



Introduction

Established in 2004, the [Access Industry Forum](#) (AIF) is the forum for the ten industry bodies involved in the provision of equipment and methods to allow individuals to work at height. Each AIF member organisation represents a different sector of the work at height industry and are recognised leaders in their respective fields. Together, they support codes of good practice, equipment standards, training, education, and knowledge.

All members of the AIF are 'standards' driven organisations committed to advancing safety, good practice and competency when working at height, irrespective of the chosen work at height method. They seek to achieve this by:

- Establishing the position of the industry on matters of legislation and regulation;
- Collaborating with other professional bodies and industry stakeholders, including the Health & Safety Executive (HSE);
- Creating awareness and understanding of industry legislation – in particular the Work at Height Regulations 2005 and the need for competency and the application of these regulations in a practical, day-to-day context;
- Promoting the link between training and competency in the workplace by advocating the need for users of all types of work at height equipment to be professionally trained to a recognised standard;
- Championing a system of accreditation whereby all who work at height produce formal and independent proof of training to a nationally recognised standard;
- Functioning as a forum and primary knowledge base for the work at height industry in general.

We are grateful for the opportunity to comment on the Retained EU Law (Revocation and Reform) Bill. Please see below some comments from the AIF regarding the compelling need to retain the Work at Height Regulations 2005.

Work at Height Regulations 2005

The AIF believes these are crucial working at height regulations which have been passed via secondary instruments as result of EU legislation and which must be exempted from sunset clauses and assimilated into UK legislation. Falls at height have historically been and remain one of the biggest causes of workplace fatalities and major injuries.

Regulations concerning work at height have been around in the UK for a considerable period of time, the **Construction (Working Places) Regulations 1966** and the 1996 **Construction (Health, Safety and Welfare) Regulations** –both identified working at height as primarily a construction activity, and indeed many consider this to be the case even today. The major step change came in 2005 with the implementation of the **Work at Height Regulations** (WAHR), created in response to the Temporary Working at Height Directive ([2001/45/EC](#)). For the first time, this acknowledged that working at height is a daily occurrence in all sectors. it is estimated that 1 million companies and 10 million workers carry out work involving some form of working at height every year¹.

¹ <https://www.gov.uk/government/news/overhaul-of-guidance-to-help-10-million-working-at-height>

That’s a lot of people working at height, and that’s a lot of people who are at risk of falling from height. The purpose of WAHR is to prevent death and injury from a fall from height.

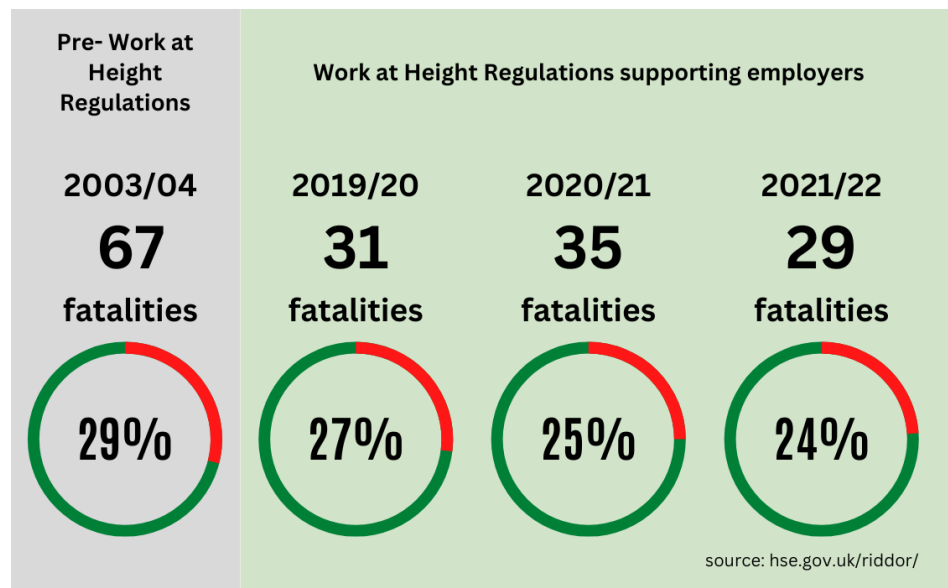
683 DEATHS

THAT IS IN A REGULATED ENVIRONMENT



THAT'S MORE THAN THE CAPACITY OF A BOEING 747-8!

