

FEE for INTERVENTION

On October 1st 2012 the HSE will introduce the fee for intervention this will enable them to recover their costs from organisations that have been breaking the law, these organisations will be charged for the time the HSE spends helping them to put the issues right. However the charge will only apply to material breaches which require formal action such as a written letter given at the time of the inspection, sent later, or an improvement notice. The fees will be charged at £124 per hour for the time the HSE spend as a body, not just the enforcing officer's time. It should also be noted that if the HSE require the services of the HSL or an external specialist, the full costs of their services would also be charged.

Once a charge has been made there will only be thirty days to pay, if any organisation decides to appeal will still have to pay the fee in advance of the appeal, and will be subject to appeal costs, if the appeal is won then all monies will be refunded.

I would expect that for a relatively minor material breach the bill could be between £500 and £900. As regards technical breaches which in the opinion of the inspecting officer requires only non formal guidance there will be no fee.

Further information and guidance will be issued later; the above is applicable to any activity where the Health & Safety at work Act applies, a thirty page guidance sheet is available on the HSE website www.hse.gov.uk/pubns/hse47 if anybody requires any further information please feel free to contact me.

A. Budd

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The Northern Association of Model Engineers