# **Health and Safety Executive**



Post Implementation Review of the
Health and Safety at Work etc. Act 1974
(General Duties of Self-Employed Persons)
(Prescribed Undertakings) Regulations 2015
(SI 2015/1583)
October 2021

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### 1. EXECUTIVE SUMMARY

- 1.1 The Health and Safety at Work etc Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015 ("SE 2015") implemented a recommendation made by Professor Löfstedt in his report "Reclaiming health and safety for all: An independent review of health and safety legislation," to exempt from health and safety law those self-employed people whose work activities pose no potential risk of harm to others.
- 1.2 SE 2015, which came into force on 1 October 2015, specifies the circumstances in which self-employed persons continue to have duties under Section 3(2) of the Health and Safety at Work etc. Act 1974 ("HSWA") to conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, that they themselves and other persons (not being their employees) are not exposed to risks to their health and safety.
- 1.3 SE 2015 identifies which undertakings are of a prescribed description for the purposes of Section 3(2) of HSWA. Undertakings are of a prescribed description if they involve carrying out one or more of the activities specified in the Schedule to SE 2015 or they involve any activity that poses risks to the health and safety of another person.
- 1.4 Regulation 3 requires the Secretary of State to review the operation and effect of SE 2015 to assess whether its intended objectives have been achieved. The Secretary of State must consider whether these objectives remain appropriate and conclude whether SE 2015 should remain as it is, be revoked or be amended. These considerations and conclusions must be published in a report, the Post Implementation Review report ("PIR"), within five years of SE 2015 coming into force.
- 1.5 Evidence to support the review was intended to be gathered in a phased approach to ensure that the review was proportionate and light touch.
- 1.6 The first phase included analysis of existing data and evidence sources, as well as gathering the views of key stakeholders such as:
  - Trade Unions
  - Trade Associations
  - Professional Bodies
  - Local Authorities (LAs)
  - Office of Rail and Road (ORR)
  - HSE's regulatory, sector and policy colleagues operating across a wide industry spectrum.

- 1.7 The second phase of evidence gathering was to engage with the selfemployed sector, directly, via an online survey. This phase did not go ahead as planned, due to the Covid-19 outbreak and the introduction of the first "lockdown".
- 1.8 Consequently, the findings from the first phase of evidence gathering were published on 1<sup>st</sup> October 2020 as <u>SE2015 PIR.</u>
- 1.9 In terms of meeting the objectives and the likely impact of SE 2015 on the self- employed, evidence from stakeholders during the first phase, was mixed. There was a divide between the views of organisations representing small businesses, who favoured a measure that would reduce regulatory burdens on their membership and trade unions who felt that any reduction in health and safety legislation would lower the standard of worker protection, although no evidence of this has been established.
- 1.10 External stakeholders (LAs, a professional body, a trade association and a health and safety consultant) expressed the view that SE 2015 had made very little difference to the self-employed and therefore hadn't achieved the objective of reducing regulatory burdens either because there was no regulatory burden in the first place or because the self- employed were unlikely to be aware of the exemption.
- 1.11 Due to the inconclusive nature of the evidence gathered during the first phase <u>SE2015 PIR</u> made one recommendation and that was for SE2015 to remain unchanged until such time as further research with the self-employed sector could be undertaken. The PIR committed to conducting this second phase of research and publishing a report by 1<sup>st</sup> October 2021. This report details the findings of the second phase survey data and brings it together with the earlier findings of the first phase in order that evidence-based conclusions and recommendations can be made.
- 1.12 The second phase of evidence gathering was carried out in December 2020 and utilised an online survey aimed at gathering the views of self-employed workers directly. These workers were classified into three groupings:
  - Group 1 those who work in the six categories prescribed by the regulations as not exempt from health and safety law (agriculture and forestry, asbestos, construction, gas, genetically modified organisms (GMOs) and railways).
  - Group 2 those whose work activities may pose a risk to others.
  - Group 3 those who pose no risk to others and are likely to be exempt from health and safety legislation.

- 1.13 Analysis of the 2,040 responses from the self- employed suggest that:
  - There is a low level of awareness of the regulations amongst the selfemployed.
  - In terms of the impact of the regulations, the vast majority of the selfemployed felt that it had made no difference to their work and that they hadn't changed their working practices because of the regulations.
  - For the small number of respondents who indicated that the regulations had impacted on their personal health and safety or that of others, there was a mix of positive and negative comments.
  - There is confusion amongst some self-employed as overall, 32% didn't know whether they were exempt.
  - 28% of those who are not exempt (i.e. work in one of the prescribed high-risk categories) wrongly considered themselves exempt from health and safety legislation.
- 1.14 Overall, the findings from both review phases are broadly consistent and support the following:
  - There is a low level of awareness of the regulations amongst the selfemployed and there has been little impact on their work and their working practices, which suggests that the regulations have not fully achieved their objective of reducing regulatory burdens on the self- employed whose work activities pose no risk to the health and safety of others, to anything more than a very minimal degree.
  - There is a divide between the views of organisations representing small businesses, who favour a measure that reduces regulatory burdens on their membership and trade unions who felt that any reduction in health and safety legislation would lower the standard of worker protection. A theme which emerged from both phases of the research was a view that health and safety legislation should "apply to all". Whilst there are mixed views, the intention of the regulation to reduce regulatory burdens, remains appropriate.
  - The estimated impact in the Impact Assessment was low. This has been supported by both phases of the evidence review.
  - There does appear to be an unintended consequence around misunderstanding and incorrect interpretation of the exemption criteria.

- 1.15 In conclusion, the evidence gathered during both phases of the review suggest that the objectives intended to be achieved by the introduction of SE2015 have not been fully met due to the low level of awareness of the regulations amongst the self-employed. Given that the objectives of the regulations remain appropriate, this review concludes that the regulations should remain as they are but that a comprehensive review of the guidance is undertaken with a view to raising awareness of the exemption with all self-employed workers.
- 1.16 This report therefore makes two recommendations:
- (i). A review of the guidance for the self-employed exemption is undertaken to ensure that it is clear for all groups, and
- (ii). Awareness of the exemption is raised across all industry sectors through a range of targeted communications

HSE and DWP have both accepted the recommendations made by the SE2015 PIR and HSE will be taking this work forward in due course subject to planned prioritisation.

### 2. INTRODUCTION

- 2.1 This report provides an overview of the Post Implementation Review ("PIR") of <u>The Health and Safety at Work etc Act 1974 (General Duties of Self-Employed</u> Persons) (Prescribed Undertakings) Regulations 2015 (S.I. 2015/1583) ("SE 2015").
- 2.2 Section 1 of the <u>Deregulation Act 2015</u>, which came into force on 1 October 2015, amended Section 3(2) of the Health and Safety at Work etc. Act 1974 ("HSWA") such that only those self- employed persons who conduct an undertaking of a prescribed description will continue to have a duty to conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, that they themselves and other persons who may be affected, are not exposed to risks to their health and safety.
- 2.3 SE 2015, which were made on 3 August 2015, and which came into effect on 1 October 2015, prescribe those undertakings where the self-employed continue to have duties under HSWA.
- 2.4 These Regulations set out the 'prescribed descriptions of undertakings' by reference to:
  - (a) a short list of high-risk activities where there should clearly be no exemption from section 3(2) HSWA (set out in Regulation 2 (a) and the Schedule to); and
  - (b) a "catch-all" (or risk based) provision to ensure that those selfemployed who may pose a risk to others are not exempt from section 3(2) HSWA (set out in Regulation 2 (b)).
- 2.5 These regulations are domestic in origin and are not derived from any EU or international law and they apply to Great Britain.
- 2.6 These regulations create positive health and safety duties on those selfemployed workers falling under them. They apply to all sectors of the economy and all work activities undertaken on a self-employed basis be they either full time or part time.
- 2.7 Regulation 3 requires the Secretary of State to review the operation and effect of SE 2015 to assess whether its intended objectives have been achieved. The Secretary of State must consider whether these objectives remain appropriate and conclude whether SE 2015 should remain as it is, be revoked or be amended. These considerations and conclusions must be published in a report, the Post Implementation Review report ("PIR"), within five years of SE 2015 coming into force.

- 2.8 The SE2015 PIR adopted a phased approach to gathering evidence to inform the review. The first phase engaged with trade associations, professional bodies, trades unions, co-regulators such as local authorities (LAs) and the Office of Rail and Road (ORR) along with HSE Policy and Sector colleagues. The second phase, to engage directly with self-employed workers via an online survey did not go ahead, as planned, due to the Covid-19 outbreak and the introduction of the first "lockdown".
- 2.9 Consequently, the findings from the first phase of evidence gathering were published on 1<sup>st</sup> October 2020 as <u>SE2015 PIR</u>.
- 2.10 The second phase of evidence gathering comprised a targeted omnibus survey that went live during the first week in December 2020 and ran for 10 days attracting some 2,040 respondents. This report details the findings of the second phase survey data and brings it together with the earlier findings of the first phase in order that evidence-based conclusions and recommendations can be made.

### 3. LEGISLATIVE BACKGROUND AND POLICY CONTEXT

- 3.1 One of the key recommendations made by Professor Löfstedt in his report "Reclaiming health and safety for all: An independent review of health and safety legislation." was to exempt from health and safety law those self-employed people whose work activities pose no potential risk of harm to others.
- 3.2 The following extract from Professor Löfstedt's report explains the reasons for this recommendation "There is a case for following a similar approach to other countries and exempting from health and safety law those self- employed people (i.e. those that do not have any employees) whose workplace activities pose no potential risk of harm to others. This would benefit approximately 1 Million people. The actual burden that the regulations currently place upon these self- employed may not be particularly significant due to existing exceptions in some regulations and the limited prospect of these being enforced but it will help reduce the perception that health and safety law is inappropriately applied. This will complement HSE's recently revised auidance on home-workers. I therefore recommend exempting from health and safety law those self-employed whose work activities pose no potential risk of harm to others. This change should not affect the duties that others have towards a selfemployed person. It is vital that this change is accompanied by clear guidance to ensure that the limited scope of the change is clearly understood and that not all the self-employed will be exempt".
- 3.3 In response to Professor Löfstedt's recommendations, the Government asked HSE to draw up proposals for changing the law "to remove health and safety burdens from the self-employed in low-risk occupations, whose activities represent no risk to other people. This will bring Britain into line with other European countries, who have taken a more proportionate approach when applying health and safety law to the self-employed and will free around one million people from red tape without impacting on health and safety outcomes".
- 3.4 The policy objective was therefore to exempt from Section 3(2) HSWA those self-employed whose work activities pose no risk to the health and safety of others, excluding those undertaking specified high risk activities. The intended effect was to remove the burden of implementing health and safety legislation for those self-employed and to remove the fear of inspections and possible prosecutions.
- 3.5 Subsequently, SE 2015 came into force on 1 October 2015 and set out the 'prescribed descriptions of undertakings' by reference to a short list of high risk activities where there should clearly be no exemption from section 3(2) HSWA (set out in Regulation 2 (a) and the Schedule to SE 2015) and a "catch-all" (or risk based) provision to ensure that those self-employed who may pose a risk to others are not exempt from section 3(2) HSWA (set out in Regulation 2 (b)).

- 3.6 The short list of high-risk activities set out in the Schedule to SE 2015 (where no exemption would apply) included Agriculture & Forestry, Asbestos, Construction, Gas, Genetically Modified Organisms and Railways. These high risk activities include those where there was, at the time of introduction, an EU requirement which imposed a specific duty on the self-employed person (e.g. those working in construction) or where there should be no question over their exemption either because the activities were conducted by high numbers of self-employed persons who create risks to themselves or others and / or which statistically result in high numbers of injuries/fatalities to self-employed persons. Phase 1 research confirmed that it is still appropriate for these high-risk categories to be listed in the Schedule to the regulations, and hence not be exempt from health and safety legislation.
- 3.7 Section 53 HSWA provides a broad definition of a self-employed person. It states a "self-employed person means an individual who works for gain or reward otherwise than under a contract of employment, whether or not he himself employs others". Self-employment can therefore take many forms- entrepreneurs, freelancers, sole traders, contractors etc. For this review, the term "self-employed" includes both those who are full time self-employed workers and those who work part time on a self-employed basis.
- 3.8 A self-employed person who is an employer will continue to be bound by section 3(1) of HSWA (the duty of every employer to conduct their undertaking in such a way as to ensure, so far as reasonably practicable, that persons not in their employment who may be affected are not exposed to risks to their health and safety) and section 2 (general duties of employers to their employees).
- 3.9 A self-employed person who does not conduct an undertaking prescribed in SE 2015 nor pose a risk of harm to others and who is not an employer will have no duties under HSWA in relation to themselves or other persons in how they conduct their undertaking.
- 3.10 At the time of SE2015 coming into force on 1 October 2015, it was estimated in the <a href="Impact Assessment">Impact Assessment</a> that there were approximately 3.8 Million self-employed jobs in the labour market where the self-employed worker did not have employees. This estimate accounted for individuals self-employed in their main undertaking (3.4 Million) in addition to those self-employed in a second undertaking (0.4 Million). It was estimated that around 1.8 Million self-employed jobs would fall out of scope of Section 3 (2) HSWA because of the legislative change. This was based on an assessment of the proportion of self-employed in each sector likely to be exempt (by Standard Industrial Classification (SIC)).

### 4. SCOPE AND SCALE OF THE POST IMPLEMENTATION REVIEW (PIR)

- 4.1 In line with the Government's <u>'Better regulation framework: guidance'</u>, consideration was given to the scope and scale of the review. 'Scope' refers to whether the PIR should consider the impact of the specific legislative changes or whether it should consider the appropriateness of the overarching legislative framework in which the changes sit. 'Scale' considers the wider importance of the PIR in terms of its political visibility, predicted economic impact, number of affected duty holders etc. and therefore the level of resource required (high, medium or low).
- 4.2 The 'scope' of the review was considered to be wide i.e. that the prescribing of undertakings should be considered in the context of the wider regulatory objective (to exempt those self-employed whose work activities pose no potential risk of harm to others).
- 4.3 The 'scale' of the review was considered to be 'low' due to:
  - SE 2015 being a deregulatory measure which removed burdens on business;
  - Net savings to the self-employed of £4.7 Million over the 10 year appraisal period, equivalent to Annual Net Costs to Business (expressed in 2009 prices) of -£0.41 Million.
  - The low expected impact of SE 2015 on the self-employed. Initial
    consultation evidence suggested that the low-risk individuals in scope of
    SE 2015 were unaware of their health and safety duties, hence the
    profile and risk of SE 2015 is considered to be "low".
- 4.4 Evidence to support the review was intended to be gathered in a two phased approach to ensure that the review was proportionate and light touch. <u>SE2015 PIR</u> summarises the evidence collected in phase one. This report focuses on the findings from phase two, which involved an omnibus survey of self-employed persons.

### 5. STRUCTURE OF THE EVIDENCE REVIEW

5.1 The structure of the evidence review which supports this PIR, is detailed in Diagram 1 (below).

The Health and Safety at
Work etc. Act 1974 (General
Duties of Self-Employed
Persons) (Prescribed
Undertakings) Regulations
2015 (2015/1583)
Post-Implementation Review
(PIR) questions

- i. What were the policy objectives of the measure?
- ii. What evidence has informed the PIR?
- iii. To what extent have the policy objectives been achieved?
- iv. Were there any unintended consequences?
- v. What were the original assumptions?
- vi. Could the objectives be achieved with a system that imposes less regulation?

### SE 2015 Objectives

The primary policy objective is to meet the recommendations in Professor Löfstedt's review to remove health and safety burdens from self-employed persons through exempting from Section 3(2) of the Health and Safety at Work etc Act 1974 (HSWA) self-employed individuals whose work activities pose no risk to the health and safety of others. Further, to prescribe undertakings in order to establish which self-employed persons fall within scope of the HSWA.

### Unintended consequences

### Original assumptions in SE 2015 impact assessment (IA)

Exemption of 1.8 M self-employed persons.

Very low levels of compliance with health
and safety law amongst those for whom
exemption would apply.

Small on-going cost savings for existing and new businesses.

Low initial costs for businesses in terms of familiarisation.

Improved perception of health and safety – proportionate and sensible

Reducing the burden on business

### 6. SUMMARY OF THE EVIDENCE REVIEW

- 6.1 Evidence gathered throughout both phases of the review has considered the changes brought about by the introduction of SE 2015 in terms of the following questions:
  - i. What were the policy objectives of the measure?
  - ii. What evidence has informed the PIR?
  - iii. To what extent have the policy objectives been achieved?
  - iv. Were there any unintended consequences?
  - v. What were the original assumptions?
  - vi. Has the evidence identified any opportunities for reducing the burden on business?

### 6.2 What were the policy objectives of the measure?

6.2.1 The primary policy objective was to meet the recommendations in Professor Löfstedt's review to remove health and safety burdens from self-employed persons through exempting from Section 3(2) of HSWA self-employed individuals whose work activities pose no risk to the health and safety of others. Further, to prescribe undertakings to establish which self-employed persons fall within scope of HSWA.

### 6.3 What evidence has informed the PIR?

- 6.3.1 The first phase of the evidence review included analysis of existing data and evidence sources, as well as gathering the views of key stakeholders such as:
  - Trade Unions
  - Trade Associations
  - Professional Bodies
  - Local Authorities (LAs)
  - Office of Rail and Road (ORR)
  - HSE's regulatory, sector and policy colleagues operating across a wide industry spectrum.
- 6.3.2 The detailed analysis of the first phase of the evidence review was published on 1<sup>st</sup> October 2020 in <u>SE2015 PIR.</u>
- 6.3.3 The second phase of the evidence review involved an omnibus survey of selfemployed persons, conducted by YouGov during early December 2020. The aim of the research was to gather evidence on the actual impact of the regulations on the self-employed. The survey asked self-employed persons for their views of the

regulations and whether they felt they had been affected by them. Full details of the questions asked are at Annex 1 – Omnibus Survey Question Set.

- 6.3.4 For the purpose of the survey, self-employed workers were classified into three groupings:
  - Group 1 those who work in the six categories prescribed by the regulations as not exempt from health and safety law (agriculture and forestry, asbestos, construction, gas, genetically modified organisms (GMOs) and railways).
  - Group 2 those whose work activities may pose a risk to others.
  - Group 3 those who pose no risk to others and are likely to be exempt from health and safety legislation (e.g. those working from home).
- 6.3.5 There were 2,040 responses received during the survey period- 11 % (233) from Group 1, 32% (644) from Group 2 and 57% (1163) from Group 3. Most respondents in Group 1 (70%) worked in construction and 28% worked in agriculture and forestry. Very small numbers worked in the other 3 sectors. No respondents worked with GMOs. Overall, many respondents (60%) worked from home although this was much lower (as expected) for Group 1 respondents, who are not exempt.
- 6.3.6 All respondents were asked about their awareness of the self-employed exemption legislation before taking the survey. Overall, around 80% of respondents were not aware of the exemption and this varied little between the three groups.
- 6.3.7 Respondents were then provided with information regarding the self-employed exemption legislation before being asked about whether they were exempt. The high number of "don't know" responses across all three groups show that there is confusion amongst the self-employed around the exemption, which remains even after they have been provided with information. 40% of those in Group 2 didn't know if they were exempt or not. This was slightly lower amongst Group 1 (31%) and Group 3 (28%). Confusion clearly exists for Group 1 (although the exemption doesn't apply to them as they work in one of the six prescribed sectors) with 28% concluding that they are exempt from health and safety legislation. Almost 60% of Group 1 respondents (who are not exempt) either think they are exempt, or they don't know.
- 6.3.8 Overall, around 75% of respondents had not sought information / guidance from HSE's website on the self-employed exemption legislation. This is not surprising given the low level of awareness of the exemption. Those who had looked for information generally found the information they were looking for (58%) and it helped them to understand whether they were exempt (69%).

