Guidan

The Health and Safety Executive came into effect in October 2012 found to be in material breach September 2017 include the process.

The fee charged is based on the identifying the material breach, henforcement action.

contravention notices and a fully in

How much will it cost?

The Fee is charged at the rate of £ to the HSE website to check lates on the amount of time it take investigations in relation to the multiplied by the relevant hourly Inspector is on site and finds a 'n visit until he leaves site, then he visit until he leaves site, then he vinvestigation and letter writing — o would add up to 4-5 hours charge more complicated cases it can be

What is a material breach?

A material breach is when there serious enough that it requires the the person in charge.

When an Inspector visits a busine potential safety risks as detailed serves as an example only.

Does FFI apply to you?

FFI applies to all businesses in Er the moment. It will apply in all w which are currently normally inspendil not be affected.

FFI applies to employers, self-employers of the public) at risk, at employee, e.g. partners. It include

- limited companies;
- general, limited and limited

FFI does not apply to self-employe



the Fee for Intervention (FFI)
 to recover its costs from those
 aw. Changes put in place from
 rmation in respect of disputed
 structure.

the Inspector has had to spend tit right, investigating and taking

subject to change so please referental amount charged will be based to identify and conclude their ling the associated office work), part hours. For example, if an ackdate the fee to the start of his to write the appropriate letter and be a two-hour visit, followed by er hour or two for the revisit. This FFI is likely to be around £700, in

avention of health and safety law ice in writing to the duty holder i.e.

the potential health risks and the w. This list is not exhaustive and

les. Northern Ireland is exempt at ISE inspections. Those premises prity Environmental Health Offices

hers (including their employees or ng in a capacity other than as an

emselves at risk.

Under the Construction (Design a project, except for the smallest a managing it. So, no matter whet acting as Principal Contractor you be levied against you.

How does it work?

HSE Inspectors have always mad health and safety law and what decisions are made will help you t you to consider how well you are or requiring attention before an Inspe

When Inspectors come across co to help them decide the appropria enforcement decision making is to

Before taking further action for assessment of the actual risk in actual

1. What is the actual risk?

What harm could arise i.e. injury or ill health

How likely is it that the event could happen?

How many people at

likely to be affected?

 What standard of co when the law is con

> For example, the la short duration work on fragile roofs. Th legal standard is co

 Identify the risk gap expected standard

The Inspector thei compliance required

The gap between the could be:

- extreme.
- substantial:
- moderate:
- nominal (insig

Where the risk gar established, enforce and prosecution will ations 2015 almost every building ed to have a Principal Contractor er or limited company, if you are son in charge, so any FFI fees will

ner businesses are compliant with re not. Understanding how these applies. These notes will also help that you can put right any issues

f law) they use existing guidelines he starting point for an Inspector's ted with a particular work activity.

Inspector is likely to make an below:

y be injured, or how much could serious, moderate or minor

e or Unlikely

equire and what level of risk is left

table lean-to ladders for low risk, no risk is tolerated, such as work nat level of risk remains after that

standard of compliance from the

risk with the legal standard of between them.

al standard of compliance required

gal standard is clearly defined or itial expected enforcement action

Where the risk gap established, enforce

Where the risk ga interpretive the expe

Where the risk gasexpectation is a ver

1.3 Identify the duty-ho approach and perfo

The Inspector consperformance towar appropriate enforce

The questions cons

- 1.3.1 Does the dutaken agains
- 1.3.2 Do they hav
- 1.3.3 Are they deli
- 1.3.4 Is there a po
- 1.3.5 Are they ger
- 1.3.6 Do they de provide conf
- 1.4 Identify the public meet the public inte
- 1.5 The Inspector will people. Will it act a compliance?
- Once these factors regulatory action is

This could include:

- 1.6.1 a verbal war
- 1.6.2 written confi the time of t contraventio
- 1.6.3 an improven
- 1.6.4 a prohibition be stopped work is stopp
- 1.6.5 prosecution

2. Potential Material Breach

2.1 Falls from height the construction ind

Some examples of

2.1.1 not adequat

egal standard is clearly defined or ial expected enforcement action.

legal standard is established or

tive of the legal standard, the

e employer's current and previous nd safety?

past and present approach, and to help them decide the most

y of relevant enforcement action

lents?

ance for commercial gain?

spection history?

areas?

y competence and capability to be properly dealt with?

the indicated enforcement action

ing a fine will protect vulnerable mote improvement and sustained

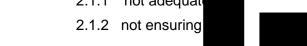
I, the Inspector decides whether form it should take.

