
Is adequate furniture provided in each unit?				
Are beds sufficient and adequate? Individual bed min 1800 mm long and min 600 mm wide				
Do workers have sufficient storage space?				
Is the space clean and aired?				
Are steps secure (hand/rail grab on uneven surfaces)?				
Is the unit lockable? Unit locks able to be opened from inside without a key				
Are there defects to the unit (loose or damaged items)?				
Is the site clear of pests?				

<sup>1</sup> Requires planned and prompt maintenance but remains in use. <sup>2</sup> Unfit for occupation until remedial action is completed.

**Self-help checklist for provision of caravan accommodation**

<b>Benchmark</b>	<b>Acceptable</b>	<b>Requires improvement<sup>1</sup></b>	<b>Unfit for use<sup>2</sup></b>	<b>Review and comments</b>
<b>Heating, lighting and ventilation</b>				
Are living facilities provided with adequate heating, ventilation and lighting?				
Are gas installations maintained adequately? <ul style="list-style-type: none"> <li>• At least annually by qualified registered person</li> <li>• Gas safety certificate displayed in unit</li> <li>• Storage of calor gas bottles in accordance with UKLPG Code of Practice</li> </ul>				
Are electrical installations approved and checked? Once every twelve months or every 3 years for underground installations by qualified electrician				
Are portable electrical appliances with current PAT stickers? At least every 12 months				

<sup>1</sup> Requires planned and prompt maintenance but remains in use. <sup>2</sup> Unfit for occupation until remedial action is completed.

## Self-help checklist for provision of caravan accommodation

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Benchmark	Acceptable	Requires improvement <sup>1</sup>	Unfit for use <sup>2</sup>	Review and comments
<b>Sanitary and toiletry facilities</b>				
Are the facilities clean and in working order?				
Do workers have adequate privacy? Segregated male/female showers in communal area				
Is there an adequate number of toilets and/or urinals? (Based on your risk assessment)				
Are facilities conveniently located and accessible?				
Is the shower flooring of anti-slip washable material?				
Are there an adequate number of showers/bathroom facilities? (Based on your risk assessment)				
Is hot and cold running water available?				
Are the facilities adequately ventilated? Recommended mechanical extraction capable of 15 litres per second per cubicle/shower or 6 air changes per hour				
<b>Are shower facilities and related plumbing managed in accordance with the Health and Safety Commission's Approved Code of Practice 'Legionnaire's disease: the control of legionella bacteria in water systems'?</b>				
<b>Laundry facilities</b>				
Are adequate facilities for washing and drying provided? (Based on your risk assessment)				

<sup>1</sup> Requires planned and prompt maintenance but remains in use. <sup>2</sup> Unfit for occupation until remedial action is completed.

## Self-help checklist for provision of caravan accommodation

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Benchmark	Acceptable	Requires improvement <sup>1</sup>	Unfit for use <sup>2</sup>	Review and comments
<b>Cooking facilities</b>				
Are cooking facilities adequate for the number of residents? (Based on your risk assessment)				
Are the facilities clean and in good order?				
Are gas installations maintained by a qualified person?				
Is there adequate ventilation?				
Are wall surfaces made of fire retardant material?				
Are there sufficient electrical sockets at the work surface for appliances?				
Are there dedicated sockets for fridge/microwave/oven?				
Are all surfaces made of easily cleanable material?				
Is there sufficient space for preparation of food and eating?				
Is there adequate space for storing dry food? (Based on your risk assessment)				
Is there adequate space for refrigeration of food? (Based on your risk assessment)				
Is the sink connected to suitable drainage?				
Are there adequate facilities for cleaning and storing cooking utensils and equipment?				
Are facilities clean and in a sanitary condition?				
Is food waste and refuse deposited in sealed containers and removed frequently?				

<sup>1</sup> Requires planned and prompt maintenance but remains in use. <sup>2</sup> Unfit for occupation until remedial action is completed.

## Self-help checklist for provision of caravan accommodation

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Benchmark	Acceptable	Requires improvement <sup>1</sup>	Unfit for use <sup>2</sup>	Review and comments
<b>Potable water</b>				
Is there adequate access to safe drinking water?				
<b>Wastewater and solid waste</b>				
Are wastewater, sewage, food and other waste materials adequately discharged in compliance with local standards and without causing any significant impact on residents, environment and local community?				
Are specific containers provided for rubbish and emptied on a regular basis?				
Are pest monitoring and controls carried out?				
<b>Security</b>				
Has a risk assessment been carried out and is a plan in place to protect against theft and attacks?				
<b>Health and safety, fire and other hazards</b>				
Has a specific fire risk assessment been carried out prior to occupation?				
Are fire extinguishers clearly marked and easily accessible? Close to exits and within 30 m at every unit				
Are fire exits and routes marked and free of obstacles?				
Are fire assembly points positioned safely and marked?				
Are notices displayed in residents' first language with advice on emergency action etc.				
Is a means of communicating with emergency services in place?				

