

Health and Safety Executive Board		HSE/12/95	
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Review of the Management of Health and Safety at Work Regulations – Approved Code of Practice

Purpose of the paper

1. To advise the Board on the outcome of the consultation on the proposal to withdraw the Management of Health and Safety at Work Regulations Approved Code of Practice (ACOP) and to seek the Board's agreement to withdraw this ACOP.

Background

The Management Regulations

2. The Management Regulations apply to all industries and employers (except in relation to employers of the master or crew of a ship in relation to normal shipboard activities, and in relation to occasional work or short-term work as specified in regulation 2). The Regulations apply to the majority of workplaces and affect some 5.5 million businesses.
3. The Management of Health and Safety at Work Regulations ACOP was published in October 1992 and revised in March 2000.
4. As with other ACOPs, it is open to dutyholders to comply with the Regulations in a different way to that set out by the ACOP, provided that if called upon they can show they have met the requirements of the law in some other way.

The Review

5. The Management Regulations ACOP was examined as part of the review of ACOPs recommended by Professor Löfstedt; this included a formal 12-week consultation. The Professor noted that this ACOP in particular would benefit from a "comprehensive review".
6. The government response to the report stated that:

"it is vital that ACOPs are reviewed to ensure they are the best way of fulfilling the purpose originally intended, making it easier for employers to understand and meet their legal obligations."

Having reviewed the ACOP, we have concluded that an ACOP is not the best way of making compliance with the Management Regulations easier; we consider that practical, appropriately targeted guidance would be better.

7. In conducting the review we considered:

- whether an ACOP was the most appropriate approach for providing guidance on issues such as risk assessment, and health and safety arrangements;
- what revisions were required to ensure the guidance provided was technically up-to-date, legally correct and clear about what the law requires;
- whether the advice was presented in the most appropriate way for the intended audience, how it fitted with the wider guidance portfolio and what the demand through downloads and sales was for it; and
- the findings of the Löfstedt review, comments submitted to the Red Tape Challenge and known stakeholder views - see below.

Wider calls for reform

8. In his report, “Common Sense Common Safety” Lord Young said of the ACOP that;

“While it is undoubtedly comprehensive it is not particularly user friendly as it combines the actions needed in both hazardous and non-hazardous workplaces. SMEs need better targeted guidance.”

9. Over 80 % of those who submitted written responses to Professor Löfstedt on ACOPs called for this ACOP to be reviewed. This was also reflected in the comments on the Red Tape Challenge website where the ACOP was criticised for being complex, intimidating, inappropriate and leaving scope for uncertainty.

Overview of Consultation analysis

10. The comments made during the recent consultation have been thoroughly examined and the analysis can be found in Annex 1. The responses present a mixed picture of views. 349 online responses were received and of those 188 commented on the Management Regulations ACOP. 95 (51%) of those who expressed a view were in favour of its withdrawal and 91(49%) against. There were a further two online responses which did not provide a clear view. An additional 64 separate written submissions to the overall consultation were received, 35 commented specifically on this proposal. Of those, seven were in favour of withdrawal, seven did not offer a clear view and 21 were against. Overall, of the 214 responses that expressed a view on the ACOP 102 (48%) were in favour of withdrawal and 112 (52%) against. A total of nine further responses were received which did not provide a clear view on the proposal.

11. Objections to withdrawal were raised and are addressed in more detail below. These concerns are important but they are not considered to present sufficient argument for retaining the ACOP. In particular, they do not address the fundamental point that an ACOP is not the most appropriate approach for providing guidance on the issues covered by these Regulations.

12. Based on consideration of HSE's expert views and the responses to the public consultation we consider that the ACOP could be withdrawn without reducing health and safety protections in the workplace.

