

<p>Title: The Health and Safety at Work etc. Act 1974 (Civil Liability) (Exceptions) Regulations 2013</p> <p>PIR No: HSE2019001</p> <p>Original IA/RPC No: N/A</p> <p>Lead department or agency: Department for Work and Pensions</p> <p>Other departments or agencies: Health and Safety Executive</p> <p>Contact for enquiries: Jeremy Bevan (jeremy.bevan@hse.gov.uk)</p>	Post Implementation Review
	Date: 20/02/2019
	Type of regulation: Domestic
	Type of review: Statutory
	Date measure came into force: 01/10/2013
	Recommendation: Keep
RPC Opinion: N/A	

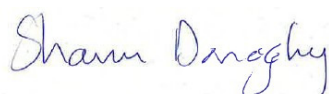
<p>1. What were the policy objectives of the measure?</p> <p>The Enterprise and Regulatory Reform Act 2013 (ERRA) removed the link between a breach of health and safety legislation and the right to bring a civil action for damages. The regulations reinstated an exception repealed the same day by ERRA s69, preserving the existing right of pregnant workers and new mothers to bring a civil action for damages consequent on a breach of statutory duty. This ensured continued effective transposition of two European Directives.</p>
<p>2. What evidence has informed the PIR?</p> <p>As the regulations preserved the status quo, and therefore had no effect on the protections afforded to workers covered by the measure, no post-enactment analysis was carried out.</p>
<p>3. To what extent have the policy objectives been achieved?</p> <p>The intention was to ensure the rights of workers protected under Article 12 of the Pregnant Workers Directive 92/85/EEC and Article 5 of the Temporary Agency Work Directive (2008/104/EC) were preserved. As no further amendments to relevant regulations have been made, the policy objective continues to have full effect.</p>

Sign-off for Post Implementation Review: Chief Economist and Minister

I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.

Signed: **Shaun Donaghy** Chief Economist

Date: 20/02/2019



Signed: **Justin Tomlinson** Minister of State for
Disabled People, Health and Work

Date: 20/05/2019



Further information sheet

Please provide additional evidence in subsequent sheets, as required.

4. What were the original assumptions?

It was anticipated that the regulatory changes would have no effect, as the measure preserved the status quo for the group of workers it covered.

5. Were there any unintended consequences?

None have been identified.

6. Has the evidence identified any opportunities for reducing the burden on business?

No. However, the broader context of continuing reforms to the civil law regime following publication of Lord Jackson's *Review of Civil Litigation Costs* (2009) is a downward trend in the number of workplace injury claims, as measured by claims lodged with the online claims portal.

7. For EU measures, how does the UK's implementation compare with that in other EU member states in terms of costs to business?

N/A.