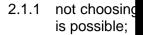
nprovement (e.g. a report given at atter (this includes a notification of

re so serious that the work has to rred prohibition notice where the s safe to do so);

ause of serious injury or death in

vising work at height; or working at height;





- 2.1.2 not inspectir harnesses of reducing inju
- 2.1.3 not providing such as asb
- 2.1.4 using forks work at heig
- 2.1.5 using dama ladders, cra missing rung

2.2 Workplace safety

- 2.2.1 not keeping of work, safe
- 2.2.2 demolition o
- 2.2.3 failure to pre
- 2.2.4 failure to ent to them and are compete for the safe
- 2.2.5 failure to er structures;
- 2.2.6 uncontrolled containing m
- 2.3 Exposure to dusts and vibration, can effects are immedia after exposure. Thi often irreversible.

Asbestos

Some examples of

- 2.3.1 ACM (Asbest resulting in t
- 2.3.2 maintenance no controls,
- 2.3.3 where result up-to-date n the risk;
- 2.3.4 maintenance location (if a

A number of subst cause asthma (e.g. dust and metal v shortness of breath e.g. walking upstair:

ipment where falling from a height

s equipment, such as scaffolding, emains effective at preventing or

afe access to fragile roof surfaces, tic sheet or roof lights;

of a fork-lift truck for a person to vorking platform; and

tepladders, e.g. splits in timber connections on metallic ladders, nti-slip devices.

. safe access to and from a place

in an unsafe manner;

apse of an excavation;

and competent to control the risks operating cranes, managers who nobile plant operators, scaffolders of scaffolding;

res on site, including temporary

rolled disturbance of asbestos on/demolition work.

s, and to energy such as noise ling effects or death. While some only show themselves some time later, but when they do they are

- s) in poor or damaged condition, res;
- n suspected ACMs with limited or release of fibres;
- / have not been addressed in an Ms, leading to a failure to control

stos is present in a building, or its present).

exposed to at work are known to s, solder fume, isocyanates, grain ational asthma includes severe e from doing the simplest things, able to work again.

Some examples of

- 2.3.5 not examin intervals, so
- 2.3.6 machines in effective me
- 2.3.7 not providir training, to engineering
- 2.3.8 not providin asthmagens the causes of
- 2.3.9 dry cutting hazardous I protective ed
- 2.3.10 not thoroug suitable inte

2.4 Confined spaces

A confined space is entirely), and wher substances, lack of engulfment (e.g. in

People who try to reand equipment stan

Some examples of

- 2.4.1 work in a precautionar
- 2.4.2 lack of aded work, arrar procedures
- 2.4.3 lack of suit atmosphere

2.5 Hand-arm vibratio

Hand-arm vibration cause of significan vessels, nerves ar hands). Once the date of the dat

Some examples of

- 2.5.1 where exposion values of a eliminate or
- 2.5.2 where employed the risks and
- 2.5.3 where expo reasonably such as job

extraction systems at suitable assured;

using metal working fluids without generation of oil mist;

ent information, instruction and be exposed, about the use of al protective equipment provided;

lance for employees exposed to of ill health can be identified and

or concrete products producing effective extraction or respiratory

naintaining extraction systems at less is not assured;

tially enclosed (though not always injury can occur from hazardous r through fires and explosions, or

ined space without proper training ng overcome and dying.

understanding of the risks or

e work including safe systems of it for rescue in emergencies,

nen it is necessary to test the ed space, or during the work.

hand-held power tools and is the disabling disorders of the blood including loss of strength in the anent.

s, or is likely to exceed, the action ere it is reasonably practicable to

on have not been informed about

not been reduced to as low as of alternative working methods, ess vibration.

2.6 Hazardous substa

There are a wide raworkplace and the re.g. breathing in d disease or cancer dermatitis.