Argument

13. ACOPs are a useful resource where they can offer specialist, technical and genuinely practical guidance on specific issues, for example in the following extract from the Health and Safety at Quarries ACOP;

"301 The hazard should be treated as significant and the excavation subject to a geotechnical assessment where:

*(a) in the case of moderately weak or stronger rock:**

(i) the vertical height of any individual face (see Figure 6) is more than 15 m;
or

(ii) the overall vertical height of any adequately benched face or slope, measured from toe to crest (see Figure 6), is between 15 m and 30 m, and the overall face angle is steeper than 1 horizontal to 1 vertical (45° to the horizontal);

In such instances, ACOPs provide assurance that following their provisions will be enough to comply with the law. The Management Regulations ACOP does not, and cannot provide this. It is distinguishable from other ACOPs because of the wide-ranging, general nature of the requirements of the Regulations it supports. The following extracts from the Management ACOP illustrate the point.

"There are no fixed rules for how a risk assessment should be carried out"

"There may be some areas of the assessment for which specialist advice is required"

The issues covered are not easily defined within the criteria of an ACOP: in most cases there is no single certain preferred or recommended method to be used to achieve compliance, instead this will vary depending on the size and nature of the business. Nor is it true that in most cases dutyholders should be strongly encouraged to pursue the one particular approach the ACOP describes. In fact for many issues addressed by the Regulations it is difficult, and may be inappropriate, to define and advocate a single approach, e.g. for risk assessment. The Management Regulations ACOP also differs from other cross-cutting ACOPs, such as that for the Workplace Regulations, in that it does not seek to provide specific technical advice, nor does it contain any pre-1974 protections.

14. When the ACOP was published in 1992 risk assessment was an unfamiliar concept. The generic nature of the content would have been helpful in terms of setting out general expectations and an overall approach for businesses. However, understanding has moved on and whilst people are now familiar with risk assessment many, SMEs in particular, still struggle to understand exactly what is required in practice. There is evidence (e.g. from the Red Tape Challenge) that suggests businesses find the ACOP an extra unhelpful and confusing layer of information to digest. Its withdrawal would enable us to

simplify guidance and remove the duplication and confusion that currently exists. A great deal of work has been done, and continues, to ensure HSE's guidance sets out what is needed in a targeted, clear and unambiguous way depending on the size and nature of the organisation. The ACOP, applying as it does to over 5 million businesses, is not best placed to do this.

15. Very few respondents to the consultation offered specific suggestions as to how the ACOP could be improved, supporting the view that it would be extremely difficult, if not impossible, to revise the ACOP in a way that better meets the purpose and criteria for an ACOP.
16. There are many sets of Regulations that are not supported by an ACOP, e.g. Control of Noise at Work Regulations 2005, Control of Vibration at Work Regulations 2005, Work in Compressed Air Regulations 1996, Manual Handling Operations Regulations 1992 and Police (Health and Safety) Regulations 1999. These rely successfully on guidance to explain in practical terms what compliance looks like.

Current use

17. As part of our review we have looked at current demand (purchases and downloads) for the ACOP and how this compares to that for other guidance. By way of comparison, since its publication, Health and Safety Made Simple (HSMS) has had consistently higher numbers of page requests than the Management ACOP; in November 2011 there were 6497 page requests for HSMS and 2887 for the ACOP. Between August 2011 and January 2012 there were on average 4495 visitors to the HSMS pages, and 1917 to the Management ACOP.
18. Sales figures for the ACOP have fallen consistently, dropping from 3400 in 2009 to 1323 in 2011 and only 751 so far this year. Records indicate that 85000 copies were sold 1992-1993.

Architecture of guidance - what would the replacement look like?

19. The mapping at Annex 2 shows that all information currently in the ACOP will be included in other guidance. HSE is developing clear guidance as part of the external guidance review. One of the principles of this review is that the inexperienced reader should be signposted first to the Health and Safety Made Simple guidance; Health and Safety Toolbox or sector guidance. Guidance on common cross-cutting topics (such as risk assessment, health surveillance, protection of vulnerable workers etc) will be mirrored in each of these. From this starting point, the reader can go on to access further guidance with more detail until they have all the information they need. The aim is that more people will find it easier to understand the risks and so implement appropriate control measures earlier in their journey.
20. HSE makes advice on compliance available in a range of formats to assist different user audiences; from basic guidance for low-risk environments or inexperienced users, such as Health and Safety Made Simple, through to more

detailed technical guidance. This guidance explains the legal duties and describes what is considered to be reasonably practicable to control the risks (i.e. “suitable and sufficient”). These reasonably practicable controls are described in the following layers of guidance:

