

Standards or Regulations

In the UK health and safety context:

Regulations are legally binding rules enacted by government authorities (e.g., Parliament or relevant legislation such as the Health and Safety at Work Act 1974). They set out specific requirements that employers and duty holders must comply with to ensure health and safety in the workplace. Non-compliance can lead to legal action and penalties. The body who enforces this regulation is the Health and Safety Executive (HSE) through inspection and intervention. For some industries HSE look to local authorities to carry out inspection duties.

In the context of Working at Height the applicable regulation is the Working at Height Regulations 2020. This Regulation is law and must be complied with.

HSE provide Approved Codes of Practice (ACoP) to many health and safety regulations. Following an ACoP is not mandatory but it is a helpful means of demonstrating compliance with the Regulation (which is mandatory).

On the other hand:

Standards, are detailed technical specifications or guidelines developed by organizations such as British Standards Institution (BSI). While Standards provide best practice guidance to achieve safety, they are generally voluntary unless referenced within regulations or contracted obligations. Following relevant Standards can help demonstrate compliance with legal requirements, but they do not have the force of law on their own unless adopted into regulations.

In summary:

- **Regulations** are mandatory legal rules.
- **Standards** are voluntary guidelines or technical specifications that support compliance.

However, in the event of an unsafe act being investigated and a given situation ends up in court - then expert witnesses can use standards (in addition to ACoPs and Guidance should these be relevant) as recognised good practice – a defence would have to demonstrate any available guidance (including ACoPs if relevant) had been followed, or indeed exceeded during their works.

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