

Self-employed person

To be successful, good safety and health makes good business sense



Safe Start Up 

Self-employed person

Most self-employed people have responsibilities under health and safety law that apply to them if they're employers, work in certain high-risk sectors or activities, or if their work poses a potential risk of harm to other people.

Who does the law apply to?

Health and safety law applies to you if:

- you employ anyone
- you work in construction, agriculture (including forestry) or railways, or work with gas, asbestos or genetically modified organisms
- your work could pose a safety and health risk to others (for example, if you: are a landlord; run a motor vehicle repair garage; provide hairdressing, window cleaning or landscape gardening services; give health or social care; run a safety and health consultancy; work with explosives and so on).

Who's exempt?

Certain self-employed people have a limited exemption – but only if their activities don't pose a danger of injury or illness to others, typically the public, clients or customers. If you don't employ anyone and don't carry out the activities listed above (see regulations), you'll need to decide how likely it is that your work could harm anyone else before judging whether you could be exempt. Think about whether:

- your work activities could have a negative impact on people's safety or health
- your work environment could harm someone's safety or health – for example, do other people come into your work premises?
- your work equipment, materials or substances could cause harm to others – for example, through noise, dust, fumes, trips or falls, poisoning, crushing, burns or scalding hazards.

If there's a risk of any of these, then you're not exempt. The regulator intends that exemption should apply to those who don't have any staff and do very low-risk work, such as novelists, graphic designers, accountants, financial advisers and dressmakers.

Why is this important?

Serious accidents can happen in small businesses and preventing accidents and ill health makes good business sense. Looking after safety and health is just part of managing a business well. And if done properly, you'll save money too.

The Health and Safety at Work etc. Act 1974 (General duties of Self-employed persons) (Prescribed Undertakings) Regulations 2015 is available here and gives further information on who the law applies to.

The HSE has more information and examples on this on their website www.hse.gov.uk/self-employed/index.htm

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IOSH is the Chartered body for health and safety professionals. With more than 44,000 members in over 120 countries, we're the world's largest professional health and safety organisation.

We set standards, and support, develop and connect our members with resources, guidance, events and training. We're the voice of the profession, and campaign on issues that affect millions of working people.

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