- Level 1 – Health and Safety Made Simple and the Health and Safety Toolbox
- Level 2 – The ‘*brief guide to...*’ hazard based leaflets which explain risks in more detail and provide information on effective control
- Level 3 – Guidance which goes into more detail and often includes case studies. This includes:
 - a. Industry Guidance (INDGs) which are industry or topic based guidance leaflets aimed at employers and workers
 - b. Health and Safety Guidance (HSGs) which provide more comprehensive, detailed advice often including case studies and can be either topic or sector based
- Level 4 – Legal series guidance which present regulations, ACOP advice and guidance in one publication.

21. To support the Management of Health and Safety Regulations the following publications are particularly important:

- *Health and Safety Made Simple and Health and Safety Toolbox*. Guidance on policy, risk assessment, reasonably practicable controls, competent advice, emergency procedures, contractors, information instruction and training, temporary and vulnerable workers
- *Brief guides* – in particular on risk assessment, consultation, training, young workers, new and expectant mothers, contractors, leadership, worker rights as well as a range of health and safety topic guidance covering reasonably practical controls (e.g. COSHH, workplace transport, asbestos, electricity, use of equipment, noise, work at height etc.)
- *HSG65* – in particular health and safety arrangements. This key document is undergoing revision and will be the subject of further, targeted discussions with key stakeholders to ensure it meets their needs prior to publication.

22. All of the guidance that would replace the current ACOP material would be supported by the following status paragraph:

*“This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. **But if you do follow the guidance you will normally be doing enough to comply with the law.** Health and safety inspectors seek to secure compliance with the law and may refer to this guidance.”*

Specific issues raised in the consultation

23. i) Withdrawal would raise enforcement/legal difficulties

Detailed discussions with operational colleagues and further analysis have indicated that withdrawing the ACOP would not hamper enforcement activity in any way, nor would it make prosecutions more difficult. Research has shown that in the past ten years HSE has pursued 1518 prosecution cases citing the Management of Health and Safety at Work Regulations 1999. However, no reference has been made to the ACOP (L21) in these cases. A similar examination of Local Authority Management Regulations prosecutions taken in the past three years again finds none making specific mention of the ACOP.

Canvassing of HSE solicitor agents confirms that the ACOP itself is very rarely used in their prosecution work. They also stated that HSE guidance is frequently both presented and accepted by the courts as evidence, particularly when provided by expert witnesses/HSE inspectors. None of those consulted had ever had any difficulty having guidance admitted as evidence.

The starting point for use of the reverse burden of proof under S17 HSWA is proof that "there was at the material time a failure to observe any provision of the ACOP". Where the provisions are written in general terms as in the Management Regulations ACOP this is difficult. In the case of a risk assessment, which HSE was saying was not suitable and sufficient; we would need evidence to prove it was not, such as there was no risk assessment carried out at all, or it did not address the particular work activity, or it did not deal with a particular risk etc. Any guidance that we have issued would provide useful evidence on this even if it was not part of the ACOP.

ii) Removing the ACOP will make people think the Regulations have changed or are less important

While perception is an important consideration, it is not a sufficiently strong reason to retain the ACOP. HSE will develop and implement clear and robust communications activity, perhaps including a programme of workshops, to explain the change and make clear that the regulatory requirements remain the same. In the lead up to the ACOP being withdrawn, we would publicly promote the suite of revised, updated guidance which will provide clear, targeted and appropriate advice to employers, employees and safety representatives on how to comply with the law. The communications will make absolutely clear that the requirements of the Management Regulations are not changing.

iii) Loss of the definition of "Suitable and sufficient"

The requirement that risk assessments shall be 'suitable and sufficient' is contained in the Management Regulations (Regulation 3 (1)). Whilst the Regulation does not define what this means, there is an attempt to do so in the ACOP. However, the text is generic and does not specify what such a risk assessment should do, saying, for example, "there may be some areas of the assessment for which specialist advice is required". This is because it is impossible to be specific about what will constitute a suitable and sufficient risk

assessment, as this will vary from case to case and depend on the size and nature of the business in question. A broader definition is helpful as guidance, but since the purpose of an ACOP is to provide specific prescriptive practical guidance, a generic definition does not further that purpose and a precise definition of what constitutes “suitable and sufficient” is ultimately a matter for the courts in any given case.

