

The argument for social and employment competence (Q1 – Q3)

1. To what extent is EU action in this area necessary for the operation of the single market?

My response is focussed on the issue of legislation derived through the social dialogue process (para 28, third bullet point). We believe that it is disadvantageous to the UK for social partner agreements to be implemented through legislation which has bypassed the UK government. The National Hairdressers Federation has worked closely with HSE and we believe that the existing UK legislation is more than adequate. The proposals arrived at through social dialogue would place a disproportionate burden of cost and unnecessary conditions on the hairdressing industry.

Please see the attached document setting out the consequences of implementing these proposals as the evidence we want to submit.

2. To what extent are social and employment goals a desirable function of the EU in their own right?

3. What domestic legislation would the UK need in the absence of EU legislation?

Impact on the national interest (Q4 - Q7)

4. What evidence is there that EU action in social policy advantages the UK?

5. What evidence is there that EU action in social policy disadvantages the UK?

6. Are there any other impacts of EU action in social policy that should be noted?

7. What evidence is there about the impact of EU action on the UK economy? How far can this be separated from any domestic legislation you would need in the absence of EU

action?

Future options and challenges (Q8 - Q12)

8. How might the UK benefit from the EU taking more action in social policy?

9. How might the UK benefit from the EU taking less action in social policy, or from more action being taken at the national rather than EU level?

10. How could action in social policy be undertaken differently? For example, are there ways of improving how EU legislation is made e.g. through greater adherence to the

principles of subsidiarity and proportionality or the ways social partners are engaged?

11. How else could the UK implement its current obligations in this area?

12. What future challenge/opportunities might the UK face in this area and what impact might these have on the national interest?

BIS/13/1243RF

Checklist for analysis on EU proposal: Hairdressing sector European Framework Agreement

- **Name of proposal:** Hairdressing sector European Framework Agreement

What are the potential impacts of the Commission proposal on the UK?

AFFECTED GROUPS

- It is anticipated that approximately 100,000 businesses in the UK will fall into the scope of the proposal.
- Some 90% of these businesses are self-employed hairdressers.
- The hairdressing sector is dominated by SMEs and the self-employed.

COSTS AND BENEFITS

- Initial analysis identifies approximately 100,000 businesses in the UK as potentially affected by the proposal. They would all have to incur costs as a result of it.
- Total costs would be in the region of £75 million a year, with a present value of approximately £630 million over the first 10 years. The majority of these costs would fall on employers, but a significant proportion would be incurred by the self-employed in the sector.
- The most costly requirement would be that of substituting the use of powdered natural rubber latex gloves. Due to the very high number of salon visits in which alternative gloves are not currently used, this would result in costs of almost £50 million a year.
- The requirement for employers to ensure that empty or partially used product containers are disposed of in an environmentally-friendly manner would also lead to significant costs, especially as there is a high variability in terms of local recycling provisions. Estimated annual costs are of approximately £18 million.
- Another costly requirement would be that all workers wear shoes with non-slip soles, even if they work in a salon with non-slip flooring. This is not currently normal practice, so it would result in costs of approximately £7 million a year.

- The only requirement in the proposal for which we have identified potential health and safety benefits is that of substituting the use of powdered natural rubber latex gloves. Based on an initial review of available evidence, this could prevent some cases of skin and respiratory problems related to latex allergies. However, a recent report¹ found that since “all but the most severe cases of latex allergy and latex-induced asthma can be managed without the need for redeployment, ill health retirement or termination of employment”, the evidence “does not [...] support a complete ban on the use of latex gloves.” The requirement in the proposal might therefore be judged as disproportionate.

ENFORCEMENT

- The drafting of the agreement is unclear in places and likely to cause difficulties and inconsistencies in implementation, compliance and enforcement. For example, it will be very difficult and costly to check the employers’ compliance with the most recent ergonomic practices when newly furnishing or re-equipping premises and to assess the employers’ activities to prevent “emotional collapses”, for which there is no definition.

LEGAL IMPLEMENTATION/ COPY OUT

- Much of the agreement is already implemented through existing legislation. However, some elements are more prescriptive and would therefore need additional legislation to implement them
- The lack of clarity and ambiguity in some of the clauses means that it would be difficult to copy out directly without potentially causing confusion for employers, most of which are SMEs.

¹ *NHS Plus, Royal College of Physicians, Faculty of Occupational Medicine. *Latex allergy: occupational aspects of management*. A national guideline. London: RCP, 2008