

# NEU Disabled Members' Network Meeting Report

## **Topic: Maximum Workplace Heat, Section 44 and the Impact on Disabled Members and Learners with SEND**

I attended the recent NEU Disabled Members' Network Zoom meeting, where members engaged in a timely and meaningful discussion on the impact of high temperatures in educational settings, particularly in light of the current heatwave affecting many parts of the country.

The meeting provided an important space for disabled members to share their experiences and concerns regarding working conditions during periods of extreme heat. Members spoke openly about how excessive temperatures can significantly affect individuals with a range of disabilities and health conditions, including those with mobility impairments, sensory sensitivities, respiratory conditions, chronic illnesses and medication-related vulnerabilities to heat.

A key theme throughout the discussion was the need for employers to recognise that high workplace temperatures are not merely a comfort issue but can become a health, safety and equality issue. Members highlighted the importance of reasonable adjustments, risk assessments and proactive planning to ensure disabled staff are protected and supported during extreme weather conditions.

The conversation also focused on the impact of the current heatwave on **students and young people with SEND**. Members shared concerns about pupils who struggle to regulate body temperature, those with sensory processing difficulties, autistic pupils, and students whose medical conditions are exacerbated by extreme heat. Contributors spoke about the additional challenges faced by schools in maintaining suitable learning environments when classroom temperatures become excessive, particularly where ventilation, shading and cooling measures are inadequate.

A significant part of the discussion centred on **Section 44 of the Employment Rights Act 1996**, which provides workers with legal protection where they reasonably believe there is a serious and imminent danger in the workplace. Members discussed the challenges surrounding the practical use of Section 44 in school settings during periods of extreme heat.

Whilst many recognised Section 44 as an important protection for workers, concerns were raised about the uncertainty many members feel when considering whether workplace conditions meet the threshold of "serious and imminent danger." Members spoke about fears of employer challenge, lack of confidence in applying the legislation, and inconsistency in how heat-related risks are assessed across different workplaces.

There was a feeling that disabled staff may be disproportionately affected because what constitutes a serious risk for a disabled member may not be immediately recognised by employers or colleagues who do not fully understand the impact of specific health conditions. The discussion highlighted the importance of robust risk assessments, individual workplace adjustments and strong union support when members raise concerns about unsafe temperatures.

Members also noted the need for clear guidance and greater awareness among workplace representatives to support members effectively when heat-related health and safety concerns arise. The discussion reinforced the view that prevention and proactive employer action should always be the priority, rather than relying on individuals to invoke legal protections after conditions have become unsafe.

The meeting reinforced the importance of ensuring that disabled staff and learners with SEND are central to discussions around workplace safety, equality and climate-related challenges. Members agreed that the union has a vital role in raising awareness, supporting workplace representatives and ensuring that employers meet their responsibilities under health and safety and equality legislation.

Overall, the meeting was well attended and provided a valuable opportunity for members to share experiences, highlight concerns and collectively consider how best to support disabled workers and learners during periods of extreme heat. The strength and depth of the discussion demonstrated the importance of continuing to champion accessible, inclusive and safe educational environments for all.

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