

New Regulations for the Self Employed

In 2011, the Löfstedt Review recommended that those self-employed whose work activities pose no potential risk of harm to others should be exempt from health and safety law. This recommendation was accepted by HM Government.

The HSE have announced that from 1 October 2015, under the Health and Safety at Work etc. Act 1974 (General Duties of Self Employed Persons) (Prescribed Undertakings) Regulations 2015 if you are self-employed and your work activity poses no potential risk to the health and safety of other workers or members of the public, then health and safety law will not apply to you.

Under the regulations (and for health and safety law purposes); 'self-employed' means that you do not work under a contract of employment and work only for yourself. If you're self-employed and employ others the current law will apply.

The HSE have estimated that health and safety law will no longer apply to 1.7 million self-employed people like novelists, journalists, graphic designers, accountants, confectioners, financial advisors and online traders.


The HSE have also suggested that the following activities are such that they are considered high risk and therefore health and safety law will apply;

- Agriculture
- Construction and development
- Gas
- Railways
- Asbestos
- Genetically Modified Organisms (GMO)

Most self-employed people will know if their work poses a risk to the health and safety of others. Self-employed persons therefore must consider the work they are doing and judge for themselves if it creates a risk or not.

For example if you operate a fairground ride for the public to use or you operate and what you do could affect the health and safety of other people and you must take appropriate steps to protect them, then the law will apply to you.

Any questions or advice needed please contact Ark

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