

What might best practice
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good sleep practice for
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This brief guide informs employers of their legal responsibilities for managing night workers.

After one or two nights with reduced sleep, performance reduces – with less effective decision-making and increased risk-taking^{1 2 3}.

62% of shift workers have sleep issues⁴.

NIGHT WORK DEFINITION⁵

- Staff who regularly work for at least three hours, working during the night period
- The night period is between 11pm and 6am, unless a different period is agreed between worker and employer; if it is, it must be seven hours long and include midnight to 5am
- A sleep-in shift in the night shift counts as working hours and workers must be paid (at least) the minimum wage

THE WORKING TIME REGULATIONS (AS AMENDED) 1998⁶

1. A maximum average working week of 48 hours over a reference period of 17 weeks
2. A maximum of eight hours of night work
3. A daily rest of 11 hours
4. A day off a week
5. Paid annual leave of 5.6 weeks
6. The right to an uninterrupted rest break of 20 minutes after six hours of work – not at the beginning or end of the day, and away from where they work
7. Weekly rest: The right to an uninterrupted rest break of 24 hours without work each week; The right to an uninterrupted rest break of 48 hours each fortnight
8. Exceptions: Emergency services: a job where you choose e.g. MD, sea transport, air, and road transport

HSE GUIDANCE ON MANAGING NIGHT WORKERS⁷

- A free Health Assessment must be offered to night workers when they are about to commence night work, and to all night workers on a regular basis
- An annual questionnaire and review by a qualified health professional for workers who have identified difficulties should occur

FOLLOWING RISK ASSESSMENT - AVOID NIGHT WORK WHERE POSSIBLE IF WORKERS HAVE:

1. Diabetes
2. Heart/circulatory disorders
3. Stomach intestinal disorders
4. Conditions which are worse at night
5. Medical conditions which require a strict timetable
6. Factors that might affect fitness for night work – such as poor night vision for driver

WHICH EMPLOYEES ARE AT HIGHER RISK? ^{7,8}

A Risk Assessment is recommended to identify both risk and equality perspectives for the following workers:

1. Young (younger than 18 years)
2. Older workers (44 years or older)
3. Pregnant
4. Underlying health conditions (see Following risk assessment section above)
5. On-call and agency workers
6. Women going through the menopause can be at higher risk

BEST PRACTICE ^{7,8}

1. Introduce and implement a health and wellbeing policy, with an effective risk assessment e.g. covering safety-critical work, handling dangerous goods, driving to and from work on night shifts, access to hot meals, an email policy
2. Choice for night-time workers. When night shifts are introduced without choice, a quarter of workers can leave that job role
3. Suggested best pattern: two-three nights on, two-three nights off
4. Management training in managing shift patterns
5. Education on how to sleep better
6. Access to support e.g. for sleep monitors and sleep masks
7. Employers must offer workers a free health assessment before they become a night worker. This must be written by a qualified health professional and may be in the format of a questionnaire ⁸

FURTHER RESOURCES:**Fatigue and Work – ROSPA**

<https://www.rosa.com/media/documents/occupational-safety/fatigue-and-work-position-statement.pdf>

Evaluation of metabolic syndrome and sleep quality in shift workers

<https://academic.oup.com/occmed/advance-article-abstract/doi/10.1093/occmed/kqab140/6429129?redirectedFrom=fulltext>

Greater London Authority report

<https://insidecroydon.com/wp-content/uploads/2019/08/bus-driver-fatigue-report.pdf>

BITC Toolkit

<https://www.bitc.org.uk/toolkit/sleep-and-recovery-toolkit/>

HSE information

<https://www.hse.gov.uk/humanfactors/topics/fatigue.htm>

ORGANISATIONS WORKING IN THIS AREA:

<https://bslm.org.uk/>

<https://thesleepcharity.org.uk/>

<https://www.the-liminal-space.com/all-projects/nightclub>

<http://www.purelybalanced.co.uk/>

<https://www.som.org.uk/>

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6. **The Working Time Regulations 1998** (as amended) SI1998/1833 The Stationery Office1998 ISBN 0 11 079410 9
7. HSG256 **Managing Shift Work: Health and Safety Guidance 2006** ISBN: 9780717661978
8. Reid K., Dawson D., (2001) **Comparing performance on a simulated 12 hour shift rotation in young and older subjects** Occupational and Environmental Medicine 2001;58:58-62.
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