

 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Revocation of the Construction (Head Protection Regulations) 1989	
Lead Department/Agency	Health and Safety Executive	
Stage	Final	
Origin	Domestic	
IA number	Not provided	
Date submitted to RPC	14/01/2013	
RPC Opinion date and reference	29/01/2013	RPC12-HSE-1286(2)
One-in, One-out (OIOO) Assessment	GREEN	
<p>Overall comments on the robustness of the OIOO assessment</p> <p>The IA says the proposal is a deregulatory measure that has a direct net benefit to business (an 'OUT') with an Equivalent Annual Net Cost to Business (EANCB) of -£0.037m. The implied benefit is to the estimated number of new businesses entering the construction sector. These estimates are consistent with the forthcoming OIOO Methodology and on this basis the size of the OUT being claimed appears to be reasonable.</p>		
<p>Overall quality of the analysis and evidence presented in the IA</p> <p><i>Cost estimates.</i> The IA acknowledges that there is a potential risk in that the new regime could lead to a misunderstanding, which may result in a reduction in safety levels and a potential increase in harm both to employees and the public, with a subsequent cost to business. It says “..we are.. unable to monetise any expected costs in this area.” (Page 3). This situation should be kept under review.</p> <p>In addition, paragraph 95 of the IA says that the original recommendation to revoke the CHP Regulations was conditional on the consultation not providing any evidence that there could be a reduction in safety protection as a result of this action. However, the IA reports that the “.. conclusion from the consultation..is that..there is a non-negligible risk that this could happen..”. In addressing this risk the IA says “the HSE Board have considered the evidence available, and have judged that the improvements in the HSE plans for communication of the measure are enough to mitigate the risks described above, and therefore do not expect impacts on health and safety.” This should also be kept under review.</p>		
Signed 	Michael Gibbons, Chairman	