
Fee for Intervention: An Overview

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Health and safety context

- Reform health and safety landscape & culture
 - Greater focus on higher risk activities
 - Reduction in number of inspections
 - Simplify regulation and legislation
 - Maintenance of high enforcement profile
 - Extending cost recovery

Fee for Intervention

- In operation from 1 October 2012
- Compliant businesses will not pay a fee
- Recovery of costs for material breach
- Current cost £124 per hour
- Prosecution costs sought through the courts
- Invoicing every two months with 30 days to pay
- Queries and disputes process established

Material breach



“A material breach is when, in the opinion of the HSE inspector, there is or has been a contravention of health and safety law that requires them to issue notice in writing of that opinion to the dutyholder”

Scope - exclusions

- Existing permissioning regimes
- Local Authorities
- Self-employed dutyholders (putting only themselves at risk)
- Non-Health and Safety at Work Act legislation

Consultation outcomes

Concern

- HSE Priorities
- Material breach
- Trigger for FFI
- Financial impact
- Disputes process
- LA regulators
- Relationship between HSE and business

Action

- Transparency of plans
- Guidance & examples
- Significant h&s failings
- Reasonably incurred costs
- Independence at 2nd stage
- Excluded from scope
- Experience in operating similar schemes

Progress



Milestone	When	Output	Status
Minister announced decision to extend cost recovery for H&S	21 March '11	Confirmation of decision and project team established	Complete
Public consultation	July – Oct '11	Formal consultation of how cost recovery will work	Complete
'Dry run' of processes and procedures	Oct - Dec '11	Ways of working tested with operational teams to inform shadow run	Complete
'Shadow Running' of processes and procedures	6 Feb to implementation	Ways of working tested across all teams to inform go live	Complete
Implementation of FFI	1 October 2012	Guidance published, invoices being sent	Scheme now in operation

Information available on HSE's website



[Guidance for Businesses](#)

['What You Need to Know' Leaflet](#)

[Supplementary Inspector Guidance](#)

[Multiple Dutyholder Guidance](#)

[Enforcement Management Model](#)



In summary

- FFI now in operation
- Provides an incentive to operate within the law
- Recovery of costs for material breach
- Compliant businesses will not pay a fee
- Guidance available now on HSE's website