- 6.3.9 In terms of the actual impact of the regulations on the self-employed, of those 378 who were aware of the exemption, 92% said that the self- employed exemption had made no difference to their working practices. 6% said that they had changed their working practices because of the exemption.
- 6.3.10 Of those who were aware of the exemption, a small minority (5%) thought that the exemption had impacted on them positively (less bureaucracy, positive impacts on business, an increased awareness of health and safety and improved health and safety). A small minority (3%) thought that the exemption had impacted on them negatively (a perceived increased in costs to business because of the regulations although comments suggest that this is due to other factors such as Covid-19).
- 6.3.11 Of those who were aware of the exemption, most respondents (81%) felt that the exemption had not impacted on their personal health and safety or that of others. There was a mix of both positive and negative comments. The most frequently mentioned positive comment was being more attentive to health and safety risks. The most frequently mentioned negative comment was that the exemption was bad for the self-employed and society, a closely related theme was that the self-employed would take less care because of the exemption.
- 6.3.12 All respondents were asked about whether they thought there should be any changes to the legislation. Just over half (53%) said that they didn't know. 37% said that there should be no changes and 10% thought there should be changes. Of those who thought there should be changes, 60% expressed an opinion that health and safety legislation should apply to all.
- 6.3.13 The self-employed were asked a final question to see if they had anything else to add. Amongst the 11 themes identified, 9 related either to areas of confusion or potential areas for improvement such as increasing the awareness of the exemption legislation and the need for wider advertising.
- 6.3.14 The detailed quantitative and qualitative analysis of the second phase of the evidence review is contained in Appendix 2- Evidence Review (Phase 2).

### 6.4 To what extent have the policy objectives been achieved?

- 6.4.1 The key objective of the self-employed exemption was to remove health and safety burdens from those self-employed individuals whose work activities pose no risk to the health and safety of others.
- 6.4.2 Overall, a consistent finding from both phases of the research is that the self-employed exemption has had little impact on the self-employed.
- 6.4.3 A dominant theme that emerged during the first phase of the review was that the legislation had made little difference to the regulatory burden on the self-employed because there was no substantive regulatory burden felt by them in the first place due to a low level of awareness and understanding of health and safety legislation.
- 6.4.4 Local Authority respondents expressed the view that the self-employed had very little understanding of health and safety legislation before the exemption was introduced and that the exemption had had a mainly neutral effect. This view was also expressed by HSE's regulatory, sector and policy colleagues.
- 6.4.5 The omnibus survey of the self-employed has supported these findings, particularly in relation to the low level of awareness of the regulations (across all three groups) and the low impact on their work, their working practices, their personal health and safety and that of others.
- 6.4.6 The evidence therefore suggests that the policy objective of reducing regulatory burdens has not been fully achieved.

### 6.5 Were there any unintended consequences?

- 6.5.1 During the first phase of the review, external stakeholders expressed mixed views about whether there had been any unintended consequences with some stating that there had not been any.
- 6.5.2 Others, notably trade union representatives, outlined a range of possible unintended consequences- increase in complexity and confusion, growth in self-employment, negative messaging around health and safety being a burden, adverse impact on health and safety culture, reduced standards of protection for the self-employed etc. No evidence was provided by stakeholders to support the suggested unintended consequences.

- 6.5.3 Some Local Authorities mentioned unintended consequences- including the exemption creating confusion and an increase in "bogus" self-employment to avoid health and safety responsibilities.
- 6.5.4 It was noted in the phase one evidence review that ONS figures showed that there had been an increase in self-employment, but this trend had started prior to the introduction of the regulations and there is no evidence to suggest that the increase in self-employment was a result of the regulations.
- 6.5.5 During the second phase of the review, a small minority of the self-employed respondents indicated that the regulations had impacted on their health and safety or that of others. There were a mix of positive and negative comments. The main positive themes were that the regulations had made them more attentive to health and safety. The main negative themes were that the exemption was bad for the self-employed and society and closely related to this was a feeling that the self-employed would take less care because of the regulations and "cut corners".
- 6.5.6 Respondents were also given a final opportunity to add any further comments about the regulations. Of the eleven themes identified in the free text comments, nine of them referred to areas of either current confusion or potential areas for improvement such as a lack of awareness of the exemption, the need for clarification of the exemption criteria and more generally the need to raise awareness with self-employed workers. This suggests that there is confusion amongst the self-employed about the exemption criteria and there is a need for improvement in terms of effective communication with the self-employed.
- 6.5.7 Given the low level of awareness of the regulations, this confusion may be more reflective of a general lack of awareness amongst the self-employed of health and safety legislation. However, phase two has supported the suggestion from stakeholders that there is a potential for misunderstanding given that some self-employed respondents didn't know whether they were exempt even after they were provided with information. Additionally, 28% of those in Group 1 wrongly identified themselves as being exempt when they are not.
- 6.5.8 Therefore, there does appear to be an unintended consequence around misunderstanding and incorrect application of the regulations amongst the self-employed.

### 6.6 What were the original assumptions?

6.6.1 The <u>Impact Assessment</u> (IA) for the exemption, completed in May 2015, estimated the following impacts (total net present value over a 10 year appraisal period):

- Time savings for exempt self-employed (new and existing) who no longer need to keep up to speed with health and safety regulation -£8.0 Million
- Additional time spent by existing self- employed to determine if they are exempt or not - £3.4 Million

6.6.2 This gave total net estimated savings of £4.7 Million over a 10-year appraisal period, or around £540,000 equivalent annual cost.

6.6.3 The main assumptions used in the IA calculations were:

- 1.8 Million self-employed would be exempted, based on an assessment of the proportion of self-employed in each sector likely to be exempt
- Those exempted would not change their risk management behaviour as qualitative research with the self-employed in 2012 found the regulatory requirements were not a driver for their behaviour
- There would be no adverse impact on health and safety protections or outcomes
- There would be no cost savings due to risk management changes- the primary saving would come from time no longer spent familiarising or keeping up to date with regulations
- Only a small minority of the self-employed were aware of their health and safety duties (around 10%) therefore only 10% would benefit from the savings
- 180,000 exempted self-employed (10% of 1.8 Million) would save an average 15 minutes per year no longer keeping up to date
- 10% of all self-employed (3.8 Million at the time of the IA) i.e. 380,000 would need to spend between 15 minutes and 1 hour on average determining their exemption status

6.6.4 The IA estimated a very low impact from the exemption. A key assumption was that only a minority of self-employed persons are aware of their health and safety duties (around 10%) and would benefit from any time savings. Given the low expected impact, in line with PIR guidance, a detailed review of the IA assumptions and re-estimation of the costs and benefits was deemed disproportionate and a qualitative assessment was made based on the PIR evidence.

6.6.5 The conclusion from this qualitative assessment was that the PIR evidence broadly supports the estimates in the 2015 IA. The evidence from phase two supports the findings from the first phase in that:

• The exemption has had limited impact on actual regulatory burdens in terms of time- and cost-savings. 19% of self-employed adults surveyed were aware of the exemption regulations prior to the survey.

- There is little evidence that the self-employed have changed their health and safety risk management practices or experienced an adverse impact on health and safety.
- The number of exempted self-employed is more uncertain and difficult to establish. ONS data (for January to March 2020) reported in the Phase One evidence review showed around 5.0 million self-employed individuals, the latest ONS<sup>i</sup> release shows that this has dropped to around 4.4 million (October to December 2020), compared with 3.8 million used in the IA. Although lower, this still suggests that the actual number exempted may be slightly higher than estimated. However, this would still give a small impact, both in aggregate and per self-employed.
- 6.6.6 There is some evidence to suggest a lack of understanding of the exemption criteria amongst the self-employed. This has emerged as an unintended consequence out of the findings of the research. Some time was allowed as part of the IA assumptions for the self-employed to determine their exemption status. However, given that 81% of survey respondents were unaware of the regulations this would be expected to have minimal impact on the cost assumptions.
- 6.6.7 The PIR evidence therefore broadly supports the estimates in the 2015 IA.

# 6.7 Has the evidence identified any opportunities for reducing the burden on business?

6.7.1 SE 2015 is a deregulatory measure which is intended to reduce burdens on business by exempting from Section 3(2) of HSWA those self-employed individuals whose work activities pose no risk to the health and safety of others. The evidence collected for phase two supporting the findings from phase one in that the exemption is unlikely to have made much difference to the actual burdens experienced by the self-employed. As such, the evidence has not identified any opportunities for reducing burdens.

### 7. CONCLUSIONS AND RECOMMENDATIONS

- 7.1 In terms of meeting the objectives and the likely impact of SE 2015 on the self-employed, evidence from stakeholders during the first phase was mixed. There was a divide between the views of organisations representing small businesses, who favoured a measure that would reduce regulatory burdens on their membership and trade unions who felt that any reduction in health and safety legislation would lower the standard of worker protection, although no evidence of this has been established.
- 7.2 External stakeholders (LAs, a professional body, a trade association and a health and safety consultant) expressed the view that SE 2015 had made very little difference to the self-employed and therefore hadn't achieved the objective of reducing regulatory burdens either because there was no regulatory burden in the first place or because the self- employed are unlikely to be aware of the exemption.
- 7.3 The second phase review findings suggest that there is a low level of awareness of the regulations amongst the self- employed, with a significant proportion of respondents not aware of the exemption. In terms of the impact of the regulations, of those self- employed who were aware of the exemption, the vast majority felt that it had made no difference to their work or their working practices. There was some limited evidence that the exemption had had a positive impact.
- 7.4 Overall, the findings from both review phases are broadly consistent and support the following:
- There is a low level of awareness of the regulations amongst the selfemployed and there has been little impact on their work and their working practices, which suggests that the regulations have not fully achieved their objective of reducing regulatory burdens on the self- employed whose work activities pose no risk to the health and safety of others, to anything more than a very minimal degree.
- There is a divide between the views of organisations representing small businesses, who favour a measure that reduces regulatory burdens on their membership and trade unions who felt that any reduction in health and safety legislation would lower the standard of worker protection. A theme which emerged from both phases of the research was a view that health and safety legislation should "apply to all". Whilst there are mixed views, the intention of the regulation to reduce regulatory burdens, remains appropriate.
- The estimated impact in the Impact Assessment was low. This has been supported by both phases of the evidence review.

- There does appear to be an unintended consequence around misunderstanding and incorrect interpretation of the exemption criteria.
- 7.5 In conclusion, the evidence gathered during both phases of the review suggest that the objectives intended to be achieved by the introduction of SE2015 have not been fully met due to the low level of awareness of the regulations amongst the self-employed. Given that the objectives of the regulations remain appropriate, this review concludes that the regulations should remain as they are but that a comprehensive review of the guidance is undertaken with a view to raising awareness of the exemption with all self-employed workers.
- 7.6 This report therefore makes two recommendations:
- (i). A review of the guidance for the self-employed exemption is undertaken to ensure that it is clear for all groups, and
- (ii). Awareness of the exemption is raised across all industry sectors through a range of targeted communications.

HSE and DWP have both accepted the recommendations made by the SE2015 PIR and HSE will be taking this work forward in due course subject to planned prioritisation.

**Title:** The Health and Safety at Work etc Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) regulations 2015

**PIR No: HSEPIR012** 

Original IA/RPC No: HSE0071/

RPC12-HSE 1418(3)

Lead department or agency: Health and

**Safety Executive** 

Other departments or agencies:

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## Post Implementation Review

Date: 01/07/2021

Type of regulation: Domestic

Type of review: Statutory

Date measure came into force:

1 October 2015

**Recommendation: Keep** 

**RPC Opinion:** 

### 1. What were the policy objectives of the measure? (Maximum 5 lines)

The objectives of the Regulations are to exempt from Section 3(2) of the Health and Safety at Work etc Act 1974 (HSWA) self-employed workers whose work activities pose no risk of harm to others; whilst prescribing undertakings so it is clear that the duty still extends to self-employed persons who undertake high risk activities (listed in the schedule to the regulations) or whose activities may pose a risk to the health and safety of others.

### 2. What evidence has informed the PIR? (Maximum 5 lines)

The second phase of evidence gathering was carried out in December 2020 and utilised an online survey aimed at gathering the views of self-employed workers directly. The survey attracted 2040 responses from three groups of self-employed workers - those who work in the prescribed sectors, those whose work activities may pose a risk to others and those who pose no risk to others and are likely to be exempt from health and safety legislation.

### 3. To what extent have the policy objectives been achieved? (Maximum 5 lines)

The objectives have been achieved in terms of legally exempting low risk self-employed individuals from Section 3 (2) of HSWA. However, in practice, there is a low level of awareness of the regulations amongst the self-employed and little impact on their work or working practices, which suggested that the regulations have not fully achieved their objectives in practice.

Sign-off for Post Implementation Review: Chief economist/Head of Analysis and Minister

I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.

Signed: Date: 01/07/2021

### **Further information sheet**

Please provide additional evidence in subsequent sheets, as required.

### 4. What were the original assumptions? (Maximum 5 lines)

That 1.8 Million Self-employed would be exempted, those exempted would not change their health and safety risk management behaviour and consequently, there would be no adverse impact on health and safety protections.

### 5. Were there any unintended consequences? (Maximum 5 lines)

Phase 2 research with the self-employed has shown that there does appear to be an unintended consequence around misunderstanding and incorrect application of the regulations amongst the self-employed.

6. Has the evidence identified any opportunities for reducing the burden on business? (Maximum 5 lines)

The self-employed exemption was a de-regulatory measure aimed at reducing burdens on certain self-employed persons. The evidence collected in both phases of the review suggests that in practice the exemption is unlikely to have made a significant difference to the actual burdens experienced by the self-employed. As such, the evidence has not identified any opportunities for reducing burdens.

7. For EU measures, how does the UK's implementation compare with that in other EU member states in terms of costs to business? (Maximum 5 lines)

Not applicable

Appendix 2

# Post Implementation Review (PIR) of The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015 (SI 2015/1583)

# **Evidence Review (Phase 2)**

Author(s): Alison Higgins and Emma Bushell

Date: 19/03/2021

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### **SUMMARY**

- A Post implementation review of the Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015 (SI 2015/1583) ('SE 2015') was published before the 1st October 2020.
- The objective of SE 2015 was to exempt self-employed individuals who pose no risk to the health and safety of others and prescribe undertakings where the self-employed continue to have duties under health and safety regulation.
- Phase One of the evidence review concluded that there were mixed views from stakeholders and there was a need to conduct further data collection with self-employed persons when it was feasible to do so (bearing in mind COVID-19). This report focuses on the findings of Phase Two and provides an update to the evidence report that was published alongside the PIR report (link).
- The research involved an omnibus survey of 2,000 self-employed persons. YouGov were commissioned to undertake the survey which was conducted between the 2<sup>nd</sup>-8<sup>th</sup> December 2020. The aim of the research was to gather evidence on the actual impact of the regulations on the self-employed. The survey asked self-employed persons for their views of the regulations and whether they felt they have been affected by them.
- In terms of meeting the objectives of SE 2015, the research with the self-employed provides further evidence that the objectives of the regulation have not been met. Overall, the findings from Phase One and Phase Two both suggest a low level of awareness of the regulations amongst the self-employed and that there has been little impact on their working practices. This suggests that the regulations have not achieved their objective of reducing the regulatory burdens felt by the self-employed.
- In terms of the impact of the regulations on the self-employed, the vast majority of the self-employed felt that it had made no difference to their work and that they hadn't changed their working practices as a result of the regulations. This is likely to be partly because of the low level of awareness and because those who are now exempt from health and safety regulation are working in low risk occupations who are unlikely to have felt the regulatory burden in the first instance.
- For the small number of respondents who indicated that the regulations had impacted on their personal health and safety or that of others. There was a mix of positive and negative comments, including making them more attentive to health and safety risks and the regulations being bad for the self-employed and society.
- ➤ There does appear to be confusion amongst the self-employed around the exemption legislation, 28% of those in the target group who are not exempt as they work in high risk sectors wrongly categorised themselves as exempt from health and safety regulation. Overall, 32% didn't know whether or not they were exempt.
- ➤ The self-employed were also asked for their views on whether they thought that any changes were needed to the regulations. A strong theme emerged from the analysis of free text responses that health and safety regulation should apply to all. This theme also emerged from Phase One evidence sources, particularly responses from the Local Authority survey and the telephone interviews with trade union representatives.

The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings)

Regulations 2015 (2015/1583) – Post Implementation Review (PIR)

Evidence Review: Phase Two

### Introduction

- 1. This report provides an update to the evidence review<sup>1</sup> published alongside the Post-Implementation Review (PIR) of The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015 (SI 2015/1583) ('SE 2015'). A commitment was given to undertaken Phase Two of the research with the self-employed as soon as it was feasible to do so, given COVID-19 restrictions.
- 2. SE 2015 regulations exempt from section 3(2) of Health and Safety at Work Act (HSWA) those self-employed individuals who pose no risk to the health and safety of others. The Regulations prescribe undertakings where the self-employed continue to have duties under Section 3(2) HSWA. This means that those self-employed persons who carry out a work activity which is either set out in the Schedule to the Regulations or which may pose a risk to the health and safety of another person are not exempt under the HSWA.
- 3. The background is providing in the published PIR report. In summary, the regulations arose from a recommendation made in Professor Löfstedt's report<sup>2</sup> to exempt from health and safety law those self-employed people whose work activities pose no potential risk of harm to others.
- 4. A 'light touch' approach to the PIR was considered appropriate given:
  - SE 2015 being a deregulatory measure which removes burdens on business.
  - Net savings to the self-employed of £4.7 million over the 10-year appraisal period, equivalent to Annual Net Costs to Business (expressed in 2009 prices) of -£0.41 million.
  - The low expected impact of SE 2015 on the self-employed. Initial consultation evidence suggested that the low risk individuals in scope of the regulations were unaware of their health and safety duties, hence the profile and risk of the Regulations is considered to be "low".
- 5. Phase One of the data collection involved a range of approaches to gathering evidence. The findings from Phase One have been published alongside the PIR report<sup>3</sup>. The research concluded that there were mixed views from stakeholders and a need for further data collection with self-employed persons. Research was needed to assess the actual impact of the regulations on the self-employed. Full details of the research approach are provided in the Phase One evidence review which was published alongside the PIR report.
- 6. This report focuses on the findings from Phase Two, which involved an omnibus survey of selfemployed persons. There were 2,040 responses in total to the survey.