Recommendation

24. The Board is asked to:

- Note the response to the consultation and the attached analysis report.
- Agree that the Management of Health and Safety at Work ACOP should be withdrawn.

Annexes

Annex 1 – Summary of Management of Health and Safety Approved Code of Practice Consultation responses

Annex 2 – Management of Health & Safety Regulations ACOP Mapping to Guidance Update.

Summary of Management of Health and Safety Approved Code of Practice Consultation responses

Introduction

This is a summary report of the outcome of the HSE's formal, statutory consultation on the proposal to withdraw the Management of Health and Safety at Work Regulations 1999 ACOP. This analysis seeks to support the HSE Board's decision-making process.

The consultation document, CD 241, invited responses to the specific proposals for the revision, consolidation or withdrawal of 15 ACOPs to be delivered by end-2013 and on proposals for minor revisions, or no changes, to a further 15 ACOPs for delivery by 2014. This included a proposal to withdraw the ACOP for the Management of Health and Safety at Work Regulations 1999. Consultation began 25 June 2012 and ended 14 September 2012.

Respondents came from a wide range of backgrounds, though the majority were health and safety professionals in the public and private sectors. Trade Associations provided the most written responses.

Respondents were asked to complete an on-line questionnaire or download a word document version of this and return this by e-mail or post. E-mailed responses and letters giving general comments on the proposal were also received. There were a total of 223 responses on the Management Regulations proposal from a possible 413 who responded to the consultation. The total responses were split 102 in favour, 112 against and nine who did not provide a clear view, further breakdown is provided below.

From the 223 respondents, 188 replied using the on-line questionnaire and a further 35 submitted either completed questionnaires or provided written responses by email or post. The responses ranged from emailed comments on one particular proposal through to those who address most if not all aspects of the consultation in detail.

The numbers of responses to the on line questions have been presented in the following tables followed by a summary of the written comments.

On line responses:

1. General information

a) Type of organisation

Option	Yes	No	Number of respondents
Academic	3 (1.6%)	2 (1.1%)	5 (2.7%)
Charity	1 (0.5%)	3 (1.6%)	4 (2.2%)
Consultancy	11 (5.9%)	14 (7.5%)	25 (13.4%)
Industry	39 (21.0%)	23 (12.4%)	62 (33.3%)
Local government	14 (7.5%)	14 (7.5%)	28 (15.1%)
Member of the public	0 (0.0%)	0 (0.0%)	0 (0.0%)
National government	2 (1.1%)	7 (3.8%)	9 (4.8%)
Non-departmental public body	0 (0.0%)	1 (0.5%)	1 (0.5%)
Non-governmental organisation	0 (0.0%)	2 (1.1%)	2 (1.1%)
Pressure group	0 (0.0%)	0 (0.0%)	0 (0.0%)
Trade association	9 (4.8%)	2 (1.1%)	11 (5.9%)
Trade union	0 (0.0%)	2 (1.1%)	2 (1.1%)
No answer	16 (8.6%)	21 (11.3%)	37 (19.9%)
Total	95 (51.1%)	91 (48.9%)	186 (100.0%)

b) Capacity of respondent

Option	Yes	No	Number of respondents
An employer	15 (8.1%)	6 (3.2%)	21 (11.3%)
An employee	7 (3.8%)	6 (3.2%)	13 (7.0%)
Health and safety professional	60 (32.3%)	59 (31.7%)	119 (64.0%)
Trade union official	0 (0.0%)	3 (1.6%)	3 (1.6%)
Training provider	1 (0.5%)	1 (0.5%)	2 (1.1%)
No answer	12 (6.5%)	16 (8.6%)	28 (15.1%)
Total	95 (51.1%)	91 (48.9%)	186 (100.0%)

1.7.1 Do you agree with the proposal to withdraw the ACOP and replace with a suite of guidance?

Option	Number of respondents	Percentage of total (%)
Yes	95	51%
No	91	49%
Total	186	100%

A further two responses gave no clear view.

