

Health and Safety Legislation Consultation

Health and Safety (Training for Employment) Regulations 2025

Department of Environment, Food and Agriculture

Rheynn Chymmyltaght, Bee as Eirinys,



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Opened 12 Dec 2025

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Overview

The Isle of Man (IOM) has jurisdiction over its territorial waters but currently does not have a comprehensive offshore health, safety, and environmental framework to regulate work activities offshore.

To address this gap, the Department of Environment, Food and Agriculture (DEFA) is reviewing and updating specific legislation to align with UK Health and Safety Executive (HSE) standards. This will enable offshore work to proceed under internationally recognised safety regulations, supporting future offshore energy developments.

To ensure consistent health and safety standards across both land and sea, the updated legislation will apply to work undertaken onshore and offshore within the Island and its territorial waters. This process has the added advantage of updating legislation in key areas to align with the latest UK legislation.

This consultation specifically relates to the following draft legislation:

- **Health and Safety (Training for Employment) Regulations 2025**

Recognising the potential impact on IOM businesses, DEFA will implement a phased approach designed to give businesses sufficient time to prepare for compliance. Following public consultation and incorporation of any necessary amendments, the Department aims to submit the proposed legislation to Tynwald in early 2026, with a target commencement date of 1 Aug 2028.

DEFA welcomes stakeholder and public feedback on the updated and proposed health and safety legislation, and where appropriate any associated guidance documentation, through this public consultation process.

What these Regulations do

The proposed IOM **Health and Safety (Training for Employment) Regulations 2025** extend health and safety protections under the **Health and Safety at Work etc. Act 1974 (as applied to the Island)** to individuals undergoing “relevant training”; such as work experience or training for employment, where that training is not part of an educational course or a contract of employment.

The purpose is to ensure trainees receive the same health and safety protection as employees during work experience or employment-related training. This closes a gap where trainees might otherwise lack legal protection because they are not formally employed.

Before these Regulations the **Health and Safety at Work etc. Act 1974 (as applied to the Island)** imposed duties on employers and employees. However, trainees not under a contract of employment or not part of an educational course were not explicitly covered. This meant work experience participants could fall outside the scope of health and safety protections.

The UK has similar provisions under the UK **Health and Safety (Training for Employment) Regulations 1990**. These UK regulations:

- Extend the meaning of “work” and “at work” to include training for employment.
- Treat trainees as employees for health and safety purposes.
- Exclude training provided by educational establishments as part of their courses and training under a contract of employment.

The IOM’s proposed Regulations essentially mirror the UK’s 1990 Regulations, adapted under the framework of the 1974 Act as applied to the Island.

Practical Implications of the Introduction of the 2025 Regulations

Practical implications of the IOM **Health and Safety (Training for Employment) Regulations 2025** for the IOM are significant for employers, training providers, and trainees.

1. Trainees gain full health and safety protection:

- Individuals on work experience or employment-related training will now be treated as employees for health and safety purposes.
 - Reference: *Regulation 4* extends “work” and “at work” to include relevant training; *Regulation 5* treats the trainee as an employee of the immediate provider.

2. Employers’ duties expand:

- Organisations providing training must comply with all duties under the **Health and Safety at Work etc. Act 1974** as it applies on Island, including risk assessments, PPE, and supervision.
 - Reference: *Regulation 5* deems the trainee an employee, so all employer obligations under the Act apply.

3. Liability and insurance considerations:

- Employers’ liability insurance must cover trainees, and incidents involving trainees will be reportable as if involving employees.

- Reference: Derived from *Regulation 5* (employee status) and the application of the 1974 Act.

4. Administrative and compliance impact:

- Training providers must update policies and procedures to reflect the new status of trainees.
 - Reference: *Regulation 5* (employee status) and *Regulation 4* (definition of “at work”).

5. Exclusions remain important:

- These regulations do not apply if training is part of an educational course or under a contract of employment.
 - Reference: *Regulation 3* (definition of “relevant training” with exclusions).

6. Harmonisation with UK standards

- Aligns IOM practice with the UK’s **Health and Safety (Training for Employment) Regulations 1990**.
 - Reference: Explanatory Note confirms alignment with the 1974 Act and UK provisions.

Other legislation mentioned in the Legislation

The proposed legislation mentions the following legislation (including references to the relevant Regulation)

1. The IOM Health and Safety at Work etc. Act 1974 (UK Act applied to Island)

- Regulation 1 – enabling power: made under section 52(2) and (3) of the Act.
- Regulation 3 – defines “the 1974 Act” as the Health and Safety at Work etc. Act 1974 as it applies in the Island.
- Explanatory Note – confirms protections and duties under this Act apply to trainees.

2. The UK Health and Safety (Training for Employment) Regulations 1990

- Regulation 3, 4, and 5 – references these UK regulations as the model for these provisions.

Consultation Objectives

The following are the objectives of this consultation:

1. Legislative alignment:

- Assess stakeholder support for aligning Manx health & safety legislation with UK standards, ensuring consistency and regulatory compatibility.

2. Regulatory scope and clarity:

- Identify specific areas within health & safety regulation that may require additional focus, clarification, or enhancement to meet industry needs and best practices.

3. Industry impact and readiness:

- Understand potential challenges for IOM-based businesses in adapting to the new framework, including operational, financial, or compliance-related concerns.

4. Support mechanisms:

- Identify the support needs of stakeholders (e.g., guidance, training, transitional arrangements) to facilitate effective implementation and compliance with the new regime.