<sup>&</sup>lt;sup>1</sup> The Phase One evidence review can be found here: https://www.legislation.gov.uk/uksi/2015/1583/pdfs/uksiod 20151583 en.pdf <sup>2</sup>Professor Löfstedt (2011) Reclaiming health and safety for all.

<sup>3</sup> Ibid1

### Post-Implementation Review (PIR) questions

- 7. The questions considered in the published PIR report have been reconsidered in light of the evidence from Phase Two of the research. These questions were as follows:
  - i. What were the policy objectives of the measure?
  - ii. What evidence has informed the PIR?
  - iii. To what extent have the policy objectives been achieved?
  - iv. What were the original assumptions?
  - v. Were there any unintended consequences?
  - vi. Has the evidence identified any opportunities for reducing the burden on business?

### i. What were the policy objectives of the measure?

- 8. The objectives of the SE 2015 regulations are to exempt from Section 3(2) of the Health and Safety at Work etc Act 1974 (HSWA) self-employed individuals whose work activities pose no risk to the health and safety of others; whilst prescribing undertakings so it is clear that the duty still extends to self-employed persons who undertake high risk activities (listed in the schedule to the regulations) or whose activities may pose a risk to the health and safety of others.
- 9. As to whether these stated policy objectives of SE 2015 have been achieved, this will be covered below in section 'iii. To what extent have the policy objectives been achieved?'.

### ii. What evidence has informed the PIR?

- 10. The report provides an update to the evidence review document published alongside the PIR. A wide range of method have informed the review, for phase one this involved:
  - On-line Survey of Local Authorities
  - Telephone Interviews with External Stakeholders
  - HSE Regulatory and Policy Survey
  - Review of Existing Sources of Evidence
  - Statistical Analysis of Labour Force Survey Data
- 11. For phase two this involved:
  - An omnibus survey of self-employed persons.
- 12. There were 2,040 responses in total to the survey. The detailed findings from the quantitative analysis and qualitative analysis of the open questions is outlined below:

### i. Sample Characteristics

Table 1. Omnibus Survey Sample by Target Group

Group 1: prescribed	Group 2: Risk Based. May pose	Group 3: Risk based but likely
categories. No exemption	a risk to others	to be exempt/ pose no risk to others
11% (N=233)	32% (N=644)	57% (N=1163)

- 13. Respondents were split into 3 key groups of interest on the following basis:
  - Group 1: those who work in the 6 prescribed categories (agriculture and forestry, asbestos, construction, gas, genetically modified organisms and railways) or high-risk activities and are not exempt from health and safety legislation.
  - Group 2: those whose work activities may pose a risk to others, for example those whose workplace is visited by members of the public (e.g. motor mechanic).
  - Group 3: those who pose no risk to others and are likely to be exempt from health and safety legislation (e.g. work from home such as an illustrator or web designer).
- 14. The omnibus survey approach meant that it wasn't possible to recruit, or quota sample based on these characteristics and therefore the achieved sample broadly reflects natural fall out, although attempts were made to try to recruit sufficient numbers within each of the 3 target groups. Hence, 57% of the sample are in Group 3. However, respondents were asked to provide a description of their job. In order to analyse this data, the descriptions were matched to ONS 2010 Standard Occupational Classification codes<sup>4</sup>. 1071 occupations were successfully matched with a full standard occupational classification code and the analysis of these responses shows a good spread of occupations, meaning that there were no occupational areas missed in the responses (See chart 1 below). These occupational classifications can't be mapped onto the target groups of interest but do show the coverage of occupations held by self-employed persons in the sample.

<sup>&</sup>lt;sup>4</sup> SOC 2020 Volume 1 Structure and Description of Unit Groups

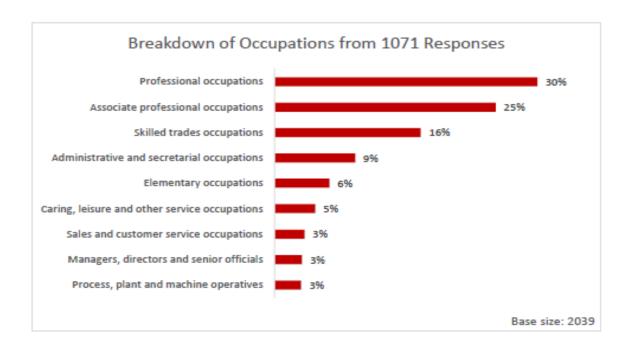


Chart 1: Breakdown of Occupations Matched to ONS Standard Occupational Classifications

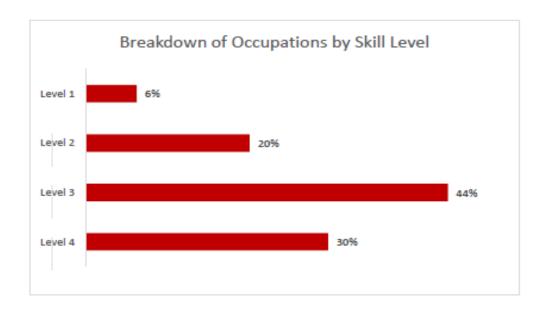


Chart 2: Breakdown of Occupations by Skill Level for 1071 Matched Responses<sup>5</sup>

 $_{5}$  Level 1 – general education, Level 2 – good general education, Level 3 – Post-compulsory education, Level 4 – degree-level equivalent education

For full description of the skill levels please see: <u>SOC 2020 Volume 1: structure and descriptions of unit groups - Office for National Statistics</u>

- 15. The breakdown of occupations for the fully matched sample of 1071 responses was analysed by skill level, showing that respondents were more likely to be in the higher rather than the lower skill groups (see chart 2)
- 16. The majority of respondents in Group 1 (70%) worked in construction and 28% worked in agriculture and forestry. Very small numbers of respondents worked in the other 3 sectors and no respondents reported working in the genetically modified organisms' sector (GMO's).

Table 2. Omnibus Survey Sample: Breakdown of Prescribed sectors for Group 1

Q2. Which, if any, of following Sectors do you work in? (Please select all that apply)	Totals*
Agriculture and Forestry	28%
Asbestos	0%
Construction	70%
Gas	3%
Genetically Modified Organisms	-
Railways	2%

Base: Group 1 (N= 233)

17. Table 3 below shows that the majority of respondents worked from home (60%), and over a quarter were mobile (no fixed office or site). It is expected that a high proportion of the self-employed would work from home and that COVID-19 would be less likely to affect the working location of the self-employed as opposed to the employed. However, it isn't known whether there has been changes to working practices as a result of COVID-19. Respondents were also more likely to work from home if they were female (68%) as opposed to male (53%) and if they were of a higher social grade, 68% of ABC1<sup>6</sup> compared to 42% in social grade C2DE<sup>7</sup>.

**Table 3. Omnibus Survey Sample: Working Location** 

Q1. Which ONE, if any, of Following best describes where you MAINLY work?	Totals
From home	60%
An external workplace on separate premises from my home (e.g. shop, office, garage etc.)	13%
Mobile (i.e. visiting customers/ clients in their home or workplace)	27%
	100%

<sup>\*</sup>Note: responses do not sum to 100% as respondents could tick more than one sector.

<sup>&</sup>lt;sup>6</sup> Socio-economic classification produced by ONS. ABC1 refers to Higher & intermediate managerial, administrative, professional occupations, Supervisory, clerical & junior managerial, administrative, professional occupations.

<sup>&</sup>lt;sup>7</sup> Socio-economic classification produced by ONS. C2DE refers to Skilled manual occupations, Semi-skilled & unskilled manual occupations, Unemployed and lowest grade occupations

18. Table 4 shows the work location of the self-employed who participated in the survey. There are notable differences by target group. 60% of all respondents work from home but this is much lower for Group 1, who work in one of the six prescribed sectors and are therefore not exempt from health and safety legislation. This is to be expected as they work in occupations which are classed as high-risk activities and are therefore unlikely to work mainly from home. Just under 60% of those in the prescribed sectors are mobile e.g. they don't work from a fixed office or site. This is similar for those in Group 2 whose work activities may pose a risk to others. Working from home was used as proxy to select those in Group 3 as those who work from home will be exempt as their work activities pose no risk of harm to others (e.g. an illustrator or web designer). Hence, 100% of those in Group 3 worked from home, although it is expected that those in Group 3 would primarily be home based.

Table 4. Omnibus Survey Sample: Work Location by Target Group

Q1. Which ONE, if any, of Following best describes where you MAINLY work?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others
From home	25%	-	100%
An external workplace on separate premises from my home (e.g. shop, office, garage etc.)	16%	36%	-
Mobile (i.e. visiting customers/ clients in their home or workplace)	59%	64%	-
Totals	233	644	1163

Base: Self-employed adults surveyed N= 2040

### ii. Awareness of the Self-Employed Exemption Legislation

Table 5. Awareness of the Self-Employed Exemption Regulation by Target Group

Q4. Before taking this survey, were you aware that some self-employed workers are exempt from health and safety law?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
No, I wasn't	81%	83%	81%	81%
Yes, I was	19%	17%	19%	19%
Total	100%	100%	100%	100%

- 19. Respondents were asked about their awareness of the self-employed exemption. Overall, around 80% of respondents were not aware of the exemption and this varied very little between groups.
- 20. Respondents were provided with information about the self-employed exemption legislation before being asked about whether they were exempt. The responses to this question are provided in Table 6 below.

**Table 6**. Exemption Status by Target Group

Q5.* Is your work exempt from health and safety law?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Yes, it is	28%	31%	60%	47%
No, it isn't	41%	28%	12%	20%
Don't know	31%	40%	28%	32%
Total	100%	100%	100%	100%

Base: Self-employed adults surveyed N= 2040

21. The high number of don't know responses show that there is confusion amongst the self-employed around the exemption, which remains after respondents are provided with information about the regulations. 40% of those in Group 2 responded that they didn't know whether they were exempt or not, which was slightly lower amongst Group 1 (31%) and group three (28%). This is not surprising given that it isn't clear cut whether the exemption applies to those in Group 2 and is very much dependent on what and how they do their job. However, it is surprising that confusion exists amongst group one, for whom the exemption doesn't apply as they work in one of the six prescribed high-risk sectors. Somewhat more surprising is that over a quarter of respondents who work in one of these prescribed high-risk sectors think they are exempt from health and safety legislation. This could suggest that they don't understand that their occupation can pose a risk to the health and safety of others and is clearly a possible cause for concern. However, it is not known what impact the self-employed exemption has had on this confusion.

<sup>\*</sup> Note: Respondents were provided with information about the exemption legislation before answering this question

### iii. Information sources

22. Table 7 below shows whether respondents have sought information/ guidance from HSE on the self-employed legislation. Given the low level of awareness with the self-employed exemption it's not surprising that overall, around three quarters of respondents hadn't looked for guidance on the self-employed exemption on the HSE website.

Table 7. Have You Visited the Health and Safety Executive (HSE) Website for Information/ Guidance on the Self-Employed Exemption? by Target Group

Q7. Have you EVER visited the Health and Safety Executive (HSE) website for information/ guidance on the self-employed exemption?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Yes, I have	27%	20%	18%	20%
No, I haven't	65%	74%	77%	74%
Don't know/ can't recall	7%	7%	5%	6%
Total	100%	100%	100%	100%

Base: Self-employed adults surveyed N= 2040

23. Respondents were also asked about whether they would know where to find information about whether or not their work is exempt from health and safety legislation. Table 8 below shows that over 60% of respondents didn't know where to find this information, which suggests that there might be an issue with communicating information to the self-employed and attracting traffic to the HSE website.

Table 8. Do you know where to find information?

Q6. Please imagine you wanted to know/ check whether or not your work was exempt from health and safety law Do you know how to find out this information?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Yes, I do	33%	35%	37%	36%
No, I don't	67%	65%	63%	64%
Total	100%	100%	100%	100%

24. Tables 9 and 10 show that those who had looked for information generally found the information they were looking for (58%) and that it helped them to understand whether or not they were exempt (63%). However, given that some respondents were wrongly classifying themselves as exempt it does pose further questions around understanding and clarity of this information.

Table 9. Did You find the information You Were Looking for? By Target Group

Q8a. Thinking about when you have visited the Health and Safety Executive (HSE) website for information/ guidance on the self-employed exemption Did you find the information you were looking for?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Yes, I did	55%	54%	61%	58%
No, I didn't	13%	10%	5%	7%
Don't know/ can't recall	33%	37%	35%	35%
Total	100%	100%	100%	100%

Table 10. Did it Help You to Understand if Your Work is Exempt? By Target Group

Q8b. Still thinking about when you have visited the HSE website for information/ guidance on the self-employed exemption Did it help you to understand if your work is exempt from health safety law?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Yes, I did	63%	66%	72%	69%
No, I didn't	17%	3%	3%	5%
Don't know/ can't recall	20%	31%	25%	26%
Total	100%	100%	100%	100%

Base: Self-employed adults surveyed who've ever visited  $\frac{\text{hse.gov.uk}}{\text{looking for N}}$  and found the information they were looking for N= 233

### iv. Impact of the Self-Employed Exemption Legislation

25. For the vast majority of respondents (92%) the self-employed exemption had made no difference to their working practices. Only 6% of respondents overall said they had changed their working practices as a result of the exemption (see Table 11. below)

Table 11. Changes to Working Practices by Target Group

Q9. Have you changed your working practices as a result of the self-employed exemption legislation?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Yes, I have	5%	8%	4%	6%
No, I haven't	95%	86%	94%	92%
Don't know	-	6%	2%	3%
Total	100%	100%	100%	100%

Base: Self-employed adults aware of the exemption N=378

26. Respondents who said that they had changed their practices were asked to provide a brief explanation for how they had changed their practices. 21 comments were received, the most common theme coded was being more aware of health and safety (7). This could indicate that for a very small number of respondents the change in regulation has increased their awareness of health and safety and that this has been useful for improving their own health and safety standards. Second to this is the mention of COVID-19 regulations (5). These comments are reflective of when the research was undertaken (during the pandemic) and the increased use of PPE rather than being a direct response to the self-employed exemption regulation. A couple of respondents referred to the need for insurance for self-employed people to cover themselves when they meet the exemption criteria. For full details of the comments made in response to this question see Table 12 below. A summary of the frequency of codes is provided below.

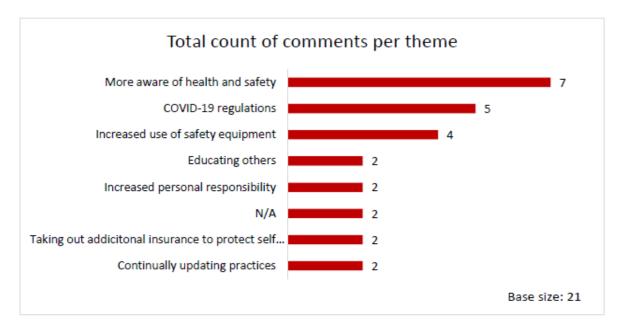


Chart 3: count of comments per theme for Q10

# **Table 12. Changes to Working Practices: Breakdown of Free Text Responses**

Q10. You previously said that you have changed yo	·	
employed exemption legislation How have you changed your practices?		
Comment	Theme	
I keep up to date with all legislation related to self- employment, not just health and safety	Continually updating practices	
By making all my students aware of the slight risks that could occur during teaching sessions	Educating others	
Do things in a more safety manner	More aware of health and safety	
General floor tidiness	More aware of health and safety	
Cautious	More aware of health and safety	
Just made sure nothing I was doing fell into the category of needing HSE	Increased personal responsibility	
I used to use ladders for external painting work. But to health & safety regulations being amended regarding ladders. They are only to be used for access only. And should not be used to work from. Therefore, we now have to use scaffolding to complete exterior work if working from heights.	More aware of health and safety	
In the past, when I have worked for specific clients and the nature of the role has required me to take out public liability insurance or undertake specific training to ensure the health and safety of myself and others.	Taking out additional insurance to protect self and others	
Don't bother wasting my time with risk assessments. I ask the client if they are happy for me to undertake the work, and I take responsibility for my own actions, i.e. I wouldn't sue a client if I fell off my ladder at their premises/home.	Increased personal responsibility.	
I only work online now	N/A	
Comply with PPE regs	Increased use of safety equipment COVID-19 regulations considered	
Cleaning equipment before and after use. Observing	COVID-19 regulations considered	
distancing rules. Checking temperature on entry.	Increased use of safety equipment	
I have personal insurance to cover	Taking out additional insurance to protect self and others	
I WEAR A MASK	Increased use of safety equipment COVID-19 regulations considered	
New Covid regulations	COVID-19 regulations considered	
Keep up to date with current developments	Continually updating practices	
PPE	Increased use of safety equipment COVID-19 regulations considered	
I must have a fire extinguisher in my cab, a first aid kit	More aware of health and safety	
and I must take regular breaks.	Increased use of safety equipment	
Making sure relevant topics are covered on driver training	More aware of health and safety	
that are requested by companies, in respect to HSE and		
driving for work. HSE / Occupation Road Risk requires that		
drivers who are provided vehicles for their work, understand		
how to check them, maintain them. What is required to		
have their vehicles road legal. Loading and unloading		
practices. Filling out logbooks and defect books. I changed		
so my reports are also carrying more relevant details on		
what was covered and what learning took place on driver		
training sessions. And what, if any further training is		
required for drivers.	Educating others	
I am more aware of the risks etc to others	More aware of health and safety	
dk	N/A	

Table 13. Has the Exemption Legislation Positively or Negatively Affected Your Work?

Q11. Has the self- employed exemption legislation positively or negatively affected your work, or has it made no difference?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Very positively	5%	4%	1%	2%
Fairly positively	5%	2%	3%	3%
No difference	73%	79%	87%	83%
Fairly negatively	5%	4%	-	2%
Very negatively	-	2%	-	1%
Don't know	14%	10%	9%	10%
Total	100%	100%	100%	100%

Base: Self-employed adults aware of the exemption N=378

- 27. For the vast majority of respondents, the self-employed exemption had made no difference to their work (83%). This was slightly lower amongst group one (73%) and slightly higher amongst group three (87%) which is surprising given that the exemption shouldn't impact on those in group one as the exemption doesn't apply. This suggests that the exemption has made little difference to the self-employed, either because they weren't aware of the regulations and/or doing anything to comply with the health and safety legislation in the first place. The responses are summarised in Table 13 and the analysis of free text responses is summarised in table 14 below.
- 28. Overall, a small minority (5%) thought the exemption had impacted on them positively and a similarly small minority thought the exemption had impacted on them negatively (3%). The analysis of free text responses shows that of the 26 people who provided an explanation for this, the most frequently occurring theme was less bureaucracy (7). Other positive comments included positive impacts for the business (6), an increased awareness/clarity of health and safety (4), and improved health and safety (2). Negative themes identified were a perceived increase in costs to business are a result of the regulations (3). The count of themes for Q12 is provided in chart 4.