Key points raised in support
<ul style="list-style-type: none"> • Avoidance of duplication is always good • Clarification is necessary • It will mean simplification and ease of understanding for non H&S people • It will be easier to use • The proposed suite of guidance will provide a hierarchy of suitable information for the management of health and safety • Have never used it in 8 years of being a H&S professional • If done properly this could be a sensible time saving and easily implemented document
Key points raised against
<ul style="list-style-type: none"> • Removing the ACOP may give people the impression that certain things are no longer legally required • That by splitting it into different documents, employers will no longer know where to look for guidance • The removal of specific detailed management responsibilities • It works well as it is now • Whilst generic, provides useful information in a level of detail which is not currently provided in e.g. 5 steps and other documents of that type • The existing arrangements allow competent persons to make assessments. The new arrangements will allow unscrupulous employers to choose not to do things • We have found the ACOP relating to Reg 3 (Risk Assessment) of the Management Regs 1999 to be particularly helpful in explaining and justifying our approach to risk assessment and rebutting such instances of overzealous enforcement

1.7.2 If you have answered 'No' what are your objections?

91 online respondents answered no to the removal of the ACOP: the objections to this, were possible, have been categorised into 6 areas.		
Special legal status	23	25.3%
The removal of information from one place	18	19.8%
That removal would give the impression legal requirements had been removed	10	11.0%
Increased misunderstanding of the requirements	12	13.2%
It is clear as it is/cost	23	25.3%
Blank/not applicable	5	5.5%
TOTAL	91	100%

1.7.3 If you have answered 'No' which elements do you think should be kept as an ACOP?

All	Specified Regulations/topics (various)	No Suggestion	Other (e.g. suggestions to link to wider guidance)	Total
57	17	13	4	91

1.7.4 If you have answered 'No' how do you think the ACOP could be revised to make it sufficiently clear for all duty holders what they can do to comply with the Management Regulations in a way that is appropriate to their business?

91 online respondents answered no to the removal of the ACOP: the suggestions for change, where possible, have been categorised into 7 areas.		
It should remain unchanged	18	19.8%
Simplify it	12	13.2%
More should be included/separated into different documents	24	26.4%
Just updated	5	5.5%
Clarify what is required	7	7.7%
It can't be changed to suit all/give clarity	4	4.4%
No suggestion made	21	23.1%
TOTAL	91	100%

The comments received to this were varied and of a generic nature when saying it needed to be simplified or give further clarity through additional information. Some respondents did give topic areas where they thought any future ACOP could be revised to give more definition of the requirements. Samples of the comments are listed below;

- If anything, it may require shortening and perhaps even breaking out into multiple documents addressing the various areas of responsibility
- This ACOP should be expanded to address specifically the requirements for lower risk, medium and high risk duty holders
- The ACOP needs to make clear that the processes (such as Risk Assessment) are cerebral, thinking activities and not form filling activities. The size and complexity of the business is, therefore, relevant to health and safety
- Further explanation of suitable and sufficient
- With regard to 'suitable and sufficient' the current ACOP gives examples of i) small businesses presenting few or simple hazards ii) intermediate cases and iii) large and hazardous sites. Our business is a very large business, but our units present few or simple hazards. We therefore feel that the guidance around 'suitable and sufficient' should be based around the hazards and risks arising from the work and not the size of the business
- Clear, simple, precise

- I do agree that the risk assessment section should be overhauled as it is too subjective and too many variations on being able to measure risk.

1.7.5 If you have answered 'No' how do you think the ACOP could be presented in the most appropriate way for all business sizes and type?

