

Refusing Unsafe Work: *Your Rights*

When you can leave or refuse dangerous work, how the law protects you,
and who to report to.

 Last reviewed: October 2026

 HSE · HSENI · Acas · LRA

 England, Wales & Scotland, with a Northern Ireland slide

ukworkrights.co.uk

Serious and imminent danger

- Your employer must not treat you worse for leaving work, or refusing to go back, where you reasonably believed the danger was serious and imminent and you could not reasonably have avoided it.
- You are also protected for taking appropriate steps to protect yourself or others from that danger.
- This covers workers as well as employees (since 31 May 2021).

▲ WATCH OUT

The right is about danger you reasonably believe is serious and imminent. For other safety worries, raise them and report them.

Punished or sacked?

- Being treated worse because of this is a "detriment" — you can claim at an employment tribunal.
- If you are an employee and are dismissed for it, it is automatically unfair dismissal. No minimum length of service is needed.
- Workers who are not employees cannot claim unfair dismissal, but having your contract ended for this can be a detriment claim.
- It does not protect you if your employer shows the steps you took were so negligent that a reasonable employer might have acted as yours did.

Who to tell

- First raise it with your employer, manager or supervisor, or your safety representative.
- If nothing changes, contact HSE. You can speak to HSE confidentially and do not have to give your name.
- HSE covers places such as factories, farms, building sites, schools and hospitals. Your local council covers offices, shops, hotels and restaurants.
- For a worker who is not an employee, reporting a health or safety danger can be whistleblowing.

Temperature and equipment

- Indoor workplaces must be a reasonable temperature. There is no law for a minimum or maximum.
- Guidance suggests at least 16°C, or 13°C for rigorous physical work. There is no guidance for a maximum.
- Leaving because of the temperature depends on the serious and imminent danger test.
- Your employer must not charge employees for anything provided to meet a specific legal health and safety requirement, such as required safety equipment.

Your duties and accidents

- Employees must take reasonable care of their own and others' health and safety, and cooperate with their employer on health and safety.
- Your employer must report certain injuries, diseases and dangerous occurrences under RIDDOR. If you are the injured person, you should not make that report yourself unless you are self-employed.

Time limits

- Before most tribunal claims, notify Acas for early conciliation. It is free.
- Most claims: 3 months less 1 day, or 6 months less 1 day where the act happened on or after 1 October 2026.
- A health and safety representative claiming unfair dismissal may be able to claim interim relief — that has a very short time limit, so ask Acas straight away.

Unsafe work in Northern Ireland

- The same right to leave or refuse serious and imminent danger, covering workers and employees. Dismissal for it is automatically unfair for employees.
- Report unsafe work to HSENI (0800 0320 121, mail@hseni.gov.uk) or, for some workplaces, the district council — not HSE.
- Temperature: the Workplace (Health, Safety and Welfare) Regulations (Northern Ireland) 1993. Guidance says normally at least 16°C, or 13°C for physical work. No maximum.
- Tell the LRA before most claims. Most claims: 3 months less 1 day. The Great Britain 6-month change does not apply to these claims.

Frequently asked questions

Q It's 30°C in here. Can I walk out?

There is no maximum temperature in law. You can leave only if you reasonably believe there is serious and imminent danger. Otherwise raise it and report it.

Q Do I have to pay for my safety boots?

Not where they are needed to meet a specific legal health and safety requirement.

Q I'm agency/casual. Am I protected?

Workers are protected from being treated worse. Only employees can claim unfair dismissal.

FREE RIGHTS GUIDANCE

Check your *safety rights*

Get plain-English guidance on your rights and your employer's legal duties.

ACAS

0300 123 1100

acas.org.uk

HSE

Raise a concern

hse.gov.uk · local council for offices, shops, hotels,
restaurants

LRA (NORTHERN IRELAND)

03300 555 300

Labour Relations Agency

HSENI

0800 0320 121

Northern Ireland

CITIZENS ADVICE / ADVICE NI

Free advice

Advice NI 0800 915 4604

UK WORK RIGHTS — FREE GUIDE

**Refusing Unsafe Work
(England, Wales and
Scotland)**

ukworkrights.co.uk/guide-refusing-unsafe-work-gb.html

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Risk Assessments

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TOOLBOX TALK

Whistleblowing

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TOOLBOX TALK

PPE — Personal Protective Equipment

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FREE GUIDE

Refusing Unsafe Work (England, Wales and Scotland)

ukworkrights.co.uk/guide-refusing-unsafe-work-gb.html

Also: [Refusing Unsafe Work \(Northern Ireland\)](#).