The effectiveness of the WAHR in reducing fatalities is clearly illustrated in the table below, from which it is evident that the fatality rates have reduced markedly following the implementation of the WAHR in 2005, the statistics for 2003/04 record 67 fatalities, but has reduced to less than half that amount in 2021/22 at 29. However, that’s still too high, and sadly there have been 683 families who have lost a loved one even in the 17 years that the WAHR been providing protection. That’s enough to fill a Boeing 747-8



Cost to Britain

Total Costs to Britain were around £18.8bn in 2019/20



Source: HSE Costs to Britain model²

Consequences for our society

- Falls from height have life-changing consequences
- Fatalities: £1.9m per avoidable death
- Reportable injuries: £12,000 per non-fatal injury

The long-term consequences of injuries

Falls have life-changing consequences. Survivors are unlikely to return to their previous occupation if they can return to work at all. There are emotional costs for the family, colleagues and anyone who witnessed the fall. The potential income support that the family may need, together with the cost to employers for dealing with issues and investigations, fines, reputational damage plus the additional insurance premiums to operate in the future.



Compared to some other reportable injuries, falls from height are more likely to result in life-changing injuries. Fall survivors will continue to place demands on our health service and a significant burden on our welfare system for decades (often many) to come. At, on average, 8% of all non-fatal injuries per annum, injuries from falls from height add significant cumulative demand to society; in the last ten years, falls have amounted to over 54,000 non-fatal injuries, that's enough to fill Anfield Stadium.

The AIF believes these regulations must remain in place given falls are still the largest cause of avoidable deaths and life-changing injuries. Not only do falls from

height have an enormous physical and emotional consequence for those involved and their loved ones, but there are also substantial knock-on effects to the wider economy and health service.

While these statistics demonstrate there is still progress to be made, the introduction of WAHR brought about a significant reduction in workplace injury caused by falls from height. In 2003-04, the last full year of statistics available prior to the introduction of the regulations, there were 67 fatal accidents and 1,107 major injuries as a result of falling from a height, accounting for 28% of all major workplace injuries.²

The UK is a world-leader in prevention of falls from height and consistently shows one of the lowest rates of fatal injury in Europe.³ Our technological expertise to improve the safety and efficiency of working at height in the construction and building sectors are internationally recognised. This in itself presents an opportunity for the UK to export this experience and superior know-how internationally. The AIF will continue to champion easier reporting of Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR) statistics to drive down avoidable incidents, and allowing us and regulators to more accurately monitor performance and focus resource where needed. We will also pioneer and promote technology which improves safety and reduces the need to work from height where possible.

² [Health and Safety Statistics Highlights 2003/04](#)

³ [Health and Safety Statistics in the United Kingdom compared with European countries, 2021](#)

The UK health and safety regulatory framework has been reviewed in depth in the recent past and has been found to be fit for purpose, firstly in Lord Young of Graffham's report [*Common Sense, common safety*](#)⁴ (published in October 2010) and in the subsequent independent report by Professor Ragnar E Lofstedt [*Reclaiming health & safety for all: An independent review of health and safety legislation*](#)⁵ (published in November 2011) which recommended that "The Work at Height Regulations 2005 and the associated guidance should be reviewed by April 2013 to ensure that they do not lead to people going beyond what is either proportionate or beyond what the legislation was originally intended to cover." This was successfully completed and resulted in simplified guidance subsequently being published.

It is the contention of the Access Industry Forum that rather than removing regulation we should be looking to improve safety for working at height. It is our view that any action which would seek to remove or water down WAHR would only lead to a more unsafe environment for those working at height, higher incidence of fatalities and increased costs both to the UK economy through increased healthcare and benefit support to those affected by the life-changing consequences of falls from height.

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4

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5

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