<sup>1</sup> Requires planned and prompt maintenance but remains in use. <sup>2</sup> Unfit for occupation until remedial action is completed.

## Self-help checklist for provision of caravan accommodation

Page Seven of eight

Benchmark	Acceptable	Requires improvement <sup>1</sup>	Unfit for use <sup>2</sup>	Review and comments
<b>Health and safety, fire and other hazards (continued)</b>				
Is a safety plan in place and available to residents?				
Is there regular inspection of electrical wiring, fixed and portable appliances?				
Are tamper proof smoke detectors and carbon monoxide detectors fitted near sleeping areas?				
Are alarms and detectors checked weekly?				
Has a flood risk assessment been carried out?				
If appropriate, is there a flood risk plan and advice to residents?				
Can all windows be opened and access in the event of an emergency?				
Are units checked frequently for damp and mould?				
Do furniture and furnishings comply with relevant fire safety regulations?				
Is there adequate external lighting at night?				
<b>Provision of first aid and medical facilities</b>				
Are adequate first aid kits available in a communal area for the number of residents?				
Is an adequate number of staff/workers trained to provide first aid?				
Do workers have easy access to medical facilities and GP?				

<sup>1</sup> Requires planned and prompt maintenance but remains in use. <sup>2</sup> Unfit for occupation until remedial action is completed.



## Self-help checklist for provision of caravan accommodation

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Benchmark	Acceptable	Requires improvement <sup>1</sup>	Unfit for use <sup>2</sup>	Review and comments
<b>Leisure, social and telecommunication facilities</b>				
Are any indoor facilities provided for leisure/social time?				
Are there transport facilities to a local shop if not within walking distance? At least once a week for an individual				
<b>Site management</b>				
Is there a written site management plan in place?				
Is there a designated site manager?				
Are clear management responsibilities in place, particularly where contractors are used?				
Have staff received adequate health and safety training?				
Is an induction in place for residents, including health & safety, fire safety/emergencies & hygiene standards?				
Is a register of employees maintained by the site manager?				
<b>Reporting issues</b>				
Is there a system of reporting breakages/breakdowns?				
Is there a record of inspections and remedial action? Frequency of inspections based on your risk assessment				
<b>Other elements:</b>				
Are workers advised through recruitment package of what facilities are provided by the site owner and what they need to provide themselves?				

<sup>1</sup> Requires planned and prompt maintenance but remains in use. <sup>2</sup> Unfit for occupation until remedial action is completed.

## Appendix 1: Standards and Guidance

There are standards and guidance such as the '[International Labour Organisation \(ILO\)'s Workers' Housing Recommendations \(1961\)](#)' covering certain elements such as minimum space allocated per person; supply of safe water; adequate sewage and waste disposal; appropriate protection against heat, cold, damp, noise, fire etc. (see Annex I).

The '[BIS Best practice on migrant workers' accommodation: Business in the Community – Voluntary Code of Practice on Employing Migrant Workers/Overseas Staff in Great Britain](#)' advises that workers should not be required to stay in accommodation provided by the employer but should be free to choose their own if they wish to do so.

## Appendix 2: Housing Act 1985, Section 324

The [Housing Act 2004](#) and associated statutory instruments apply to permanent dwellings and not to moveable dwellings used as temporary accommodation. However, the Act can provide guidance on identifying common health and safety hazards in the home.

For example, there are two ways which can be used to calculate if an individual unit is overcrowded under housing law. One is by the number of rooms or space for people to sleep in (the overcrowding provisions in the Housing Act 1985). The other is crowding and space, a hazard identified in part 1 of the Housing Act 2004. Statutory overcrowding is when there are too many people living in the accommodation using either of the calculations.