5. Feedback on draft legislation:

- Collect stakeholder input on the draft legislative instruments for each stage of consultation.

6. General feedback:

- Provide an open channel for additional comments, concerns, or suggestions to inform the development of a robust and responsive health & safety framework.

IOM Health & Safety at Work Inspectorate

When any new legislation is introduced the Department is conscious of the need to ensure that the best guidance documentation is available. The current [IOM HSWI website](#) states the following:

- *“UK legislation and their associated codes of practice is best viewed as an illustration of good practice which may be helpful in explaining the general duties imposed by the Health and Safety at Work etc. Act 1974”.*

Differences between UK HSE ACOPs and UK HSE Guidance

When referring to UK codes of practice, better known as “Approved Codes of Practice (ACOPs)” it is important to note and be aware of the differences between UK Health and

Safety Executive (HSE) guidance and a UK HSE issued ACOP. UK HSE clarifies the differences here: [Legal status of HSE guidance and ACOPs](#).

When reading a UK HSE published ACOP, individuals and organisations should be aware of the presentation convention; which is normally explained within the documentation. A common standard is that ACOP text is set out in bold, accompanying guidance in normal type, with the text of the actual Regulations in italics.

It should also be noted that whilst certain UK Regulations have an associated ACOP, others only have guidance. As an example there is no longer an ACOP for the **UK Construction (Design and Management) Regulations (CDM) 2015**; it was replaced by guidance when the regulations were last updated.

Using UK HSE Guidance Documents with IOM legislation

When referring to UK ACOPs and guidance to assist with compliance of IOM legislation, individuals and organisations must be aware that whilst the intent is to align with the UK best practice, there may still be specific elements of the IOM legislation that are different to UK legislation. Examples being different paragraph and section/article numbering or elements of the UK legislation being omitted (e.g. if UK is referring to legislation not currently in place or applicable on the IOM).

Relevant UK ACOP or Guidance

1. [HSE Operational Guidance- Young People at Work](#)

- Explains how the Regulations extend “work” to cover trainees, and how trainees are treated as employees for health and safety purposes.

Summary

The proposed IOM **Health and Safety (Training for Employment) Regulations 2025** aim to close a gap in protection for individuals undertaking work experience or employment-related training by extending the duties and safeguards of the **Health and Safety at Work etc. Act 1974 as it applies on the Island**. This means trainees will now be treated as employees for health and safety purposes, ensuring they receive proper risk assessments, supervision, and safe working conditions. The change promotes consistency with UK standards, strengthens employer accountability, and builds confidence in training schemes, creating safer environments for learning and development while supporting workforce readiness and future skills.

Reasonable adjustments and alternative formats

The Department is committed to equal opportunities and our aim is to make our documents easy to use and accessible to all. The Department will take steps to accommodate any reasonable adjustments and provide such assistance as may reasonably be required to enable access or reply to this consultation. If this document is required in another format or assistance is required with accessing or replying to this consultation, please email DEFAOffshore@gov.im.

Responding to this consultation and questions

This consultation can be responded to by clicking on the 'Online Survey' link below. Alternatively you can download a paper version of this consultation from the links on the consultation hub and email it to DEFAOffshore@gov.im or post it to:

The Offshore Team
Department of Environment Food and Agriculture,
Regulation Directorate,
Thie Slieau Whallian, Foxdale Road, St Johns, Isle of Man, IM4 3AS.

About you

1. Which option best describes your interest in responding to this consultation?

- ☐ Member of public
- ☐ Isle of Man Government
- ☐ Business owner or Stakeholder
- ☐ Member of Tynwald
- ☐ Other (please specify)

Other:

2. Are you responding on behalf of an organisation or industry?

- ☐ Yes
- ☐ No

Organisation / industry:

Number of people or organisations represented:

3. Are you happy for us to contact you regarding your response if we need to?

- ☐ Yes
- ☐ No

If yes then please add your name and contact email address.

Name:

Email:

4. May we publish your response?

Please read our Privacy Policy for more details and your rights.

More Information:

- **Publish in full** – your organisation name, or the industry you represent, along with full answers will be published on the hub (your email will not be published)
- **Publish anonymously** – only your responses will be published on the hub (your organisation name, or the industry you represent, and email will not be published)
- **Do not publish** – nothing will be published publically on the hub (your response will only be part of a larger summary response document)

(An answer is required)

- ☐ Yes, you can publish my response in full
- ☐ Yes, you may publish my response anonymously
- ☐ No, please do not publish my response

Consultation Questions

1. Do you agree that the Isle of Man should follow UK standards and processes for health and safety laws and its regulation?
(Yes/No – Please tell us why you agree or disagree).
2. Are there any parts of the legislation being consulted upon that require more clarity to aid understanding and assist with compliance?
(Yes/No – If yes, please tell us which areas and why).
3. Is the proposed implementation strategy and timescale for the introduction of the IOM **Health and Safety (Training for Employment) Regulations 2025** appropriate for industry readiness?
(Yes/No – Please add any comments you may have).
4. Are there any specific support mechanisms (e.g., guidance, training, transitional arrangements) that would help you or your organisation prepare for the new legislation?
(Yes/No – If yes, please tell us what kind of support would be most helpful).
- Do you have any other comments on the draft IOM **Health and Safety (Training for Employment) Regulations 2025** legislation at this stage of the overall consultation process?
(Comment Box)
5. Is there anything else you'd like to tell us about the proposed changes or the consultation process?
(Comment Box)