# Table 14. Analysis of Free Text Comments for Q12

Comment	Theme
No need for additional paperwork	Less bureaucracy
As I have just stated. We have to use scaffolding to	N/A
complete exterior	'','
work if working from heights, therefore. When we quote	
for exterior work, we have to suggest scaffolding and the	
price of scaffolding can be as expensive as the quotation for	
the work which does not bode well. But then again, the	
customer does not give us the work. Then the Europeans do	
it for much less than us because they don't adhere to the	
health and safety regulations. Which is not good for us	
I wear a hard hat on construction sites	Increased use of safety equipment
	Increased clarity/awareness
It means that I won't have to spend extra precious time and	Less bureaucracy
money on obtaining certificates of conformation either through	
training or filling in applications. Some red tape has at last been	
cut and common sense has been freed from bureaucracy	
It clarified the position	Increased clarity/awareness
More aware	Increased clarity/awareness
Saves writing policies and procedures	Less bureaucracy
Costs and hindrance to work	Perceived increase in costs to business
No more time-wasting with written risk assessments	Less bureaucracy
with no increase in actual risk	
Helpful	Positive impact for business
More costs – able to treat less patients on a daily basis	Perceived increase in costs to business
i.e. 1 patient every 45 mins, instead of 30 mins	
Not having to turn away work for not having the	Positive impact for business
correct equipment for a one-off requirement	
Unable to teach in leisure centre/gyms during lockdowns	COVID-19 impacts
Extra cost of PPE	COVID-19 impacts
	Perceived increase in costs to business
Confirmed what I was already aware of	Increased clarity/awareness
It helps protect	Positive impact for business
It's made it much safer and healthier for me	Positive impact for business
Less work on H&S and can concentrate on the business	Less bureaucracy
	Positive impact for business
I don't need to do risk assessments and I can work	Less bureaucracy
longer if I need, so I can do more work	Positive impact for business
Meant not too much needless expense and effort	Less bureaucracy
	Positive impact for business
Too many laws	Confusing legislation – too many laws
Nanny state	N/A
No	N/A
Na	N/A

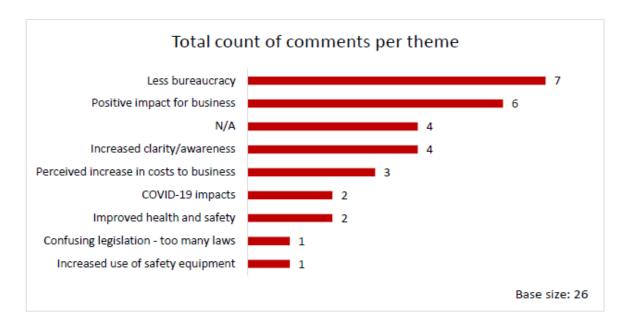


Chart 4: Total Count of Comments per Theme for Q12

- 29. The perceived increase in costs mentioned by three respondents are unlikely to have arisen as result of the regulations, which are deregulatory in nature and have not imposed additional burdens on the self-employed. It was expected that there would be some time needed by the self-employed to determine their exemption status. However, the comments provided suggest that the perceived increases in costs are due to other factors such as COVID-19 rather than the exemption regulation.
- 30. Similarly, a majority of respondents (81%) felt that the self-employed exemption had not impacted on their personal health and safety or that of others. A small minority of respondents (4%) felt that it had.

Table 15. Has the Self-employed Exemption Legislation had any effect on your personal health and safety, or that of Others?

Q13. Do you think the self- employed exemption legislation has had any effect on your personal health and safety, or that of others?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Yes, it has	7%	3%	4%	4%
No, it hasn't	75%	83%	82%	81%
Don't know	18%	14%	14%	15%
Total	100%	100%	100%	100%

Base: Self-employed adults aware of the exemption N=378 (Group 1= 44, Group 2 =111, Group 3=223)

31. There were 12 respondents in total who provided an explanation for this, three responses have been discounted as they were not applicable (see Table 16 below).

Table 16. Analysis of Free Text Comments for Q14

Q14. You previously said that the self-employed e	exemption legislation has affected your		
personal health and safety, or that of others What affect did it have?			
Comment	Theme		
It makes us more careful and I risk assess everything	Positive – more attentive to H&S risks		
It will affect visitors to self-employed premises	Affects visitors/customers of business		
Relaxation of H&S is a bad thing for society	Negative – bad for society and self employed		
It means that some self-employed people will take less care to keep themselves safe	Negative – self-employed taking less care as a result		
Made things safer	Positive – more attentive to H&S risks		
Making me more attentive about checking the potential dangers when carrying out tasks.	Positive – more attentive to H&S risks		
People will work when it is not safe to	Negative – self-employed taking less care as a result Negative – bad for society and self employed		
Avoids self-employed people having to spend a lot of their time doing the same things as bigger organisations	Positive – not as time consuming		
It has not affected me because I am not exempt, but believe that those who are exempt are risking too much for little gain	Negative – bad for society and self employed		
companies looking to cut corners using small businesses	Negative – self-employed taking less care		
	Negative – bad for society and self employed		
As with all reductions in safety legislation, it has exposed me to risk of harm; fortunately, this risk has not eventuated yet.	Negative – bad for society and self employed		
MORE AWARE	Positive – more attentive to H&S risks		
An idiot I was working with had a ladder slip and damaged my car! It should have been stepped	N/A		
N/a	N/A		
	N/A		

32. There was a mix of both positive and negative comments. The most frequently mentioned positive comment was being more attentive to health and safety risks. The most frequently mentioned negative comment was that the exemption was bad for the self-employed and society, a closely related theme was that the self-employed would take less care as a result of the exemption.

### iv. Changes to legislation

33. All respondents were asked about whether they think there should be any changes to the legislation. Just over half of respondents said that they didn't know, which is to be expected particularly given the high lack of awareness of the self-employed exemption legislation amongst self-employed persons and that this question was asked of all respondents. Overall, 10% of respondents felt that there should be changes to the legislation which was slightly higher amongst group one (16%).

Table 17. Do you think that there should be changes to the legislation?

Q15. Thinking generally about the self-employed exemption legislation as a self-employed person Do you think there should be changes to the legislation?	Group 1: prescribed categories. No exemption	Group 2: Risk Based. May pose a risk to others	Group 3: Risk based but likely to be exempt/ pose no risk to others	Total
Yes, I do	16%	11%	8%	10%
No, I don't	39%	34%	38%	37%
Don't know	45%	55%	53%	53%
Total	100%	100%	100%	100%

Base: Self-employed adults surveyed N= 2040

34. Qualitative analysis of the 202 comments that were provided by respondents suggests that most respondents who expressed an opinion believed that health and safety legislation should apply to all (see Table 18). 60% of the 202 comments received expressed this view, which signifies the dominance and importance of this theme amongst the responses received (see percentage count of themes at Chart 5).

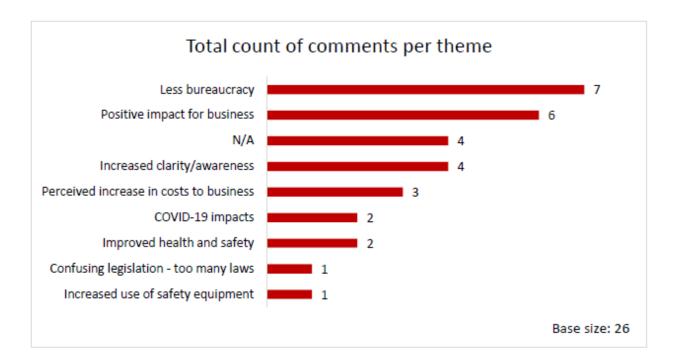


Chart 5: Percentage of Comments per theme for Q16

# Table 18. Analysis of Free Text Comments for Q16

exemption legislation What changes do you	think there should be?
Comment	Theme
t should only be applied in areas where a risk (e.g. deep- sea diving) is part of the job	Legislation should be more profession specific
	Personal liability for self employed
f you are working on the premises of a customer, then is should be the customer's responsibility to minimise risks	Fersonal hability for sen employed
o your health	
believe everyone has a responsibility for health	No exemption/application for all
and safety there should be no exception	то спотрыет, орржинать на вы
The law should apply to everyone.	No exemption/application for all
H&S should be comprehensive	No exemption/application for all
Remove exemption	No exemption/application for all
All people should have to follow the same rules and	No exemption/application for all
aws in order to have a level playing field	, , , , ,
Make everyone the same	No exemption/application for all
Health & Safety law should apply to everyone	No exemption/application for all
Everyone to do a first aid course that owns a business	Changes to include first aid
This change should include technology	Changes to include technology
We should always be thinking about our own health	Personal liability for self employed
and safety	,
Guidelines for safe working for self-employed people	Personal liability for self employed
	Increased awareness/information on the
	exemption criteria
For me it's ok, work to strict professional code of ethics,	
out I'm concerned for others I know - self-employed	Personal liability for self employed
solo tree surgeon for example	More profession specific
	Increased awareness/information on the
	exemption criteria
egal protection for the self-employed so that they have	Increased legal protection for self employed
the right to refuse services to clients that are unable to	
allow the self-employed to work in a safe environment	
without facing financial difficulty.	
With COVID extra safety measures should be	COVID-19/pandemic
ntroduced when interacting face to face with clients	
am not affected by this legislation, but I used to work as	Changes more widely advertised
a gardener and would have been affected at that stage.	
Any changes should be made more widely known	
especially for those who are working as self-employed	
out are in fact employed by others	
think the legislation should be more wide ranging re self-	Changes more widely advertised
employment and better publicised. Information should be	
available through <u>GOV.co.uk</u>	
clarify the law so it is more generally known	Clarification of legislation/making it more
and understood	easily understandable
There should be some basic requirements	Basic requirements for self-employed and exempt
There should be a set of minimum standards for self-	Basic requirements for self-employed and exempt
employed workplaces, for things such as heating,	
ighting and other conditions.	
Not as strict	Less strict exemption criteria
There should be another law to protect those who	Basic requirements for self-employed and exempt
· · · · · · · · · · · · · · · · · · ·	
are currently exempt	Increased legal protection for self-employed and exempt

Table 19. Analysis of Free Text Comments for Q16: Table Continued

Q16. You previously said that you think there sho	ould be changes to the self-employed		
exemption legislation What changes do you think there should be? Table 18 continued			
Comment	Theme		
Health and safety are responsibility and a cost to all, this is yet another erosion of work standards for the	No exemption/application to all		
British worker and will be the thin end of the wedge in a post EU Britain	EU/Brexit considerations		
Tighten up laws on safety	Stricter health and safety legislation		
legal protection for the self-employed so that they have the right to refuse services to clients that are unable to allow the self-employed to work in a safe environment without facing financial difficulty.	Increased legal protection for self-employed and exempt		
It could be unclear as to whether your work will be harmful to others, for example, even using a potting trowel could potentially be harmful if someone stepped on it barefoot, so at what point does something not become harmful.	Increased awareness/information on the exemption criteria  Clarification of legislation/making it more		
More checks	easily understandable N/A		
Haven't had time to consider it.	N/A		
Na	N/A		
a	N/A		
Jail corporate board members for deaths Grenfell Tower directors will get off Scott free	N/A		
Base size = 202 (including N/A), sample shown is to illust table of comments.	rate all themes identified. Please see annex 2 for full		

- 35. It is noteworthy that 'health and safety should apply to all' also emerged as a theme in phase one of the evidence gathering<sup>8</sup> particularly amongst local authority respondents and trade unions. When local authorities were surveyed, they were asked about whether they thought there should be changes to the legislation. Of the 42 responses to this question, 18 local authorities indicated that there should be changes to the legislation and most of the comments reflected that health and safety legislation should apply to all or that there should be no exemption. This opinion was also expressed consistently by trade unions who took part in the telephone interviews. Therefore, this represents a dominant theme which has emerged from the qualitative analysis for both Phase One and Phase Two of the research.
- 36. The self-employed were asked a final question to see if they had anything to else to add to their comments on the regulations. The analysis of free text responses is provided in Table 20 below. There were 368 responses in total to this question. 127 comments were discounted due to lack of relevance for example, 'don't know enough about it to comment' (see Annex 2 for the full table of comments).

<sup>&</sup>lt;sup>8</sup> Ibid 1

# Table 20. Analysis of Free Text Comments for Q17

Comment	Theme
I think a commonsense approach is a good one. I don't think we need to legislate to make every self-employed person non-exempt. Some lighter touch regulation where possible helps if no harm is doable as it reduces the	Light touch regulation
red tape on hard working and working-long-hours self-employed.  Surprised that this exists	Lack of awareness of legislation
'	Lack of awareness of legislation
It's interesting that I've never heard of it, seeing that I provide healthcare to members of the public. I will be looking it up after I've completed this survey.  If it poses no risk to others, then it shouldn't be a problem. BUT getting info	Lack of awareness of legislation
out there on good work practices should be done.	Lack of awareness of legislation
Having registered as a sole trader in 2001, I am surprised that any reference the H&S regs that might relate to me have never been notified to me - I pay my taxes every year on time so I'm not hard to find.	Lack of awareness of legislation
Information should be distributed about self-employment exemption legislation when people register with HMRC to become self-employed.	Lack of awareness of legislation
It has been a well-kept secret. When I was employed in an office most HSE legislation seemed a daft waste of money but on building sites where it is ignored, I can see the need for it.	Lack of awareness of legislation
I don't know enough about it outside of the general definition you've supplied. I couldn't tell you about any potential grey areas or loopholes that could be potentially exploited.	Lack of awareness of legislation
I had presumed that I wouldn't need 3rd party insurance for what I do but hadn't realised there was a legislation about it.	Lack of awareness of legislation Personal liability/responsibility
I don't really understand so I am sure others don't either. Should it be split into the different categories I.e. retail	Clarification of exemption criteria Lack of awareness of legislation
It would be nice if I knew what the exemptions were.	Clarification of exemption criteria Lack of awareness of legislation
I don't know enough about the exemption to comment. My gut feeling is that it relies on the self-employed person to determine whether or not their work poses no risk to others and therefore whether or not they are exempt, There	Clarification of exemption criteria
must me an inherent risk in that	Lack of awareness of legislation
Given I've only just heard of it, not really. My professional organisation has never mentioned it; indeed, I get frequent reminders of the need for up-to-date risk assessments or my indemnity insurance is invalidated. Have to say on the face of it I can see no reason why H&S should not apply to me.	Insurance Lack of awareness of legislation No exemption/application to all
Because it you have insurance then one should be aware of what one should and should not do	Insurance Clarification of exemption criteria
Not really. I never knew about it until now. I think it is right that self- employed in certain types of non-risky work should be exempt.	Positive feedback for legislation Lack of awareness of legislation
It is an excellent idea!	Positive feedback for legislation
Sounds perfectly sensible to me.	Positive feedback for legislation
If a person is self-employed and not employing other people at the workplace, I think they should be responsible for looking after themselves	Personal liability/responsibility
only work on my own doing pool maintenance, so my work doesn't impact on anyone else.	Personal liability/responsibility
This law should apply to all.	No exemption/application for all
It should be scrapped.	No exemption/application for all
Not sure if anyone should be exempt.	No exemption/application for all
I'm not clear what I would have to do if I wasn't exempt from it. As it appears to be self-assessed, I think some people could use this as a loophole to bypass Health and safety legislation	Misuse of legislation
It would depend on the reason: a daredevil or performance artist who wasn't endangering others is one thing; companies such as Uber using this law to get around proper protection of their 'self-employed' employees is something else.	Misuse of legislation

Q17. Do you have any other views or comments related to the self-employed exemption legislation? Table 20 continued		
I'm thinking of my own activity i.e. hand knitting, undertaken at home with no- one else involved at any time. There must be a high number of people like myself.	Clarification of exemption criteria	
I think it depends which types of occupations are defined as exempt. As a consultant working from home, I still believe I should not be exempt because I occasionally visit clients' premises and could potentially be putting others at risk even through things like trailing computer cables.	Clarification of exemption criteria	
Not sure if it applies to me or not	Clarification of exemption criteria	
I quite honestly don't understand what it does. If you pose no risk to anyone, then that means you're exempt? But if you pose NO risk then no one will EVER get hurt anyway. The whole thing seems so feebly phrased as to render it redundant in any legal capacity.	Negative feedback for legislation	
Improving health and safety should be by education and encouraging people to think about what can go wrong, trying to improve safety by regulation is trying to idiot proof by edict, you just end up with smarter idiots.	Negative feedback for legislation  Misuse of legislation	
It's a bad idea. Health and safety legislation is there to protect everyone	Negative feedback for legislation No exemption/application for all	
Honestly, it's not an area that I'm familiar enough with to have an opinion.  Perhaps this information should be sent out to people when they register	Wider advertising of legislation	
as self-employed so that they know their rights legally.	Lack of awareness of legislation	
I read extensively but had heard nothing about this! My business manufactures electronic products that are sold worldwide but operate on extra safe low voltages (other than the wall wart  ). They are designed to	Wider advertising of legislation	
be as safe as possible, but does this absolve me of H&S? Hmm, unsure.	Lack of awareness of legislation	
Clearly, it should be more widely known about.	Wider advertisement of legislation Lack of awareness of legislation	
Base size = 368 (including 127 coded as N/A), sample shown is to illustrate al Annex 2 for full table of comments.	l themes identified. Please see	

37. Overall, it was clear that a majority of responders felt that there were areas lacking with the exemption legislation. Of the 11 identified themes, 9 of them refer to areas of either current confusion or potential areas for improvement such as a lack of awareness of the exemption legislation (52). This could be linked with three other areas that were also mentioned: the need for wider advertising (24), clarification of the exemption criteria (44). These are all areas of improvement relating to awareness, access and understanding of the legislation. The summary of the total count of comments per theme is provided in Chart 6 below.

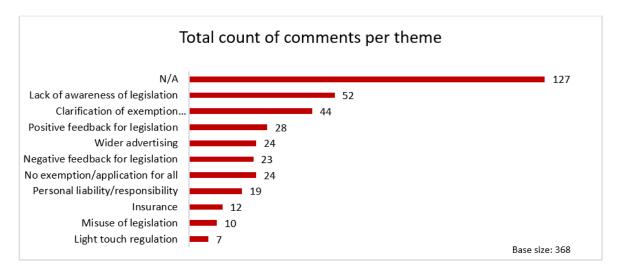


Chart 6: Total Count of Comments per Theme for Q17

### iii. To what extent have the policy objectives been achieved?

- 38. A number of evidence sources from phase one of the research and Phase Two of the research have been collated to answer the PIR questions. Overall, a consistent message from both phases of the research is that the self-employed exemption has had little impact on the self-employed. A dominant theme that emerged from feedback from stakeholders during phase one of the research was that the legislation had made no difference to the regulatory burden on the self-employed. Quotes from stakeholders provided in the Phase One report illustrate this succinctly, for example a professional body who submitted a written response referred to 'the removal of a non-existent 'burden"9. This has now been supported by the omnibus survey with the self-employed, evidenced by the low level of awareness of the regulations and the low impact on their working practices.
- 39. They key objective of the self-employed exemption was to reduce regulatory burdens on the self-employed through exempting them from health and safety regulation. In practice, it is likely that it's had little impact as the self-employed who qualify for the exemption are engaged in low-risk activities and therefore the regulatory burden wasn't really felt by them in the first place. Therefore, the evidence suggests that the policy objective of reducing regulatory burdens has not been achieved.