76 comments were received to this question. The majority of comments stated that the document should be left as it is, followed by those who referred to their answer to the previous question. The remaining comments, which were of a varied nature, were very similar to those received for the previous question. Some respondents thought the ACOP should be simplified or made clear, some thought it needed to link to other guidance or be expanded and others stated that HSE's wider guidance needed to be expanded upon.

1.7.6 If you currently use the ACOP do you also read any of the guidance listed above? If so, please give details.

The majority of all of the respondents did not answer this question.
Of the people that objected to the proposal:

- 3 stated that they only used the ACOP and 4 stated no to the question.
- 44 of the 91 who objected, said that they did read all of the guidance or specified a piece of guidance, such as HSG 65, which they used.

Of those who agreed to the proposal:

- 21 stated that they did read all of the guidance listed or specified a piece of guidance. Again HSG 65 was the most common one named.
- 2 respondents stated that they only used the ACOP.

1.7.7 Is there any guidance within the ACOP that you use which is not available elsewhere

1.7.8

Not all respondents answered this question, 71 comments were received.

- The majority of these comments (27) responded to say that there was guidance in the ACOP which was not available elsewhere. Almost all of these respondents specified which areas they thought this applied to.
- Nearly the same number (25) responded to the question by stating that there is no guidance in the ACOP which was not available via other publications/sources.
- The remaining comments received fell into the unsure category or were not applicable to the question, such as giving ideas for improvement.

1.7.9 Are there any negative impacts from the removal of this ACOP that we should consider?

91 online respondents answered no to the removal of the ACOP: the negative impacts, where possible, have been categorised into 6 areas.		
Losing a unique document	12	13.2%
Losing a bench mark	6	6.6%
Business will not make as much effort	13	14.3%
It will take a number of documents to cover the same information/it will cause confusion	10	11.0%
There will be a lack of understanding of the legal impacts	19	20.9%
Cost	1	1.1%
Blank/ none applicable comment	30	33.0%
TOTAL	91	100%

1.7.10 Are there any positive impacts from the removal of this ACOP that we should consider?

There were 35 comments received to this question in which respondents provided what they thought would be the positive impact of the proposal;

- Two thought it would remove or avoid duplication
- 19 comments centred around the guidance being easier to use/ understand, the change would simplify the information or save time
- Two thought the documents would now have a specific target audience
- One stated that as ACOP's are quite generic, which is not helpful when they relate to specific hazards as a result review/removal is generally a good thing.
- Four thought it provided a good opportunity for key messages to be re-launched or encourage compliance
- Two did not like the way ACOP's are written and that they made assumptions, for example 'ACOP's focus on "stopping industry doing it wrong". This alienates the business user'
- One thought the guidance would provide a hierarchy of suitable information
- One thought it would stop risk assessments being blamed for stopping public events
- One thought it would bring the information up to date and offer greater guidance
- One thought ACOP were expensive to buy
- One stated that as it was rarely used it would not be missed, but it would add to the public perception of reducing burden on business.

Written responses:

1. General Information:

Written responses received on ACOP consultation: 64

- No Comment on the MHSWR proposal: 29

- Agreement with proposal for the MHSWR: 7
- Do not agree with the proposal for the MHSWR: 21
- Did not provide a clear view: 7

2. If you have answered 'No' what are your objections?

From the written responses the majority gave a general response to the proposal rather than answer the specific questions set in the consultation. The reasons given for objecting to the removal of the ACOP were almost identical to those cited in the e-consultation. The most common reason cited was the special legal status that the ACOP has, followed by removal of the ACOP would mean a loss of guidance. Two industry representatives and one NGO did acknowledge that the ACOP currently was not fit for purpose but only gave generic suggestions for improvement.