[Section 324 of the Housing Act 1985](#) provides advice on the minimum space acceptable in each unit (fitted with individual beds):

Person	Sleeping area
1	5.5m <sup>2</sup>
2	9.0m <sup>2</sup>
3	12.0m <sup>2</sup>
4	16.0m <sup>2</sup>
5	20.0m <sup>2</sup>
Each extra bed	Plus 4.0m <sup>2</sup>

Houses in Multiple Occupancy – [HMO Guidance](#) on communal living areas:

Where a separate block provides communal living and dining areas:

Number of occupants	Living rooms only
Up to 6	11.5m <sup>2</sup>
7	14m <sup>2</sup>
8	16m <sup>2</sup>
9	16m <sup>2</sup>

Number of occupants	Living and dining area
5	12.5m <sup>2</sup>
6	15m <sup>2</sup>
7	17m <sup>2</sup>
For each additional occupant	2m <sup>2</sup>

## Appendix 3: Requirements of the Gangmasters Licensing Authority Standards

### The Gangmasters Licensing Authority Regulations 2005, Regulations 12 (1) and 12 (2)

The following Gangmasters Licensing Authority Licensing Standards apply to accommodation:

**4.1 Critical: Quality of Accommodation:** *'A licence holder who provides, or effectively provides, accommodation must ensure the property is safe for the occupants'*.

**4.2 Licensing of Accommodation:** *'A licence holder who provides, or effectively provides, accommodation must ensure the property is properly licensed or registered.'.. 'A licence holder who provides accommodation in Scotland must be registered with the local authority as a private landlord.'*

**4.3 Situations where workers are provided with travel or required to live away from home:** *'A licence holder must not arrange work for a worker (except where the worker is employed by the labour user) if, in order to take up that work the worker must live away from their UK home, unless the licence holder has taken all reasonable steps to ensure that: suitable accommodation will be available for the worker before they start work, the worker has been informed of details of the accommodation including any costs to them, and suitable arrangements have been made for them to travel to such accommodation....'*

A GLA licence holder will be considered as providing or effectively providing accommodation in all the following circumstances, whether or not the accommodation is let by the licence holder or a third party:

- the accommodation is provided in connection with the worker's contract of employment;
- a worker's continued employment is dependent upon occupying particular accommodation, or
- a worker's occupation of accommodation is dependent upon remaining in a particular job.

Where provision of accommodation by a licence holder and a worker's employment are dependent upon each other a licence holder *may be* considered to be providing accommodation in circumstances where:

- a licence holder is a worker's landlord either because they own the property or because they are subletting the property;
- a licence holder and the landlord are part of the same group of companies trading in association;
- a licence holder's and the landlord's business have the same owner, or business partners, directors or shareholders in common, or
- a licence holder or an owner, business partner, shareholder or director of the licence holder's business receive a monetary payment and/or some other benefit from the third party acting as landlord to the workers.

The third party in this instance includes:

- a business and company which is a separate legal entity to the licence holder;
- an individual including those who are family members of a director, shareholder, owner or Principal Authority of the licence holder, and
- a business or company with a director, shareholder, owner or business partner who is a family member of a director, shareholder, owner, Principal Authority or business partner of the licence holder.

This interpretation will apply whenever the licence holder is providing accommodation regardless of whether the worker can choose whether or not to occupy the accommodation. Even if the accommodation is optional, where the worker chooses to accept the offer, this interpretation will apply.

Whilst a company may not be directly providing temporary accommodation to workers Labour Users have a responsibility to ensure that temporary workers are housed in suitable accommodation which is safe and comfortable.

Dependency on an employer or gangmaster for work, transport and accommodation without the individual having any choice can in some cases be a potential indicator of labour exploitation. Labour users should follow up any concerns they have that a worker may be being exploited, notify and take advice from the GLA.

It remains the responsibility of the provider of the accommodation to ensure that good standards of hygiene are respected and maintained by workers and to provide an adequate maintenance, cleaning and disinfection service.

Labour users should have processes in place to check the provision of accommodation, including a review programme and regular inspection visits.

## References, sources of further information and websites

Page 4:

Health and Safety (First Aid) Regulations 1981:

<http://www.legislation.gov.uk/uksi/1981/917/contents/made>

Water Supply (Water Quality) Regulations 2000:

<http://www.legislation.gov.uk/uksi/2000/3184/contents/made>

Private Water Supplies Regulations 2009:

<http://www.legislation.gov.uk/uksi/2009/3101/contents/made> and summary:

<http://dwi.defra.gov.uk/private-water-supply/RHmenu/SummaryPWS09.pdf>

Environmental Protection Act: <http://www.legislation.gov.uk/ukpga/1990/43/contents>

Regulatory Reform (Fire Safety) Order 2005:

<http://www.legislation.gov.uk/uksi/2005/1541/contents/made>

Furniture and Furnishing (Fire) (Safety) Regulations 1988 (as amended):

<http://www.legislation.gov.uk/uksi/1988/1324/contents/made> and guide:

<http://www.rother.gov.uk/CHttpHandler.ashx?id=3862&p=0>

Caravan Sites and Control of Development Act 1960:

[http://www.legislation.gov.uk/ukpga/1960/62/pdfs/ukpga\\_19600062\\_en.pdf](http://www.legislation.gov.uk/ukpga/1960/62/pdfs/ukpga_19600062_en.pdf)