### iv. Were there any unintended consequences?

40. The self-employed were asked questions in the omnibus survey about whether the exemption legislation had positively or negatively impacted on their work (see Table 13) and whether the exemption legislation had impacted on their personal health and safety or that of others (see

The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings)

Regulations 2015 (2015/0021) – Post Implementation Review (PIR)

Evidence Review: Phase Two

Table 15). These were followed up with an option to provide comments and explanation for their views. The qualitative analysis of these free text responses has been used to provide insight into whether there have been any unintended consequences for the self-employed. It wasn't deemed appropriate to ask this question directly given what was already known about the lack of awareness of the regulations amongst the self-employed. Few respondents indicated that the regulations had either positively (5%) or negatively impacted on them (3%) and there was a small number of free text responses (26 in total). Of these comments, respondents were most likely to mention positive impacts (6) and less bureaucracy (7) rather than negative impacts.

- 41. A small minority of respondents indicated that the regulations had impacted on their health and safety or that of others (4%). A total of 12 free text comments were received, representing a mix of positive and negative comments. The main positive theme was that the regulations had made them more attentive to health and safety. The main negative themes were that the exemption was bad for the self-employed and society; closely related to this was a feeling that the self-employed would take less care as a result of the regulations. Respondents mentioned safety concerns and using self-employed to 'cut corners' but did not provide sufficient information to understand how this may have impacted on the self-employed in carrying out their day-to-day activities or the potential risk posed to others (see Table 16). Given the low numbers of responders reporting that the regulations had impacted on their work practices, their own health and safety or that of others and the low level of comments received, this provides little further evidence. This is an area which may benefit from further research.
- 42. These concerns were also expressed as possible unintended consequences in Phase One of the research and most strongly by the trade union representatives, who commented on the growth of 'bogus self-employment' and using the self-employed to get around health and safety responsibilities<sup>10</sup> (see Table 21 below). It should be noted that no evidence was provided by stakeholders to support the suggested unintended consequences. It was noted in the Phase One evidence review that ONS figures<sup>11</sup> show that there has been an increase in self-employment, but this trend had started prior to the introduction of the regulations and there is no evidence to suggest that the increase in self-employment was a result of the regulations. Again, no evidence has emerged from this research to support this suggestion.
- 43. Respondents were also given a final opportunity to add any further comments about the regulations. 11 themes were identified in the analysis of the free text comments, 9 of them referred to areas of either current confusion or potential areas for improvement such as a lack of awareness of the exemption legislation (52), clarification of the exemption criteria (44) and the need for wider advertising (24) (see Table 20). This suggests that there is confusion amongst the self-employed about the exemption criteria. This also suggests that there is a need for improvement in terms of effective communication with the self-employed. Table 10

<sup>10</sup> *ibid* 1

<sup>11</sup> ONS statistics are available here:

showed that 69% of those who had visited the HSE website for information/guidance on the self-employed and health and safety legislation said that it had helped them to understand if their work is exempt. However, questions remain around the comprehension of this information given that some respondents were wrongly classifying themselves as exempt.

- 44. The responses to Q5<sup>12</sup> also provide further evidence of confusion amongst the self-employed around their understanding of the regulations and who the exemption applies to and who it does not. As stated earlier, 32% of respondents didn't know whether they were exempt even after they were provided with information about the regulations. More concerning was that 28% of those in Group 1 wrongly identified themselves as being exempt when they fall into one of the six prescribed sectors which are not exempt from health and safety regulation.
- 45. There was also a suggestion from stakeholders in Phase One<sup>13</sup> of the research that the exemption regulation had created confusion amongst the self-employed and that there was a potential for misunderstanding (see Tables 21 and 22 below).

Table 21. Unintended Consequences? Evidence from Phase One Telephone Interviews

Research instrument	No. of respondents	Evidence
Telephone Interviews	n = 6	Mixed views were expressed as to whether the regulations had resulted in unintended consequences. Some felt that the regulations had made very little difference or where unable to say. 3 responders mentioned a range of unintended consequences which were:  more complex – no need for change Growth in SE/ gig platforms to avoid health and safety responsibilities Created Confusion Negative messaging, health and safety as a 'burden' Negative impact on health and safety culture

<sup>12</sup> Is your work exempt from health and safety law? See Table 6

<sup>13</sup> *Ibid* 1

Comments (for all comments in response to this question see Phase One report<sup>14</sup>):

Added more complexity around something that was alright in the first place.

...haulage firm with direct employment model moves to a model with a gig hub giving out work to drivers to get around responsibilities (condition of vehicles, terms & conditions of drivers)

Negative narrative around health, safety & welfare being a burden on business will have sector specific implications

Downward spiral of bad practice less likely to be challenged & good practice not built on & cascaded

46. Given the low level of awareness of the regulations this confusion may be more reflective of a general lack of awareness amongst the self-employed of health and safety legislation. However, phase two has supported the suggestion from stakeholders that there is a potential for misunderstanding given that some respondents were wrongly categorising themselves as exempt even after they were provided with information about the regulations. Therefore, there does appear to be an unintended consequence around misunderstanding and incorrect interpretation of the regulations amongst the self-employed.

Table 22. Unintended Consequences? Evidence from Phase One Local Authority Survey

Research instrument	No. of respondents	Evidence
Local Authority Survey	n = 42	3 comments were received by local authority responders which relate to unintended consequences. These can be categorised under the following themes:  Created confusion/potential for misunderstanding  Avoiding health and safety responsibilities/ Bogus self-employment

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<sup>14</sup>lbid 1

The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings)

Regulations 2015 (2015/0021) – Post Implementation Review (PIR)

Evidence Review: Phase Two

## Comments (for all comments in response to this question see Phase One report<sup>15</sup>):

...If a garage states they only have self-employed staff the owner is exempt and so are the staff...

Only that is was a misguided intervention in the first instance. I did not understand this group to face any additional burden that was not already catered for in the existing legislative structure and imposition has only opened up potential for greater misunderstanding.

We have served a Prohibition Notice on a mixer for lack of a bowl guard. The owner got round the PN by only allowing himself as a self-employed person to use the unguarded machine and ensuring his employees did not go into the area whilst the mixer was in use. I am not sure if this was the intention of the legislation...

.. There is a perception that employers are being undercut by the self-employed and are driving standards for the industry down.

### v. What were the original assumptions?

- 47. The final impact assessment (IA) for the exemption (completed May 2015), estimated the following impacts (total net present value over a 10-year appraisal period):
  - Time savings for self-employed (new and existing) who will now be exempt and no longer need to keep up to speed with H&S regulations - £8.0 million
  - Additional time spent by all existing self-employed to determine exemption status -£3.4 million
- 48. This gave total net estimated savings of £4.7 million over a 10-year appraisal period, or around £540,000 equivalent annual cost. Further details of the main assumptions and estimates used in the IA calculations are provided in the phase one evidence report<sup>16</sup> and in the published IA.<sup>17</sup>
- 49. The IA estimated a very low impact from the exemption. A key assumption was that only a minority of self-employed persons are aware of their H&S duties (around 10%) and would benefit from any time savings. Given the low expected impact, in line with PIR guidance, a detailed review of the IA assumptions and re-estimation of the costs and benefits was deemed disproportionate; and a qualitative assessment was made based on the PIR evidence.

<sup>15</sup> *Ibid* 1

<sup>16</sup> *Ibid* 1

<sup>&</sup>lt;sup>17</sup> Impact Assessment can be found here:

- 50. The conclusion from this qualitative assessment was that the PIR evidence broadly supports the estimates in the 2015 IA. The evidence from Phase Two supports the findings from Phase One in that:
  - the exemption has had limited impact on actual regulatory burdens in terms of timeand cost-savings. 19% of self-employed adults surveyed were aware of the exemption regulations prior to the survey.
  - There is little evidence that the self-employed have changed their health and safety
    risk management practices or experienced an adverse impact on health and safety.
    Only 6% of self-employed adults surveyed had changed their working practices as a
    result of the regulations and 4% reported that the regulations had impacted on their
    personal health and safety or that of others (this included both positive and negative
    impacts).
  - The number of exempted self-employed is more uncertain and difficult to establish. ONS data (for January to March 2020) reported in the Phase One evidence review showed around 5.0 million self-employed individuals, the latest ONS<sup>18</sup> release shows that this has dropped to around 4.4 million (October to December 2020), compared with 3.8 million used in the IA. Although lower, this still suggests that the actual number exempted may be slightly higher than estimated. However, this would still give a small impact, both in the aggregate and per self-employed.
- 51. There is some evidence to suggest a lack of understanding of the exemption criteria amongst the self-employed. This has emerged as an unintended consequence out of the findings of the research. Some time was allowed as part of the IA assumptions for the self-employed to determine their exemption status. It is difficult to determine whether these assumptions were correct without further data. However, given that 81% of survey respondents were unaware of the regulations this would be expected to have minimal impact on the cost assumptions.

## vi. Has the evidence identified any opportunities for reducing the burden on business?

52. SE 2015 is a deregulatory measure which is intended to reduce burdens on business through exempting from section 3(2) of Health and Safety at Work Act (HSWA) those self- employed individuals who pose no risk to the health and safety of others. The evidence collected for Phase Two supports the findings from Phase One that the exemption is unlikely to have made much difference to the actual regulatory burdens experienced by the self-employed.

#### vii. Conclusions

53. In conclusion SE 2015 has had a minimal impact on the self-employed in terms of their working practices and whether the regulations have impacted on their personal health and safety or

<sup>&</sup>lt;sup>18</sup> ONS dataset EMP14: Employees and self-employed by industry

The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings)

Regulations 2015 (2015/0021) – Post Implementation Review (PIR)

Evidence Review: Phase Two

that of others. There is a low level of awareness of the regulations amongst the self-employed which all suggests that the regulations have not achieved their objective of reducing regulatory burdens to anything more than a very minimal degree. The estimated impact in the IA was low which has been supported by both phases of the evidence gathering. There does appear to be an unintended consequence around misunderstanding and incorrect interpretation of the exemption criteria which suggests that there are areas for improvement around awareness of the regulations and clarification of the exemption criteria. A dominant theme which emerged from both phases of the research was the view that 'health and safety legislation should apply to all' and that the exemption wasn't needed in the first instance.

Post Implementation Review (PIR) of The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015: Omnibus Survey Questions

#### **Screening Questions**

Approximately how many people are employed by your company/employer in the country you live in?

<1>	1 (just me)	<8>	50 to 99
<2>	2	<9>	100 to 249
<3>	3 to 5	<10>	250 to 499
<4>	6 to 9	<11>	500 to 999
<5>	10 to 19	<12>	1,000 or more
<6>	20 to 34	<13>	Don't know
<7>	35 to 49	<99 if 0>	Not applicable - I am not currently employed

Which ONE, if any, of the following BEST applies to you?

<1>	I own a small private limited company
<2>	I am self-employed, and work with my own clients/ customers (i.e. I don't
	work for another business)
<3>	I am self-employed, and work for other businesses as a freelancer
<4>	I am self-employed, and work for other businesses as a contractor
<99>	None of these

### **Survey Questions**

Q1. Which ONE, if any, of following best describes where you MAINLY work?

- From home
- An external workplace on separate premises from my home (e.g shop, office, garage etc)
- Mobile (i.e. visiting customers/clients in their home or workplace

Q2. Which, if any, of following sectors do you work in? (Please select all that apply)?

- Agriculture and Forestry (including horticulture, fruit growing, seed growing, dairy farming, livestock breeding and keeping, forestry, the use of grazing land, market gardens and nurseries)
- Asbestos (any work activity involving asbestos, including sampling activities and managing asbestos in non-domestic premises)
- Construction (Any work carried out on a construction site and any work in relation to a construction project such as that carried out by a contractor or designer)

- Gas (Working with gas includes the installing, servicing, maintaining or repairing of any gas appliances or gas fittings both in domestic and commercial premises)
- Genetically Modified Organisms (If your work activity involves GMOs within a research laboratory or a biotechnology production facility)
- Railways (Working on the operation of a railway including using, cleaning or repairing a railway vehicle, loading or unloading activities, maintaining and repairing the infrastructure and those working at signalling control centres)
- none of the above

Q3. For the following questions, please think about your main job (i.e. the one you do most of the time). How would you describe the work that you do in one word/ phrase (e.g. gardener, accountant, mechanic, cleaner, hairdresser, author etc.)? (Please type your answer in the box below)

Q4. Before taking this survey, were you aware that some self-employed workers are exempt from health and safety law?

(Yes, I was: No, I wasn't)

Q5. Please read the information below before answering the question that follows. The self-employed exemption legislation came into effect on the 1st October 2015, and states that if you are self-employed and your work activity poses no potential risk to the health and safety of others then health and safety law will not apply to you. Is your work is exempt from health and safety law?

(Yes, it is: No, it isn't: Don't know)

Q6. Please imagine you wanted to know/ check whether or not your work was exempt from health and safety law... Do you know how to find out this information?

(Yes, I do: No, I don't)

Q7. Have you EVER visited the Health and Safety Executive (HSE) website (<a href="https://www.hse.gov.uk/">https://www.hse.gov.uk/</a>) for information/ guidance on the self-employed exemption from health and safety law?

(Yes, I have: No, I haven't: Don't know/ Can't recall)

Q8a. Thinking about when you have visited the Health and Safety Executive (HSE) website for information/ guidance on the self-employed exemption... Did you find the information you were looking for?

(Yes, it did: No, it didn't: Don't know/ Can't recall)

Q8b. Still thinking about when you have visited the Health and Safety Executive (HSE) website for information/guidance on the self-employed exemption... Did it help you to understand if your work is exempt from health safety law?

(Yes, it did: No, it didn't: Don't know/ Can't recall)

Q9. Have you changed your working practices as a result of the self-employed exemption legislation (e.g. time/ effort spent managing risk, keeping up to date with developments etc.)?
(Yes, I have: No, I haven't: Don't know)
Q10. You previously said that you have changed your practices due to the self-employed exemption legislation How have you changed your practices? (Please type your answer in the box below, giving as much detail as possible)
Q11. Has the self-employed exemption legislation positively or negatively affected your work (e.g. costs, time, training etc.), or has it made no difference?
<ul> <li>Very positively</li> <li>Fairly positively</li> <li>No difference</li> <li>Fairly negatively</li> <li>Very negatively</li> <li>Don't know</li> </ul>
Q12. You previously said that your work has been [xxx] affected by self-employed exemption legislation What are your reasons for this? (Please type your answer in the box below, giving as much detail as possible)
Q13. Do you think the self-employed exemption legislation has had any effect on your personal health and safety, or that of others?
(Yes, It has: No, it hasn't: Don't know)
Q14. You previously said that the self-employed exemption legislation has affected your personal health and safety, or that of others What affect did it have? (Please type your answer in the box below, giving as much detail as possible
Q15. Thinking generally about the self-employed exemption legislation as a self-employed person Do you think there should be changes to the legislation?)

(Yes, I do: No, I don't: Don't know)

Q16. You previously said that you think there should be changes to the self-employed exemption legislation What changes do you think there should be? (Please type your answer in the box below, giving as much detail as possible)
Q17. Do you have any other views or comments related to the self-employed exemption legislation? (Please type your answer in the box below, giving as much detail as possible)

Q16. You previously said that you think there sho	ould be changes to the self-employed
exemption legislation What changes do you th	· · ·
Comment	Theme
	Legislation should be more profession specific
For me it's ok, work to strict professional code of ethics, but I'm concerned for others I know - self employed solo tree surgeon for example	Increased awareness/information on the exemption criteria
	Personal liability for self-employed
It should only be applied in areas where a risk (eg deep sea diving) is part of the job	Legislation should be more profession specific
I think it should be more specific in relation to professions	Legislation should be more profession specific
It might already be in the legislation, but I think the assessment of whether or not you are a risk should	Legislation should be more profession
not be left to the self-employed person.	specific Personal liability for self-employed
Each sector needs its own exemptions based on discussions with people who work in that sector (not just the experts!)	Legislation should be more profession specific
Exempt from legislation if working alone and remotely from client/customer	Legislation should be more profession specific
Some form of competence and knowledge about what you do. i.e if you cut hedges, prune shrubs & trees, you should have an idea of when to prune, when birds start & finish nesting etc. Also have general knowledge of plant husbandry and how to treat plants with bugs & mites with non biological fungicides. Also how to kill weeds without use of harsh chemicals.	Legislation should be more profession specific
health and safety legislation should apply to everyone, it needs to be tailored to the job, risks, potential for harm etc but not ignored.	Legislation should be more profession specific
More checks	N/A
Haven't had time to consider it.	N/A
Na	N/A
а	N/A
Jail corporate board members for deaths Grenfell tower directors will get off Scott free	N/A
there are always h and s issues	N/A
ррр	N/A
Don't know	N/A
i should be exempt	N/A
Dk	N/A
I'm not sure	N/A
P	N/A
Dk	N/A
NO	N/A
I need to be aware of my own situation	N/A
regarding health and safety	1 11/2
Dk	N/A
na	N/A

Q16. You previously said that you think there s exemption legislation What changes do you	· · · · · · · · · · · · · · · · · · ·
not sure	N/A
Would like to be informed personally	N/A
My activity includes teaching./instruction so is	N/A
not really excused	1,77
N/a	N/A
Pressed wrong button as I misread the question.	N/A
Yes	N/A
Not sure	N/A
Don't know	N/A
because we can cause harm to ourselves	N/A
Selected incorrect option	N/A
Parity with companies.	N/A
Health and safety is extreme and stop me doing my	N/A
job properly or put me at higher Risk as I am	
expected to take all the risks on project.	
The law should apply to everyone.	No exemption/application to all
i believe every one has a responsibility for	No exemption/application to all
health and safety there should be no exception	The exemption, application to an
H&S should be comprehensive	No exemption/application to all
Remove exemption.	No exemption/application to all
All people should have to follow the same rules	No exemption/application to all
and laws in order to have a level playing field	The exemption, application to an
Make everyone the same	No exemption/application to all
Health & Safety law should apply to everyone	No exemption/application to all
Why should self employed people be exempt?	No exemption/application to all
They need to be safe too.	The exemption, application to an
Health and safety law should still apply to	No exemption/application to all
self employed individuals for safety reasons	The exemption, application to an
No exemptions - all work can pose risk, some much	No exemption/application to all
less than others, that's why risk assessments are	по внемерном, принаменном вы
done. If the risk is very low, you might well take no	
actions, but you should do the assessment.	
Under the CSCS Scheme I have to take a Health	No exemption/application to all
and Safety course every five years. This should	
apply to all with no exemptions. Nobody poses no	
risk to others while working.	
We all have to be safe so the legislation is	No exemption/application to all
important in all walks of life.	
There should be no exemption	No exemption/application to all
We should all come under the	No exemption/application to all
legislation, irrespective of our work	
health and safety measures should apply to the	No exemption/application to all
self- employed - even if it is only the health and	
safety of the individual that is potentially affected	
All workers should be subject to Health and	No exemption/application to all
Safety legislation	
We should be covered by protection in the event	No exemption/application to all
of an accident or mishap.	
everyone should have to abide by health and	No exemption/application to all
safety law	
I feel like it should be included	No exemption/application to all
It should apply to everyone	No exemption/application to all

