

Professor Lofstedt Review: How long is a piece of (red) tape?

Following today's publication of Professor Lofstedt's review titled "Reclaiming health and safety for all: An independent review of health and safety legislation" and the Government's response the often quoted line "how long is a piece of string", or in this case, "red tape", has become much more prevalent. Well, the answer is by half.

Today OAH was in the audience to hear Professor Lofstedt announce his long awaited recommendations and Chris Grayling, the Employment Minister, to provide firm support on behalf of the Government.

One of those recommendations is that the HSE undertake a programme of sector specific consolidations to be completed by April 2015.

The Government states that the aim is not to remove vital protections but to ensure that regulations reflect contemporary approaches to risk management and control, focus on real risks, and make it easier for employers to understand and therefore meet their obligations. By doing so, it is understood that the number of health and safety regulations will be reduced by more than 50 per cent.

The Government has also supported other key recommendations made in the Lofstedt review including:

- The exemption from health and safety law for those self-employed whose work activities pose no potential risk of harm to others;
- The review by the HSE of all of its Approved Codes of Practice ("ACOPs");
- The strengthening of the HSE to give it the authority to direct all local authority health and safety inspection and enforcement activity;
- The review of those strict liability regulations to include 'reasonable practicability' where strict liability is not necessary or amend the regulation to prevent civil liability attaching to a breach.

With 50 per cent of health and safety regulation coming from Europe the Professor will present his findings, along with the Employment Minister, in Brussels this week to promote a more proportionate, risk-based approach.

It was evident from the Minister's comments that the Government is absolutely committed to drive through the changes as quickly as possible. So, for those of you who have spent days, weeks or even months learning the vast amount of health and safety regulations, it appears the time has now come for the midnight oil to be burnt once again.