



19th January 2023

Rt Hon Grant Shapps MP,
Secretary of State for Business, Energy and Industrial Strategy
House of Commons
London
SW1A 0AA

Dear Sirs,

Subject: Letter to the Government regarding the proposed repeal of the Work at Height Regulations

National Access and Scaffolding Confederation (NASC) is the leading national trade body for the UK's access and scaffolding industry. We were established in 1945 and now represent a consortium of over 450 of the leading scaffolding contractors, clients, scaffolding material suppliers, manufacturers and designers within the UK construction sector. Our aims include raising and maintaining the safety standards within our industry.

NASC are most concerned regarding the proposal to include the Work at Height Regulations 2005 (WAHR), within the 'sunset clauses' contained within the 'Retained EU Law (Revocation and Reform) Bill'.

Falls from height have historically been and remain one of the biggest causes of workplace fatalities and major injuries within the UK. The introduction of the WAHR 2005 provided a major 'step change' in safety when working at height and helped reduce the number of fatalities.

In the year before the WAHR 2005 were introduced (2003-2004), 67 fatalities occurred due to falls from height. Last year, this number was reduced to 29. Whilst it is appreciated that there is still progress to be made in further reducing the risk of fatalities, the effectiveness of the Work at Height Regulations is clearly illustrated by these statistics.

The current regulations set out the essential requirements for managing risks due to working at height and provide a simple set of rules to prevent people (and objects) falling. They provide lifesaving principles such as the need to eliminate work at height where reasonably practicable and to prioritise collective fall prevention measures over personal fall protection.

Whilst the WAHR are absolutely fundamental to the scaffolding and access industry, they are equally important for all sectors of UK industry. Indeed, it is estimated that some 1 million companies and 10 million personnel are required to carry out operations involving work at height each year.



The Work at Height Regulations have stood the test of time and have now been active for some 17 years without the need for fundamental amendment.

Our concerns relate to the fact that, should the Work at Height Regulations be repealed, under the Retained EU Law (Revocation and Reform) Bill, it is most likely that this would result in a 'watered down' version of the current legislation and an overall reduction of safety standards.

We therefore believe that any action which would revoke or reduce the effectiveness of the WAHR 2005 would lead to a more unsafe environment for the many millions of personnel exposed to the risks of working at height. This would inevitably result in a higher incidence of life changing injuries and fatalities, increased costs to the UK economy, healthcare and benefit support.

We would therefore respectfully request that the Work at Height Regulations be assimilated into UK law and excluded from 'sunset clauses' contained within the EU Law (Revocation and Reform) Bill.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'D Mosley', with a stylized, flowing script.

David Mosley
Managing Director
The National Access & Scaffolding Confederation