Q16. You previously said that you think there s	hould be changes to the self-employed
exemption legislation What changes do you	· · · · · · · · · · · · · · · · · ·
,	
Anyone self employed should operate under the	No exemption/application to all
same health and safety rules and regulations as	
any other worker.	
Everyone is responsible for their own health and	No exemption/application to all
safety no matter what their work. I don't	, , , , ,
understand how this can be categorised as exempt	
even though there is no physical reason for this. I	
work online and on a computer. This surely still	
requires some thought on regular breaks and	
other things? May be classified as low risk, but	
exempt doesn't make sense to me.	
I think that self employed people should be covered	No exemption/application to all
by health and safety legislation.	
whatever you do you should not be exempt	No exemption/application to all
from H&S law.	
Self employment should be subject to the same H&S	No exemption/application to all
requirements of other employments	
All workers, of whatever employment status, should	No exemption/application to all
be covered by Health and Safety legislation.	
Whether self-employed or not, nobody should be	No exemption/application to all
exempt from the need to work safely - even if	
dangerous working practices pose no threat to	
others, you could argue that time-pressed self-	
employed workers on tight profit margins are	
likely to compromise their own safety in order to	
save time and/or money. The law should protect	
everyone.	
No one should be exempt	No exemption/application to all
Health and Safety laws should apply to everyone	No exemption/application to all
Self employed should be covered	No exemption/application to all
Health and safety at work should apply to everyone	No exemption/application to all
Health and safety should apply to everyone.	No exemption/application to all
When you work for yourself there is a tendency	
to work long hours and cut corners	
Treat everyone the same	No exemption/application to all
I think we should ALL be subject to it	No exemption/application to all
Everyone should fall under H&M legislation	No exemption/application to all
health and safety should apply to all	No exemption/application to all
Health and safety rules should apply to all	No exemption/application to all
Bring into line with Employment	No exemption/application to all
If you are self employed there should be	No exemption/application to all
no exemptions	
We should ALL be subject to HSE <u>laws.it</u> CD	No exemption/application to all
would also be nice if these were enforced, which	
we all know they are rarely!	
Everyone should have a responsibility under the law	No exemption/application to all
- no exemptions	
All should be included in legid	No exemption/application to all
Health and safety legislation Should cover everyone	No exemption/application to all

No exemption/application to all

No exemption/application to all

No exemption/application to all

Health and Safety should apply to everybody

law should prevent harm to self

Should apply to every worker

Q16. You previously said that you think there should be changes to the self-employed
exemption legislation What changes do you think there should be? Table Continued

Well, I didn't know that self-employed people like myself are exempt from it but have a feeling that it might be a good idea if Health and Safety Executive were as visible and perhaps in some ways as relevant to those of us who are self employed as it is to those who are employed. I shall have to look into it properly to see what my informed view on this question would be. For now, this is an answer base on my impression,, or what I think might be the case.  They're says you can choose whether you put yourself in danger or not. If the law prevented this I would be under a lot less pressure to put my health and safety at risk for work.  So that everyone is protected equally No exemption/application to all there should not be any exemptions No exemption/application to all No one should be exempt, the self employed exemption should be withdrawn. If no concerned that H&S exemptions might be open to interpretation and do more harm than good in the long-term. Who decides and how whether something is potentially harmful to health and safety?  I don't think anyone carrying out any work (employment or self-employment) should be exempt from HS legislation  I think it's a bad idea to allow people to cut corners on safety if they're only putting themselves at risk. We all surely must be subject to the law on safety they must be subject to the law on safety have should be no exemption.  I think it's a bad idea to allow people to cut corners on safety if they're only putting themselves at risk. We all surely must be subject to the law on safety.  The law should apply if there is a risk to the self-employed people will rake unnecessary risks to themselves and the subject to the law on safety.  The law should apply if there is a risk to the self-employed people will rake unnecessary risks to themselves. This will always have an effect on wider society as injury caused by risk taking will have to be treated. People working sensibly will be undercut thy those taking risk as financially they can potentially undercut them  I don't		
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It should be the same for all workers.  It doesn't seem right to me to be exempt from Health and Safety.  The law should apply if there is a risk to the self- employed person him- or herself  Health and safety law should apply to everyone as otherwise people will take unnecessary risks to themselves. This will always have an effect on wider society as injury caused by risk taking will have to be treated. People working sensibly will be undercut by those taking risk as financially they can potentially undercut them  I don't know the details of the legislation, but I don't think self-employed people should be exempt from health and safety legislation both for their own health and safety and that of others.  Health and safety still applies to the individual even if you aren't affecting the health and safety of others in your job.	there should be no exemption	No exemption/application to all
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if you aren't affecting the health and safety of others in your job.	don't think self-employed people should be exempt from health and safety legislation both for their own health and safety and that of others.	
Self-employed should not be exempt.  No exemption/application to all	if you aren't affecting the health and safety of	No exemption/application to all
	Self-employed should not be exempt.	No exemption/application to all

Q16. You previously said that you think there s	
exemption legislation What changes do you	think there should be? Table Continued
Everyone treated the same irrelevant of size of business	No exemption/application to all
H&S applies to all, and I have a responsibility to my clients to adhere to H and S regulations	No exemption/application to all
It should apply to everyone, self employed or not	No exemption/application to all
Everyone should have to abide by health and safety laws	No exemption/application to all
Everybody should be accountable for everyones H&S	No exemption/application to all
Everyone should consider H&S	No exemption/application to all
I think there should be no exemption	No exemption/application to all
Should be the same rules	No exemption/application to all
everybody should be accountable	No exemption/application to all
Legislation should be across the board for all occupations, s/e or otherwise.	No exemption/application to all
I did not realise that i may not be covered by the H&S at Work Act. I think any place of work should be bound by its requirements or the potential exists for work at home to slowly slip into unsafe practices (affecting both myself and others) even if initially it is safe. Custom and practice and 'habit' are not good in any organised workplace. All workers need to know the requirements and expectations the HSE has on their place of work, regardless of where that is.	No exemption/application to all
There shouldn't be any exception	No exemption/application to all
No exemption. Health and safety legislation should apply to all.	No exemption/application to all
Everyone should be protected by health and safety legislation, regardless of employment status	No exemption/application to all
Make all self-employed subject to the legislation	No exemption/application to all
The same as an employee	No exemption/application to all
should remove all or no self employed from the legislation. should not be a partial exclusion.  Leaves huge room for error	No exemption/application to all

No exemption/application to all
No exemption/application to all
No exemption/application to all
No exemption/application to all
No exemption/application to all
No exemption/application to all
No exemption/application to all
No exemption/application to all
No exemption/application to all
No exemption/application to all

Q16. You previously said that you think there should be changes to the self-employed
exemption legislation What changes do you think there should be? Table Continued

All self employed should follow hse rules	No exemption/application to all
every one should have a health and safety	No exemption/application to all
responsibility, as doing so can take pressure off	
the NHS	
Everybody who works should abide by health	No exemption/application to all
and safety law.	
I think it is outrageous that the Govt. introduced	No exemption/application to all
legislation that allowed self employed people to	
not have to take the same safety precautions with	
their own health and safety that employers have to	
take for employees: this is clearly designed to	
bypass the health and safety regulations as, for any	
job that an employer finds the regulations too	
restrictive or expensive to comply with, they will	
just employ a self employed person who is willing	
to take, and probably doesn't understand, the risk.	
The exemption should be removed immediately.	
Health and safety should apply to all	No exemption/application to all
workers regardless of who it affects.	
I am confused as to why some self employed people	No exemption/application to all
are exempt	
everybody should be aware and responsible for	No exemption/application to all
health and safety regardless of where you work	
or what you do	No everention (englishting to all
No one should be exempt from having a basic risk assessment.	No exemption/application to all
I think the rules should apply to yourself as well as	No exemption/application to all
other people (if my understanding of the law is	
correct). e.g. you shouldn't use equipment	
yourself that you wouldn't allow others to use	
under HSE rules	
Safety laws or regulations should apply to all	No exemption/application to all
types of business	The property of the second sec
Health & Safety Laws should apply to all work places	No exemption/application to all
irrespective of employment status	
I cannot think of a situation in which decisions you	No exemption/application to all
make at work would have no influence on the	
health and safety of yourself or others. That is why I	
have liability insurance.	
Everyone self employed should be under it	No exemption/application to all
All self employed should be covered	No exemption/application to all
Self employed should be covered regardless	No exemption/application to all
of occupation	
Health and safety law should apply to everyone	No exemption/application to all
Everyone should have health and safety regulations,	No exemption/application to all
to protect all persons. General health and safety has	
a place in all work places	
Health and safety standards should apply to	No exemption/application to all
self employed	
The exemption should not apply to self-	No exemption/application to all
employed people.	Al Property of the second of t
everyone should be good health and safety practice	No exemption/application to all
No one should be exempt	No exemption/application to all

Q16. You previously said that you think there sho	ould be changes to the self-employed
exemption legislation What changes do you th	· · ·
No one should be exempt from legislation regarding	No exemption/application to all
people's health and safety	
health and safety legislation should apply to everyone	No exemption/application to all
Should make it a level playing field. Cover	No exemption/application to all
should cover all.	No supporting to all
Everyone should be treated the same  All self employed people should be covered by	No exemption/application to all  No exemption/application to all
health and safety law	The exemption, application to all
Health and safety is responsibility and a cost to all, this	No exemption/application to all
is yet another erosion of work standards for the	, , , , , , , , , , , , , , , , , , ,
British worker and will be the thin end of the wedge in a post EU Britain	EU/Brexit considerations
Everyone do a first aid course that owns a business	Changes to include first aid
The changes should include technology.	Changes to include technology
If you are working on the premises of a customer, then is should be the customer's responsibility to minimise risks to your health.	Personal liability for self-employed
We should always be thinking about our own health and safety	Personal liability for self-employed
Guidelines for safe working for self employed people	Personal liability for self-employed
	Increased awareness/information on the exemption criteria
Everyone should be aware of potential risks / hazards	Personal liability for self-employed
	Increased awareness/information on the exemption criteria
More emphasis should be placed on personal	Personal liability for self-employed
responsibility and allow risks to be assessed by the	
actual worker. For a small business the time/cost	
of compliance can make some work untenable.	
This can kill competition and make services	
unaffordable to many clients.	
the laws should be relaxed a little and everyone should be made to have full liability insurance	Personal liability for self-employed
should be made to have full hability insurance	Less strict exemption criteria
Self-employed people should have some responsibility for their own health & safety	Personal liability for self-employed
People may not be aware they are posing a risk to	Personal liability for self-employed
others. Also they need to protect themselves as	
individuals	Personal liability for self-employed
more about OUR choices, not those of the bigger companies who insist that they are right. The	r crashar hability for self-employed
person doing the job should have the final say, not	
some "expert".	
self employed should still work safe	Personal liability for self-employed
The law should allow me to use common sense and	Personal liability for self-employed
be less prescriptive	Less strict exemption criteria
	·

exemption legislation What changes do you th	link there should be? Table Continued
More pandemic specific H&S	Covid-19/pandemic
With COVID extra safety measures should be introduced when interacting face to face with clients	Covid-19/pandemic
pandemic and other public health related issues	Covid-19/pandemic
Due to coronavirus - my job as a piano teacher would previously not have been deemed any kind of risk but now I have completed risk assessments and have procedures in place to protect myself and others.	Covid-19/pandemic
Everyone should be acting from knowledge, not	Changes more widely advertised
winging it. Apparently there's a culture of blame.	Clarification of legislation/making it more understandable
	Increased awareness/information on the exemption criteria
Every self employed person should be asked to	Changes more widely advertised
prove they have read and understand the legislation	Increased awareness/information on the exemption criteria
	Increased legal protection for self employed and exempt
I am not affected by this legislation but I used to work as a gardener and would have been affected at that stage. Any changes should be made more widely known especially for those who are working as self-employed but are in fact employed by others	Changes more widely advertised
I think the legislation should be more wide ranging re self employment and better publicised. Information should be available through GOV.co.uk	Changes more widely advertised
Make self employed people more aware of this information	Changes more widely advertised  Increased awareness/information on the exemption
	criteria
More people should be exempt and know about this	Changes more widely advertised
Maybe not changes to the law but certainly more self employed people should be made aware that health and safety legislation may apply to us too	Changes more widely advertised
I didn't know I was exempt	Changes more widely advertised
	Increased awareness/information on the exemption criteria

Q16.You previously said that you think there should be changes to the self-employed exemption legislation What changes do you think there should be? Table Continued	
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Q17.Do you have any other views or comments related to the self-employed exemption legislation?	
Comment	Theme
No, as I don't know any detail.	N/A
I do not have time to read the legislation and so,	N/A
I am not qualified to comment.	
I'm going to have a look	N/A
Not having read it, or know little about it, I cannot	N/A
really comment. But as a self employed person. I	
actively protect myself and my clients from any	
possible risks that may arise	

Q17. Do you have any other views or comments i	related to the self-employed
exemption legislation? Table Continued	
It doesn't apply to me. I work in libraries and	N/A
archives all of which have the own H&S guidance	
Safe working practices should always be	N/A
encouraged, especially for individuals where	,
accident or injury may result in loss of earning.	
I hope it shows more common sense than	N/A
some other aspects of H & S	,
No	N/A
None	N/A
No. I work as an adviser to governmental and	N/A
industry organisations internationally, and my	N/A
work involves no special health and safety issues	
apart from personal health and security risks in	
some fairly dangerous countries.	
I am not in the least bit interested in this topic.	NI/A
·	N/A
Even if the "elf and safety" busybodies tried to	
decree how people work in their own homes, they	
would have absolutely no means of enforcing it	
thank heavens	21/2
I do not know enough about it to comment.	N/A
No	N/A
dk	N/A
I'm going to have to find out more about it I think.	N/A
No views. If there is no direct impact to others, then	N/A
it should remain unchanged.	
I would imagine most self employed are careful with	N/A
H&S rules as they need to keep working	
Seems very odd	N/A
In that it will not affect me one way or the	N/A
other, not really.	
No, it does not affect my work	N/A
I have no idea about it. I tend to ignore Health and	N/A
Safety legislation since I work on my own in an	,
office much of the time.	
Don't really have a view since I'd never heard of this	N/A
before.	,
Personally health and safety policies are there for	N/A
our safety and based on this I respect the decision.	
Albeit I do think some health and safety polices are	
a little pathetic. An example of this is where you	
would have to take a course in a workplace to be	
able to use step ladders. I do believe that common	
sense should have sim leeway.	
no	N/A
	N/A
I don't know enough about it to comment.	
I would need to know a lot more before giving	N/A
an opinion.	N/A
I have had no practical experience of Risk Assessing	N/A
the work which I do in terms of harm to myself. I	
am unaware of any proposals for reform, hence my	
answering "Don't Know" regarding changes.	
Always room for improvements	N/A
You can get updates from your local council	N/A

Q17. Do you have any other views or comments i	related to the self-employed
exemption legislation? Table Continued	
Not really. My current and, in all probability, future	N/A
work will be undertaken alone, at home, and	
involve no greater risk to my H&S than other	
everyday activities.	
As I work from home, by myself, my ability to injure	N/A
others by action or omission is extremely limited.	
Very relaxed	N/A
My work involves visiting clients to take	N/A
photographs for insurance claim purposes, they	
are welcome to observe, but only from a distance	
so I doubt they would be at any risk anyway.	
No - only that I think I should check it out!	N/A
mmm	N/A
I know that some things I do have to comply with	N/A
various regulations which in part are health and	,
safety measures. Also the CSCS card requires one to	
take an exam which covers health and safety.	
Because on building sites there are many potential	
dangers. I do know that as self employed contractor	
I can not do a risk assessment on myself, but that	
really is as far as it goes since you wouldn't be able	
to work on many sites without a CSCS card.	
No	N/A
No	N/A
Nope	N/A
Common sense, I don't want to injure or kill	N/A
others, or myself	1471
Health and safety has got to ridiculous levels now	N/A
when a 60 year old man is stopped from climbing	.47.
2 feet up a ladder without reading a pamphlet.	
Give me strength.	
As i know little about how Health and Safety relates	N/A
to my practice I am not sure. I do know that there is	1.47.1
a great deal of legislation which I follow which does	
relate to my practice and I follow it.	
We have to be careful with others and our selves	N/A
Laws seem to be sinking people. This	N/A
somewhat redresses the situation	
I'm not advocating limits on hours worked by the	N/A
self employed as this is at the heart of being a	,
freelancer, being adaptable and able to offer	
what clients want. Freelancers also cherish the	
right to say no to work as they wish.	
I applaud common sense	N/A
no	N/A
no	N/A N/A
It's a statute law and therefore requires consent of	N/A
the self-employed that it affects.	IN/A
	N/A
no	
1 think that this has been developed by	N/A
I think that this has been developed by	N/A
Conservatives to drive down working	
practice standards for the UK workforce.	