Page 5:

Town and Country Planning (General Permitted Development) Order 1995 (as amended):

<http://www.legislation.gov.uk/uksi/1995/418/contents/made>

Find your local authority: <http://local.direct.gov.uk/LDGRedirect/Start.do?mode=1>

Housing Act 2002 and associated statutory instruments:

<http://www.legislation.gov.uk/ukpga/2004/34/contents>

Housing Health and Safety Rating System:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/9425/150940.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf)

Page 6:

Guidance for landlords on the Housing Health and Safety Rating System:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/9425/150940.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf)

Gangmasters Licensing Authority Standards: <http://www.gla.gov.uk>

Ethical Trading Initiative: <http://www.ethicaltrade.org/>

International Labour Organisation: <http://www.ilo.org/global/about-the-ilo/lang--en/index.htm>

Chartered Institute of Environmental Health: <http://www.cieh.org/>

Page 7:

Association of Labour Providers: <http://labourproviders.org.uk/>

IFC and EBRD Guidance: [International Finance Corporation and the European Bank for Reconstruction and Development \(IFPC/EBRD\) guidance note 'Workers' accommodation: processes and standards'](#).

Environment Agency Flood Risk Map: <http://apps.environment-agency.gov.uk/wiyby/37837.aspx>

Page 9:

World Health Organisation and UK temperature/heating guidelines – check source

Gas Safe Register: [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk) and <https://www.gassaferegister.co.uk/media/1443/short-term-lets.pdf>

Storing gas bottles: <https://www.calor.co.uk/gas-bottles/gas-cylinder-safety/storing-gas-bottles>  
[UKLPG Code of Practice No. 7 'Storage of Full and Empty LPG Cylinders and Cartridges'](#)

Page 10:

HSE advice on legionella disease and link to Health and Safety Commission Approved Code of Practice 'Legionnaires disease: the control of legionella bacteria in water systems ISBN 978 0717 617722: <http://www.hse.gov.uk/legionnaires/>

UKAS accredited laboratories: <https://www.ukas.com/search-accredited-organisations/>

Page 13:

Guidance Document on Caravan and Camping Sites Fire Safety Equipment Requirements – Fire Industry Association:  
<http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwj8iMKPh7nNAhVHCcAKHTcBAjAQFggcMAA&url=http%3A%2F%2Fwww.fia.uk.com%2FresourceLibrary%2Fguidance-fire-safety-equipment-requirements-on-caravan-and-camping-sites.html&usg=AFQjCNE-LqhIhUpLUHqSQSRoyZ7CzPhogg>

Residential Landlords Association – various guides:  
[http://www.rla.org.uk/landlord/documents/landlord\\_advice\\_guides.shtml?ref=menu](http://www.rla.org.uk/landlord/documents/landlord_advice_guides.shtml?ref=menu)

Page 14:

HSE first aid needs assessment: <http://www.hse.gov.uk/firstaid/needs-assessment.htm>

Page 24:

HMO regulations -Licensing of houses in multiple occupation in England: a guide for landlords and managers: <https://www.gov.uk/government/publications/licensing-of-houses-in-multiple-occupation-in-england-a-guide-for-landlords-and-managers>

International Labour Organisation (ILO) Workers' Housing Recommendation 115:

[http://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---multi/documents/publication/wcms\\_116344.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_116344.pdf)

BIS Best practice on migrant workers' accommodation: Business in the Community – Voluntary Code of Practice on Employing Migrant Workers/Overseas Staff in Great Britain:

[http://www.migrationni.org/DataEditorUploads/BITC\\_Voluntary\\_Code\\_of\\_Practice1.pdf](http://www.migrationni.org/DataEditorUploads/BITC_Voluntary_Code_of_Practice1.pdf)

### **For further information**

SEDEX Living Accommodation:

[http://www.sedexglobal.com/wp-content/uploads/2013/03/1.4-Living-Accommodation\\_Sedex-Supplier-Workbook.pdf](http://www.sedexglobal.com/wp-content/uploads/2013/03/1.4-Living-Accommodation_Sedex-Supplier-Workbook.pdf)

Ethical Trading Initiative ETI: <http://www.ethicaltrade.org/>

Fresh Produce Consortium: [www.freshproduce.org.uk](http://www.freshproduce.org.uk) tel: 01733 237117

Gangmasters Licensing Authority [www.gla.gov.uk](http://www.gla.gov.uk) tel: 0115 959 7052 (Intelligence Team)

National Farmers Union: <http://www.nfuonline.com/home/>

Association of Labour Providers: <http://labourproviders.org.uk/>