Unions who objected to the proposal all cited similar reasons as to why the ACOP could not be withdrawn, status was the overarching reason but most did give further specific reasons. A sample of these reasons are;

- Risk assessment. The ACOP specifies that safety representatives and the workforce need to be consulted. This is not duplicated elsewhere.
- The definition of "Suitable and Sufficient". Again, the legal status of this definition cannot be replicated by guidance.
- Health surveillance. If this is removed from ACOP status, we cannot understand how British law will implement Article 14 of the Framework Directive. Failure to retain this may lead to infraction proceedings against the UK.
- New or Expectant mothers. The wording of the ACOP in respect of expectant mothers is also still needed. It will have very different status if placed as guidance as these are requirements to meet the regulation. Should it be removed there will still be a need for an ACOP covering this.
- The CD recognises ACOPs have special legal status. It fails adequately to define that special status: that ACOPs are admissible in evidence where they are relevant, whereas guidance is not (unless introduced by an expert).
- Any suggestion that the legal requirement on employers to manage health and safety is being downgraded would be a major mistake.

3. Suggestions for change:

There were a limited number of suggestions for change received in the written responses. Of those received, they were varied in nature but again fell into similar categories as those received in the e-consultation. Some respondents stated that the requirements needed to be made clearer and some said further guidance should be included. One response stated that the aim should be to make the ACOP specific but does not give further details on how this could be attempted.

**Management of Health & Safety Regulations ACOP Mapping to
Guidance Update**

Paragraph numbers	Scope	Covered in one or more of: HSMS, Health and Safety Toolbox, Revised 5 Steps or HSG65	Other? / Comment	If not already covered where replaced in?
9, 10, 11	General principles of risk assessment	Yes		
12	General principles of risk assessment	No		Health and Safety Toolbox
13 (a-c)	Suitable and Sufficient	Yes		Further detail in HSG65
14	Suitable and Sufficient-foreseeable risks in a fast changing environment	No		Health and Safety Toolbox
15	Risk assessment in practice	Yes		
16	Risk assessment in practice	Yes		
17	Risk assessment in practice-model risk assessments	Yes		
18 (a-h)	Risk assessment in practice	Yes		
19	Identifying the hazards	Yes		
20	Identifying the hazards	N/A		
21	Identifying who might be harmed	Yes		
22	Evaluating the risks	Yes		
23	Recording	Yes		
24	Recording	N/A		
25	Recording	Yes	Could be more detailed	Added to HSG65
26	Review and revision	Yes		
27	Assessment under other regulations		Minor ref in HSMS	Health and Safety Toolbox
28	Assessment under other regulations	No		Health and Safety Toolbox
29	Principles of Prevention to be applied	Yes		
30	Principles of Prevention to be applied	Yes	ACOP is more detailed - expands on schedule	
31	Principles of Prevention to be applied	N/A		
32	Health and Safety Arrangements	Yes		
33	Health and Safety Arrangements Planning	Yes		

34	Health and Safety Arrangements Organisation	Yes		
35	Health and Safety Arrangements Control	Yes		
36, 37	Health and Safety Arrangements Monitoring	Yes		
38	Health and Safety Arrangements Review	Yes		
41	Health Surveillance	Yes	hsg61; indg304; website	
42, 43	Health Surveillance	Yes	hsg61; indg304; website	
46	Health and Safety Assistance	Yes		
47	Health and Safety Assistance	Yes		
53, 54	Contacts with External Services	Yes		
55	Contacts with External Services	No		Health and Safety Toolbox HSG65
67	Co-operation and Co-ordination	Yes		
68	Co-operation and Co-ordination	Yes		
75	Persons working in host employers or Self Employed persons undertaking	Yes		
76	Persons working in host employers or Self Employed persons undertaking	Yes		
77	Persons working in host employers or Self Employed persons undertaking	No		Health and Safety Toolbox
78	Persons working in host employers or Self Employed persons undertaking	Yes		
80	Capabilities and Training	Yes	indg345; HF website (competence)	
81	Capabilities and Training		indg345	
85, 86,87	Employee's Duties	Yes	Workers website	
94, 95, 96,97	New or Expectant mothers	Yes	N&E mothers website	
98, 99, 100	Protection of Young Workers	Yes	Young persons website	
101	Provisions to liability - Employers liability	No		Wording of this para repeats Reg therefore no need to replicate.