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Q17. Do you have any other views or comments i	related to the self-employed
exemption legislation? Table Continued	
Foreign companies should be able to demonstrate	N/A
they work to the same standards as UK companies	
if they are being allowed to export goods into the	
UK in competition with UK businesses.	
If your work at home is not dangerous to others I	N/A
see no need to worry about it. My work is stringing	
beads into necklaces and other pretty things. I do	
not have babies or little ones or pets who might	
possibly stuff a bead up their noses, or eat one,	
and I do not use toxic substances, and in any case	
work in my own small studio so see no problems	
for health and safety.	
I maintain appropriate health and safety standards,	N/A
regardless.	,
Don't think it changes things much	N/A
No.	N/A
I think it's important that people working from	N/A
home can't be sued or in trouble for things that	1975
are just normal home living. You can't be expected	
to set up a home so it mimics a workplace.	
Don't think it affects me	N/A
Rules can only deal with black and white - there is	N/A
no black and white in reality. The principle of a duty	
of care is a much better way to manage HSE.	
If there is no risk to others, and I am observing all	N/A
reasonable and sensible precautions to protect	
myself, and the legislation doesn't apply to me,	
then I have no need for it to be changed, do I?	
Dk	N/A
None	N/A
no views or comments applicable	N/A
No not really	N/A
Lack of accountability is a problem	N/A
the less interference the better	N/A
None as it does not apply to me.	N/A
I'm shocked! I don't mind being exempt but am	N/A
curious to know why this ruling was brought in	
Couldn't care less about it.	N/A
none	N/A
It is very difficult top legislate for every type of	N/A
self employed worked	,
Why have these people been made exempt?	N/A
I'd like to know why the legislation was introduced.	N/A
V difficult to impose	N/A
There is a certain freedom to being self-employed.	N/A
	N/A N/A
Comptimes over the ten living a life will always	†
Sometimes over the top, living a life will always	N/A
have some risks if you intend to enjoy yourself.	N/A
What happens when were injured but have	N/A
been refused benefits to cover the period of	
time recovering from injury?	
No	N/A
Dk	N/A

Q17. Do you have any other views or comments i	related to the self-employed
exemption legislation? Table Continued	
If someone takes risks and ignores the health and	N/A
safety rules that apply to others then if they have an	·
accident they should have to pay for any medical	
help they may need. If people deliberately ignore	
the rules there should be a financial cost to them.	
A certificate to show you have attended an	N/A
HSE awareness course.	.47.
none	N/A
no	N/A
No	N/A
No	N/A
	N/A
X	
I am a self employed driving instructor and am	N/A
unclear if the law applies to me, but I feel it	
probably should as I have a duty of care to all	
other road users including myself	N/A
What about your own safety?	N/A
It's not something that applies to me: I sit at a	N/A
desk and write	
I don't know.	N/A
Whether or not I were exempt from health and	N/A
safety laws, I should still comply with them to the	
best of my ability, so should not bother to check.	
No, it does not apply to me as I work from home,	N/A
using the internet, have no contact with my	
clients and receive and send work electronically.	
I think many of us self employed workers just want	N/A
to be left alone without so much red tape restricting	
us from spending more time just doing our job.	
It isn't something I have ever had to deal with .	N/A
At a time when the govt are screwing the country	N/A
with Brexit, which a majority do not any longer	
even want, please don't be putting more legislative	
requirements onto the self-employed.	
Not yet	N/A
No	N/A
it is hard to maintain that as you are on your own all	N/A
the time.	
Physiotherapy has its own set of rules for	N/A
our profession set out by the CSP	,
The way this law would affect me, I suppose, is the	N/A
fact that in the course of my work as a journalist	·
covering transport matters that I do often have to	
visit rail depots and bus depots where we are given	
safety information before going round the sites	
No I don't really know, I work by myself so	N/A
am responsible only for my own safety	,
It's fine as it is	N/A
It should be based on common sense and	N/A
not written by pen pushers	.,,,,
Not really.	N/A
Not interested as doesn't apply to me.	N/A
None	N/A

Q17. Do you have any other views or comments	related to the self-employed
exemption legislation? Table Continued	
I don't know enough about it to be able to give	N/A
an informed opinion, I am afraid.	
No	N/A
What does it matter? The UK government is doing	N/A
everything it can to destroy ALL small businesses,	
especially pubs and restaurants, under the cover	
of COVID legislation. There will be no small	
business left by January 2021 and its intentional.	
Is this the future of work in the UK? We as self	N/A
employed are somehow worth less than PAYE?	
we don't get holidays, sick leave, minimum wage	
and now we are expendable as human beings?	
No	N/A
	N/A
No	N/A
boring	N/A
everyone is their own safety inspector	N/A
Never thought about it before	N/A
No	N/A
Refer to my previous answer.	N/A
No	N/A
Na	N/A
health and safety and all that has got a bit out of	N/A
hand education education, education has failed	
our kids terribly	
The self employed do not have the resources to	N/A
both earn money and get bogged down in	
health and safety legislation.	
If you are self employed and dont do anything that	N/A
can be of risk to someone else, it should be a case	
of the days before Health and Safety, i.e. common	
sense. Without doubt, some highly overpaid and	
hugely over pensioned mandarin somewhere, driven by the totally useless and dysfunctional	
"department of business destruction" (that is, HR)	
will come up with 20 dangerous things you can do	
with a computer mouse.	
Just be sensible	N/A
Old adage "Do unto others as you would have	N/A
them do unto you"	N/A
•	Light touch regulation
As long as good training or knowledge is in place	Light touch regulation
then legislation is not necessary. There is nothing	
more dangerous than ignorance of correct	
procedure for using tools or other items.	Negative feedback for legislation
I think a common sense approach is a good one. I	Light touch regulation
don't think we need to legislate to make every self-	
employed person non-exempt. Some lighter touch	
regulation where possible helps if no harm is	
doable as it reduces the red tape on hard working	
and working-long-hours self employed.	
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Q17. Do you have any other views or comments related to the self-employed exemption legislation? Table Continued		
My business is run from MY home and I have ALWAYS used common sense about safety issues. I do not have to read a lot of what I already have been practising since I was able to walk and talk. (I was using an electric motorised sewing machine at the age of 7 and the safety rules were drummed into me by my parents, as were the dangers of flame, electricity and water, road safety etc - followed them religiously and never ever have I had an accident. It's COMMON SENSE that's needed not legislation for self-employed. True , proper common sense in the work-place has gone out of the window since everything has to be risk assessed. If a self-employed has an accident, then it's their fault - does it have to be logged and then further risk assessment. What a lot of poffle! No-one customer, or sales rep visits my home , therefore no public liability insurance is required. Neither do I have any Staff (thank goodness - I would be bankrupt without a home if I had to follow employment law as well) Legislation may be mandatory for Self-Employed business owners in offices, shops, small factories or warehouses where there may be a few employees but for the SINGLE SOLE TRADER working from home joined by their spouse, H & S should not interfere	Personal liability/responsibility	
the number of regulations needs to be kept to the bare minimum required	Light touch regulation	
The Government should minimise the legislation seeking to regulate business to the absolute minimum as it will strangle business as it has in so many other instances!	Light touch regulation	
There is too much damned law on all aspects of our	Light touch regulation	

Light touch regulation

Insurance

Wider advertising

Lack of awareness of legislation

daily working lives. Unless a law is essential to prevent a business or employer from abusing the relationship between themselves and the clients/customers, then it is not necessary, and just tends to favour big

Seems a good idea to remove the red tape from self

I didn't know it existed. I have a governing body and

I know I have to have public liability insurance so

assume I need to exercise due care.

employed workers if their role does not obviously pose a risk to others. I teach IT training which is no

businesses over small ones.

Q17. Do you have any other views or comments i	related to the self-employed
exemption legislation? Table Continued	
Honestly, it's not an area that I'm familiar enough with to have an opinion. Perhaps this information	Lack of awareness of legislation
should be sent out to people when they register as	Wider advertising
self employed so that they know their rights legally.	Ü
I read extensively but had heard nothing about	Lack of awareness of legislation
this! My business manufactures electronic	
products that are sold worldwide but operate on extra safe low voltages (other than the wall	
wart ). They are designed to be as safe as possible	Wider advertising
but does this absolve me of H&S? Hmmn, unsure.	
Clearly, it should be more widely known about.	Lack of awareness of legislation
THERE CHOILID BE INFORMATION AVAILBLE	Wider advertising
THERE SHOULD BE INFORMATION AVAIIBLE MORE EASILY	Lack of awareness of legislation Wider advertising
More information would be interesting.	Lack of awareness of legislation
-	Wider advertising
Before taking this survey, I was not aware of the legislation; but I probably should have been.	Lack of awareness of legislation
Perhaps, the HSE should work with HMRC to raise	-
awareness of the legislation, since HMRC will know	Wider advertising
from people's tax returns whether they are self-	
employed.	
I think all self employed people should be made aware of this law, perhaps via a letter with tax credit	Lack of awareness of legislation
information for those on a low income (Who are less	Wider advertising
likely to use an accountant or have time to study	vider advertising
websites), or some other mail from Inland Revenue.	
There needs to be care taken, so that some people don't use this as a loophole to avoid the regulations.	
and the regulations.	
This should be publicised more as I've been self	Lack of awareness of legislation
employed for 7 years and it's the first I've heard of it.	Wider advertising
I was not aware of this legislation and am	Lack of awareness of legislation
disappointed that measures were not taken to inform me.	Wider advertising
I don't really understand so I am sure others don't	Lack of awareness of legislation
either. Should it be split into the different categories I.e. retail	Clarification of exemption criteria
I had presumed that I wouldn't need 3rd party	Lack of awareness of legislation
insurance for what I do, but hadn't realised there was a legislation about it.	Personal liability/responsibility
Not really. I never knew about it until now. I think	Lack of awareness of legislation
it is right that self employed in certain types of non-risky work should be exempt.	Positive feedback for the legislation
It would be nice if I knew what the exemptions	Lack of awareness of legislation
were.	Clarification of exemption criteria

Q17. Do you have any other views or comments related to the self-employed exemption legislation?	
Given I've only just heard of it, not really. My professional organisation has never mentioned it,	Lack of awareness of legislation
indeed I get frequent reminders of the need for	Insurance
up-to-date risk assessments or my indemnity	No exemption/application to all
insurance is invalidated. Have to say on the face of	
it I can see no reason why H&S should not apply to me.	
Given that I am not aware of the law apart from the	Look of awayanasa of lanislation
short description i this survey, it makes sense that	Lack of awareness of legislation
I am exempted in my role as a freelancer. I do deal	Insurance
with video equipment in public spaces such as	
schools, but I believe that the insurance/coverage of	
the location usually covers me for any accidents that	
may occur.  I don't know enough about the exemption to	
comment. My gut feeling is that it relies on the self-	Lack of awareness of legislation
employed person to determine whether or not	Clarification of exemption criteria
their work poses no risk to others and therefore	
whether or not they are exempt, There must me an	
inherent risk in that	
I do electronic repairs for the general public and	Lack of awareness of legislation
business and I work alone Although I make sure and test every thing for safety before returning if	Clarification of exemption criteria
I sent some thing back that had a Dangerous to life	
fault it would put some person in dangerso not	
sure? if that comes under health and safety	
concerning me.	
I had no idea there was such legislation but I	Lack of awareness of legislation
need to find out what it means for me	Clarification of exemption criteria
Surprised that this exists	Lack of awareness of legislation
It's interesting that I've never heard of it, seeing that	Lack of awareness of legislation
I provide healthcare to members of the public. I will	
be looking it up after I've completed this survey.	
If it poses no risk to others then it shouldn't be a	Lack of awareness of legislation
problem. BUT getting info out there on good work	Š
practices should be done.	
Having registered as a sole trader in 2001, I am	Lack of awareness of legislation
surprised that any reference the H&S regs that	
might relate to me have never been notified to me	
- I pay my taxes every year on time so I'm not hard to find.	
Information should be distributed about self-	Lack of awareness of legislation
employment exemption legislation when people	Š
register with HMRC to become self-employed.	

Q17. Do you have any other views or comments related to the self-employed	
exemption legislation? should be more widely publicised	Lack of awareness of legislation
It has been a well kept secret. When I was employed in an office most HSE legislation seemed a daft waste of money but on building sites where it is ignored I can see the need for it.	Lack of awareness of legislation
I don't know enough about it outside of the general definition you've supplied. I couldn't tell you about any potential grey areas or loopholes that could be potentially exploited.	Lack of awareness of legislation
I think there should be more information available on it as I'm sure I'm not the only self employed person to be unaware!	Lack of awareness of legislation
There should be much more publicity about	Lack of awareness of legislation
I haven't heard of it before but I just work on a computer from home so had never thought about health and safety legislation in this respect. I would look into it if my work was different	Lack of awareness of legislation
No, but I will now go and check the info as I wasn't aware!	Lack of awareness of legislation
I've never heard of it before today, but now having heard of it I would say there are more important issues facing the world and the country right now and changing this law is not important right now.	Lack of awareness of legislation
Have never seen this referred to anywhere.	Lack of awareness of legislation
Have answered most questions 'don't know' because I would like to find and check the legislation before forming any opinion. It's possible that my insurance company have sent details, but my renewal falls at the busiest time of my working year and with the best will in the world it is unlikely that I will have read all the documents until I catch up with outstanding e-mails (something I only get chance to do over Winter if it's too cold and wet to work) I am not comfortable with just assuming that the legislation doesn't apply to me.	Lack of awareness of legislation
Never heard of it before, so have no idea	Lack of awareness of legislation
No idea what this is about	Lack of awareness of legislation
No, I don't but I imagine I would if I knew something about it	Lack of awareness of legislation
Totally unaware of this exemption legislation, a bit concerned about it.	Lack of awareness of legislation

	and a to a to a configuration of
Q17. Do you have any other views or comments exemption legislation? Table Continued	related to the self-employed
	Lack of awareness of legislation
In the work I do I have to follow health and safety of	Edek of dwarefress of registation
business I go into which includes auditing of sites so	
I am fortunate n many ways. As h and safety is	
everyone's responsibility you could make a link to	
this site to self assessment so people are aware as I	
suspect many self employed would not	
It had never occurred to me my work posed a	Lack of awareness of legislation
health and safety issue but I was also not aware I	
was exempt.	
I did not realise anyone was exempt. I shall need	Lack of awareness of legislation
time to investigate before I can comment	
No I wasnt aware there were any	Lack of awareness of legislation
As I work for myself, at home, it never occurred to	Lack of awareness of legislation
me that there WOULD be legislation covering me or	
my work activities	
Did not realise self employed were exempt from	Lack of awareness of legislation
this legislation and I am surprised that this is the	
case	
No opinion. Know nothing about it	Lack of awareness of legislation
No - I didn't know anything about it!	Lack of awareness of legislation
I have never heard of this.	Lack of awareness of legislation
I am surprised by it, and I didn't know about it. Not	Lack of awareness of legislation
sure if it is a benefit or a disadvantage?	
I don't know. Never really thought about it. I'm only	Lack of awareness of legislation
interested in what I do and what rules affect me!	
The only thing that I'm concerned with is the safety	
of gas bottles used in silversmithing, safety glasses	
with the bits of metal shooting about and the heat	
from pottery kiln. Only other times I've considered	
this is when workmen have done jobs for me. ie -	
Tree surgeon having insurance in case branches	
damaged conservatory.	
I need to find out more	Lack of awareness of legislation
Knowing very little about this legislation I can't	Lack of awareness of legislation
comment, but having no H&S does not strike me	
as a sensible way for workers to do their jobs	
I hadn't ever checked. I had just assumed I was	Lack of awareness of legislation
<u>-</u>	
1	
	Clarification of exemption criteria
	- pro
interpretation. Surely any activity can potentially	
I don't know. Never really thought about it. I'm only interested in what I do and what rules affect me! The only thing that I'm concerned with is the safety of gas bottles used in silversmithing, safety glasses with the bits of metal shooting about and the heat from pottery kiln. Only other times I've considered this is when workmen have done jobs for me. ie - Tree surgeon having insurance in case branches damaged conservatory.  I need to find out more  Knowing very little about this legislation I can't comment, but having no H&S does not strike me	Lack of awareness of legislation  Lack of awareness of legislation

Q17. Do you have any other views or comments	related to the self-employed
exemption legislation? Table Continued	
As an artist making a variety of works. It would not	Clarification of exemption criteria
be helpful to be limited by legislators as to what I	·
can and cannot do. I have a strong sense of self	Negative feedback for legislation
preservation and would find additional 'rules' time	
wasting in my particular profession.	
I quite honestly don't understand what it does? If you	Negative feedback for legislation
pose no risk to anyone, then that means you're	Negative recuback for registation
exempt? But if you pose NO risk then no one will	
EVER get hurt anyway. The whole thing seems so	
feebly phrased as to render it redundant in any legal	
capacity.	
I'm not clear what I would have to do if I wasn't	
exempt from it. As it appears to be self assessed,	
I think some people could use this as a loophole to	Misuse of legislation
by pass Health and safety legislation	
I'm thinking of my own activity i.e. hand knitting,	Clarification of exemption criteria
undertaken at home with no-one else involved at	
any time. There must be a high number of people	
like myself.	
I think it depends which types of occupations are	Clarification of exemption criteria
defined as exempt. As a consultant working from	·
home I still believe I should not be exempt because I	
occasionally visit clients' premises and could	
potentially be putting others at risk even through	
things like trailing computer cables.	
Not sure if it applies to me or not	Clarification of exemption criteria
Not widely understood	Clarification of exemption criteria
As I work mostly from home, do not have clients	Clarification of exemption criteria
visit my home, and on occasion meet clients in	·
person at their place of work, I don't feel I need	
any extra regulation, but I would be open to	
i any chara regulation, but i would be open to	
hearing about what is under discussion.	Clarification of exemption criteria
hearing about what is under discussion.  Although I picked up from somewhere (I have no	Clarification of exemption criteria
hearing about what is under discussion.	Clarification of exemption criteria
hearing about what is under discussion.  Although I picked up from somewhere (I have no idea where) that I am exempt I have no real knowledge or understanding of the legislation	Clarification of exemption criteria  Clarification of exemption criteria
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Q17. Do you have any other views or comments	related to the self-employed
exemption legislation? Table Continued	
It is not exactly an exemption, in the same manner	Clarification of exemption criteria
a flight manual is only needed if you are a pilot to	
say you are exempt from HSE legislation if your	
business does not place others at risk seem pretty	
self explanatory. However few business's on review	
would be exempt.	
I am a Landlord so although my work does not affect	Clarification of exemption criteria
others directly obviously it does affect my tenants	Clarification of exemption officeria
so I would still be subject to legislation as far as a	
landlord is concerned at the properties I own. So I	
am little confused as to what legislation I would be	
exempt from.	
	Clarification of averageing outputs
I'm not sure whether it seems strange or not. On a	Clarification of exemption criteria
basic level it is understandable that you might be	
exempt from this legislation as your own health	
and safety surely will be a priority for you anyway.	
However it is becoming increasingly apparent that	
some people have no common sense and no regard	
for their own safety and wellbeing so should they	
be exempt or not? It's a difficult conundrum.	
Not sure how any work carried out does not involve	Clarification of exemption criteria
someone else, somehow.	
I would like to know the definitions involved	Clarification of exemption criteria
in establishing risk to others.	
The information you have given is too general to	Clarification of exemption criteria
comment. Obviously, limiting the liability of	
individuals who are not protected by a company is	
important, but this should not come at the	
expense of the safety of members of the public.	
Will look up what this means in practice &	Clarification of exemption criteria
whether applied to me & how impacts on public	Ciarrication of exemption criteria
liability insurance	Insurance
Does connecting water, drains and electrical supply	Clarification of exemption criteria
to my water treatment systems constitute a health	·
hazard. I think it does.	
It seems somewhat vague and leaves the decision	Clarification of exemption criteria
to the self-employed as to whether they think they	
are exempt. Maybe there should be more detailed	
guidance on what is covered by the exemption.	
Bit vague	Clarification of exemption criteria
If the work poses no risk to others it seems	Clarification of exemption criteria
pointless for the law to apply	Clarification of exemption criteria
As an architect, the work I do involves mostly	Clarification of exemption criteria
	Clarification of exemption criteria
meetings and desk top based activities (designing,	
writing/communicating with other design team	
professionals etc.), so there is very little physical risk	
involved to me in my work (unless I visit a building	
site) but the HSE legislation does apply to the	
product of being an architect (the building design),	
so does involve HSE legislation, which requires a PD	
to assess & document the project for H&S.	
Does it refer to direct impact only, or does it	Clarification of exemption criteria
cover indirect impacts as well.	

Q17. Do you have any other views or comments i	related to the self-employed
exemption legislation? Table Continued	
It is not clear. A list of roles would be helpful. I have	Clarification of exemption criteria
told clients I am exempt but another page on the	
HSE website says Quantity surveyors "can be". As a	
QS i am only qualified to measure and price from	
drawings, if i specify changes to design for cost	
saving it should be ratified by an architect who IS	
qualified. However a small minority of quantity	
surveying firms employ their own architects so yes	
they would not be exempt, however this has caused	
confusion amongst my clients many times with	
them asking me to do a risk assessment, I said what	
like turning on my laptop??	
I suspect that anyone who performs any service for	Clarification of exemption criteria
others can potentially put them at risk, for instance	
coming up stairs to consulting room.	
I'd like to know more about what the exemption	Clarification of exemption criteria
entails and how it is applied - while I can see that	
artists/writers and others working from home	
might not need to comply with H&S law while	
working on their own without interaction with	
clients or members of the public, I'd want to know	
if the exemption still applies when working outside	
the home (ie. in a studio or shared workspace) or	
presenting/exhibiting work (ie. art/book fair,	
gallery or exhibition space) or giving	
talks/readings/performances. I'm only taking about	
my own sector, but I'd imagine that much self-	
employment includes elements of	
promotion/marketing/sales/meeting clients.	
How does the government check that people	
are genuinely entitled to the exemption?	Misuse of Legislation
I don't think it's relevant to what I do	Clarification of exemption criteria
I work with young children, so I definitely think	Clarification of exemption criteria
health and safety laws should apply to me.	
All superficially the legislation seems beneficial to	Clarification of exemption criteria
the self-employed, I am concerned about potential	
consequences (unforeseen or otherwise)	
Amongst other things, I teach piano. If I teach	Clarification of exemption criteria
badly, I could cause injury to others. Is this covered	
within H&S legislation? I've no idea, and no idea	
how to find out.	
would be nice to know what's exempt and what isn't	Clarification of exemption criteria
I write RAMS for construction companies on	Clarification of exemption criteria
a regular basis. How does this apply to me?	
I work alone in my home and can't imagine H&S	Clarification of exemption criteria
legislation affecting me. Therefore, for good or ill,	
I have no interest in it.	
There are so many occupations that should be	Clarification of exemption criteria
exempt from HSE Law, being a Stuntman we are	
exempt from HSE Law as our job is inherently	
dangerous, so no HSE Law could ever allow us to	
do our job.	

Q17. Do you have any other views or comments i	related to the self-employed
exemption legislation? Table Continued	
I don't understand what health and safety rules	Clarification of exemption criteria
I am exempt from, because I don't work with any	
dangerous substances. I suppose if there was	
something important, my agency would have let me	
know if I have to adhere to a certain rules.	
Who decides whether you are a threat to others	Clarification of exemption criteria
or not. Would be very unhappy to see regulations	
watered down for this group as potentially could	
have catastrophic impact on themselves and the	
public.	
self employed people with no employees needs less	Insurance
red tape not more as long as we stick to the rules	
and make sure we have sufficient insurances to	Negative feedback for legislation
carry out our business	
As a photographer I have public liability and	Insurance
indemnity insurance, most reputable	
·	
photographers operating professionally would be	
operating under similar conditions. My work is	
mostly at events such as weddings or parties and I	
feel that my profession requires the insurance, but	
for a small part of my income, I also work a	
freelance copywriter and editor. This second	
income avenue is from home and does not pose any	
risk. So I am fully aware of both sides of the coin.	
The present legislation seems adequate.	
In my profession it is normal (and required by	Insurance
authenticating organisations) to have insurance	
covering all relevant risks	
Tend to follow National Governing body advice and	Insurance
insurances	
it's good because if you fall into the exempt	Insurance
bracket you won't need the added of cost of	
more insurance.	
My insurance is only £77 per annum. That covers	Insurance
my h&s, so not too worried about being exempt.	
, , so	
Because I deal with vulnerable clients I have	Insurance
always had public liability insurance	
always had public hability insurance	
I see the common sense in it but I think one	Positive feedback for legislation
should be careful with total exemptions.	Misuse of legislation
It is an excellent idea!	Positive feedback for legislation
Sounds perfectly sensible to me.	Positive feedback for legislation
Sounds sensible to me.	Positive feedback for legislation
It seems quite fair and realistic.	Positive feedback for legislation
Working from home and rarely coming into contact	Positive feedback for legislation  Positive feedback for legislation
with other makes the exemption sensible. To	1 OSIGIVE TEEUDACK TOT TEBISTACION
change it would make life complicated	
It's a very sensible idea.	Positive feedback for legislation
It seems like reasonable legislation	Positive feedback for legislation
it seems like reasonable legislation	Fositive reenhack for registation

Q17. Do you have any other views or comment	s related to the self-employed
exemption legislation? Table Continued	
It seems reasonable that if your work is of no risk to	Positive feedback for legislation
anyone that you should be exempt	
For once, legislation that seems sensible. The	Positive feedback for legislation
most risk I take is using stapler!!	
most risk reake is asing staple	
I think it's a good idea to help sole traders and small	Positive feedback for legislation
businesses in particular.	Positive reeuback for registation
From the description given, the legislation sounds	Positive feedback for legislation
, , , , , ,	rositive reedback for registation
reasonable, tho I find it difficult to imagine many	
businesses that would pose NO potential dangers to	
the public	Decitive feedback for logislation
It sounds like a good idea. There is already far too	Positive feedback for legislation
much legislation affecting the self employed.	
The current legislation seems reasonable.	Positive feedback for legislation
Pretty straightforward if you work alone	Positive feedback for legislation
It seems a sensible piece of legislation as there are	Positive feedback for legislation
many people working for themselves who might not	
have the money or the ability to make their job	
comply with health and safety laws, and if there is no	
need for them to do so then it should be fine for them	
not to.	
Good	Positive feedback for legislation
It makes sense to be exempt if there is no	Positive feedback for legislation
threat posed	T OSITIVE RECUBBLICATION REGISTRATION
As a piano teacher, I can't imagine that any injury	Positive feedback for legislation
could happen to any of my pupils, unless they fell	Fositive reeuback for registation
over during a lesson (very unlikely) or dropped the	
piano lid on their fingers (unlikely). So for my job	
I have no problem with the exemption. Can't really	
answer for others.	Desitive feedback for logislation
I am happy with exemption if it is common sense	Positive feedback for legislation
and helps small business, but I am not happy if it	
exposes people to risk	
It makes sense	Positive feedback for legislation
I think it makes sense to have the exemption - I'm a	Positive feedback for legislation
piano teacher, how does that pose a threat to	
health and safety?	
I was aware of this exemption which is logical in my	Positive feedback for legislation
view - if someone wishes to take a risk and only poses	
a potential danger to themselves and not to anyone	
else then they should be free to do so.	
a common sense decision working in private	Positive feedback for legislation
houses poses no threat to anyone	
It makes sense for us to be excluded - for me	Positive feedback for legislation
personally, I work exclusively from home (before	
Covid, some time spent in coffee shops or other	
locations) so I'm posing no risks to anyone. If I was	
receiving business visitors at home, I may feel	
differently about it, but I'm not.	
Seems right and fair	Positive feedback for legislation
	Personal liability/responsibility
I only work on my own doing pool maintenance so my	reisonai naonity/responsionity
work doesn't impact on anyone else.	
Common sense prevails.	Personal liability/responsibility

O17 Do you have any other views or comments	colated to the colf ampleyed
Q17. Do you have any other views or comments r	related to the self-employed
exemption legislation? Table Continued	Personal liability/responsibility
Its up to the individual to make sure they are not in breach	T crostial indulity, responsibility
	Personal liability/responsibility
If a person is self employed and not employing	reisonal hability/responsibility
other people at the workplace I think they should	
be responsible for looking after themselves	
Legislation should be to back up good practice	Personal liability/responsibility
which should apply to everyone	
If you are not putting anyone else at risk I see no	Personal liability/responsibility
reason for health and safety legislation to apply to	
you. It's not hard to imagine a scenario where you	
work exclusively alone at home, have no contact	
with others and only be responsible for yourself.	
As a 'one man band' I have enough rules and	Personal liability/responsibility
regulations to follow already thank you and I am	
perfectly capable of taking care of my own health	
& safety without having 'big brother' government	
breathing down my neck telling me how to look	
after myself.	
We're all grown ups and capable of assuming	Personal liability/responsibility
personal responsibility for our individual health and	
safety	
Everyone should be conscious of Safety and	Personal liability/responsibility
maintain a duty of care to self, other people one	
might be working with or close by and also in	
regard to materials, even extending into	
environmental concerns	
As an Electrician the safety of myself and others is	Personal liability/responsibility
paramount and a register of suitably qualified	
electrician should show they adhere to all health	
and safety standards	
Self employed people should be free to do as	Personal liability/responsibility
they will. It is only themselves they affect	
Self-employed people should be sufficiently	Personal liability/responsibility
responsible to ensure their own safety, and if they	
ignore good practice they should accept the	
consequences. There is far too much state control	
of people's activities generally.	
I mainly work from home but if I went to	Personal liability/responsibility
someone else's work or home and carried out my	
business in an irresponsible way I would expect to	
be liable.	
not really. with my job it very much comes down	Personal liability/responsibility
to solid common sense and making my customers	
aware of what my work will entail	
Working on your own makes you more safety	Personal liability/responsibility
awareness because if anything happens you're on	
your own	

Q17. Do you have any other views or comments	s related to the self-employed
exemption legislation? Table Continued	,
If it's only self at risk, it's up to the individual	Personal liability/responsibility
whether to take that risk.	,, ,
If someone is working from home without	Personal liability/responsibility
affecting anyone else then they should be able to	r croomar naturely responsibility
operate in a way that enables them to work	
effectively, without reference to H&S legislation.	
However common sense and safety in the home	
should be taken account of - as well as noise and	
air regulations.	
Health and safety legislation is there to	No exemption/application to all
protect everyone	Negative feedback for legislation
This law should apply to all.	No exemption/application to all
It should be scrapped.	No exemption/application to all
Not sure if anyone should be exempt.	No exemption/application to all
It sounds potentially dangerous as safety	No exemption/application to all
laws should apply to everyone.  We all need to be safe so not sure why there	No exemption/application to all
•	No exemption/application to all
needs to be exemptions, the regs just need to be written and able to be interpreted appropriately	
It seems odd that there is an exemption although	No everytion (application to all
I guess it would be challenging for a self-	No exemption/application to all
employed person to address all of the	
I do not understand the requirement for Self	No exemption/application to all
employed to have an exemption.	The champing of photosis is an
everyone deserves to be safe	No exemption/application to all
self employed should be considered as	No exemption/application to all
employed workers	
Because of the nature of my work I would in no	No exemption/application to all
way want to be exempt from any Law governing	
Health & Safety. It is a fundamental feature of a	
well organised business, industry & society itself.	
Most people could directly or indirectly affect the	No exemption/application to all
H&S of others, during the course of their work,	
whatever their job. I would have thought H&S	
rules would apply to every working person	
I don't understand why anyone should get an	No exemption/application to all
exemption from the law; every needs to act	
responsibly and work within a code or guidelines	
and I would think that health and safety law is	
there to protect everyone?	
I don't think exemptions should exists, as I	No exemption/application to all
said before these laws are there for a reason	N
All work places including from home should	No exemption/application to all
be covered by health and safety no exemption	No compation for all the state of
I had not heard of this before and whilst I suspect I	No exemption/application to all
would be exempt, there should be some health	
and safety policies which apply to everyone.  Nobody should be exempt.	No exemption/application to all
Nobouy siloulu be exempt.	No exemption/application to all

Q17. Do you have any other views or comments i	related to the self-employed
exemption legislation? Table Continued	
I think it's important that self-employed people	No exemption/application to all
have the same legislation to protect them from	
health and safety hazards.	
I think self-employed people shouldn't be	No exemption/application to all
automatically exempt because we sometimes meet	
clients at home etc. and a freak accident could	
occur related to the work. I was asked to do an	
assessment and complete a form to join a site	
pitching for large contracts and I think this is a good	
thing as it makes us think carefully about our	
clients' safety.	
The only sensible H&S Law is the duty of care to	No exemption/application to all
others. That should apply to everyone at all times.	
How do we judge the threat we pose to others? Can	
a broad view of the duty of care be taught in	
schools to a common standard based on the	
evidence from emergency services and real life	
statistics? Perhaps it is bad to look at it as an	
exemption, more a clarification of responsibilities,	
not to mention an acceptance of how the real world	
works anyway. Just because I am self employed, the	
highway code still applies.	
As an engineer, I struggle to conceive of any	No exemption/application to all
situation where a person could be in a position	
where exemption from health and safety law could	
actually be beneficial. There are plenty of occasions	
where the law is leading to over compliance and	
adding additional burden, but I believe simply	
exempting groups of people is avoiding the real	
issue.	No overestica /orgalization to all
Because, as a landscape gardener, my work could	No exemption/application to all
pose Health & Safety issues to my clients or their neighbours, or passers-by (when I'm receiving large	
deliveries of timber, for example), and because I	
occasionally employ labour-only subcontractors to	
assist me, I feel that I do not wish to be exempted	
from any part of Health & Safety Law. In a previous	
employment, I trained and qualified as a Health &	
Safety Manager through completing the IOSH	
course 'Managing Safely', so I treat the health and	
safety of those around me very seriously.	
Improving health and safety should be by	Misuse of legislation
education and encouraging people to think about	initiate of registration
what can go wrong, trying to improve safety by	Negative feedback for legislation
regulation is trying to idiot proof by edict, you just	
end up with smarter idiots.	
It would depend on the reason: a daredevil or	Misuse of legislation
performance artist who wasn't endangering others	3 - 3
is one thing; companies such as Uber using this law	
to get around proper protection of their 'self-	
employed' employees is something else.	
Common conce regulation but are a to share	Misuse of legislation
Common sense regulation but open to abuse	WINDOO OF TERINATION

Q17. Do you have any other views or comments	related to the self-employed
exemption legislation? Table Continued	Minus of locialskies
As a genuine advocate of HSE at work, the	Misuse of legislation
penalties for cowboys should be increased to	
deter other workers such as myself getting a bad	
reputation.	
It provides a loophole for contractors who use	Misuse of legislation
self-employed tradespeople	Misuse of legislation
People in the building industry who work in a	Wilsuse of registation
domestic setting are not required to prove they	
understand Health and Safety, I think this should	
change.	Negative feedback for legislation
It is fundamentally wrong and will lead to more	Negative reeuback for legislation
injuries	Negative feedback for legislation
In many cases HSE staff are more likely to hinder than help.	Negative feedback for legislation
	Negative feedback for legislation
Its de regulation	Negative feedback for legislation
Far too much red tape	Negative feedback for legislation
Whether it is Health & Safety, or Tax or anything	Negative feedback for legislation
else the UK Government and it's agencies have very	
little understanding of how self-employed people	
work and the challenges they face. They only seem	
able to deal with large traditional business or work- models/work practices. They are not agile or	
adaptable and yet government encourages self-	
employment.	
To a business like mine, where I pose no risk	Negative feedback for legislation
whatsoever to third parties, legislation can	Negative recuback for registation
sometimes be cumbersome. Whilst health and	
safety legislation is imperative, too much 'red tape'	
has the potential to prevent people from becoming	
self-employed or establishing a small business. I	
know of people who would prefer to work for a	
company who will take on all the risks rather than	
have to deal with the legislation themselves.	
, and the second	
Overly prescriptive legislation will make it harder	Negative feedback for legislation
to understand and less likely to be followed. It will	
also discriminate against the self-employed by	
forcing them to spend a larger proportion of	
turnover and time on compliance, favoring	
corporations over small business.	
It leave the door open work working	Misuse of Legislation
malpractices	Name that for all and for the state
Like most legislation it should seek to improve	Negative feedback for legislation
conditions, not be retrograde to threaten people's	
livelihoods.  Too much legislation already for self employed	Negative feedback for legislation
Too much legislation already for self employed  It can be confusing	Negative feedback for legislation
It's a slippery slope. Not a good idea.	Negative feedback for legislation
ונ א מ אוויף בו א אוטף בי ואטנ מ צטטט וטפמ.	Trebutive recuback for registation

Q17. Do you have any other views or comments re	lated to the self-employed exemption			
legislation? Table Continued				
Very complicated, too difficult for small	Negative feedback for legislation			
businesses				
Too much legislation causes all sorts of problems	Negative feedback for legislation			
for a single self employed person				
Not sure whether cutting regulations really helps	Negative feedback for legislation			
or leaves self-employed people vulnerable				
Leave the regulations alone. The 2015 exemptions				
are hugely important to the small independent self-	Positive Feedback for legislation			
employed workforce, who are more than qualified to				
make their own decisions about the way they				
conduct their business.				
dangerous	Negative feedback for legislation			
I think its a waste of time, one of the best things	Negative feedback for legislation			
about being self employed is not having to worry				
about stuff like this				
It's a bad idea. Health and safety legislation is there	Negative feedback for legislation			
to protect everyone	No exemption/application to all			
it could be pushed/advertised more	Wider advertising			
It would be good if there were a widely publicised,	Wider advertising			
easily available clear and simple to understand				
guide. Maybe there is				
It should be more widely publicised	Wider advertising			
It needs to be publicised.	Wider advertising			
It should be included in literature	Wider advertising			
It obviously wasn't well advertised that the law had	Wider advertising			
changed.				
It should be easily available to read and in easy	Wider advertising			
informative format to understand				
It should probably be better publicized. It	Wider advertising			
makes sense to have such rules.				
No, other than maybe it should be publicised	Wider advertising			
more.				
Not especially but I would say that HMRC could	Wider advertising			
signpost you towards the HSE website to check this				
information out when you register as self employed.				
A lot of information never filters through to small	Wider advertising			
businesses.				
It could be a good thing to know more about it, but I	Wider advertising			
would be concerned about any potential costs				
It would be good if this information was given out a	Wider advertising			
bit more frequently as it is not something I have				
heard of and I do follow the HSE page				
It's the kind of thing that the government could easily	Wider advertising			
communicate to self employed workers via HMRC. I'd				
honestly never thought about it beyond having PLI but				
now feel I have to!				
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