Some examples of

- 2.6.1 inadequate i
- 2.6.2 lack of suita health control risk of burns of a woodwo

2.7 Legionellosis, incl

People contract leg and other similar, le in the air, often gen

Legionnaires' disea similar to flu. Outb significant ill health

Some examples of

- 2.7.1 lack of wate or disinfection
- 2.7.2 signs of orga
- 2.7.3 cooling towe or appointed

2.8 Musculoskeletal d

The term MSD covtissues in the uppe lifting heavy, unwie common cause of o

Some examples of

- 2.8.1 significant u where reaso
- 2.8.2 failure to pr there are sig
- 2.8.3 failure to ma symptom re and/or work

2.9 Noise

Noise-induced hea exposure to high le ears (tinnitus). Som loss.

Some examples of

ances that could be present in the they can cause are equally broad, to chronic obstructive pulmonary some substances can lead to

nd training to employees about the

here good personal hygiene is a sing cement or oils which bring a sweeping of sawdust on the floor ge quantities of dust in the air.

ease

tentially fatal form of pneumonia) er inhaling small droplets of water that contain the bacteria.

orm of pneumonia, with symptoms an cause multiple deaths and/or on as well as workers.

ng programme, or lack of cleaning 'at risk' system;

scale in the water system; and

egionella risk and no assessment ontrol system.

or disorder of the joints or other to these can occur from manually etitive work. These are the most cting a million people each year.

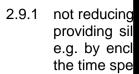
anual handling or repetitive work s are available;

g appropriate to the task where

risk factors and the need for early of handling and use of controls

Damage to the ears caused by result in permanent ringing in the K suffer from work-related hearing





- 2.9.2 not providing daily person
- 2.9.3 not providing to be expose

2.10 Gas work

If gas appliances at explosions or of monoxide.

Some examples of

- 2.10.1 anyone carry
- 2.10.2 a landlord maintained i confirmed ca
- 2.10.3 a landlord checked for

2.11 Flammable liquids

Failure to control consequences of fir

Some examples of

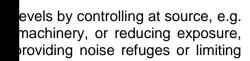
- 2.11.1 drums of s fire/explosion
- 2.11.2 flammable I against spills
- 2.11.3 using flamm spray paintir electrical so

2.12 Lifting equipment

Lifting loads can c hooks, chains and operations leading t

Some examples of

- 2.12.1 use of unsuetc.;
- 2.12.2 use of poorly inspecting the
- 2.12.3 continuing t serious defe examination
- 2.12.4 no statutory
- 2.12.5 no inspection remains safe



ng protection to employees whose y to be high; and

llance where employees are likely

tained correctly, there are risks of , sometimes fatally, by carbon

hout being Gas Safe Registered;

stic gas appliances have been there is evidence of risk such as g; and

appliances and flues have been ths.

rise to the obvious risks and

orkshop without lids leading to

den cupboard with no protection

ty of sources of ignition, such as s in a workroom with unprotected

ing failure of equipment such as ly planned or supervised lifting red in close proximity to people.

leading to its failure, overturning

with no system for identifying and

after having been notified of a petent person during a thorough

lifting equipment;

m for ensuring lifting equipment

2.12.6 lifting opera safely.

2.13 Liquefied petroleu

LPG is a widely pressure in a tank corroded metal pipe can lead to fires and

Some examples of

- 2.13.1 LPG tanks v
- 2.13.2 combustible
- 2.13.3 buried meta subject to re
- 2.13.4 inadequate and occupie

2.14 Machinery guardin

Many machines are from the common specialist machines

Injuries commonly workers may easily moving parts of made

Some examples of

- 2.14.1 a broken or
- 2.14.2 access to th and mainter simple nip g
- 2.14.3 no guards o of a pillar or
- 2.14.4 inadequate (with a heav arm;
- 2.14.5 inadequate needed; and
- 2.14.6 deliberate de that the ma place.

2.15 Pressure systems

There are many ty heaters, compress exchangers. They a can cause serious in

Some examples of

2.15.1 an air rece thoroughly e and erly planned, supervised or done

gas that is usually kept under LPG from poorly maintained and lequately sited or protected tanks,

impact where vehicles are in use

nks:

out corrosion protection and not tion; and

ween LPG cylinder storage areas

ath or severe injuries. They range sociated pulleys through to more ower presses and pedestal drills.

te guarding is not in place and into contact with the dangerous

heel or tools of a power press;

on a machine exposing operators rushing and de-skinning because

on the rotating chuck and drill bit

roller of a conveyor system fitted Iraw in and crush an employee's

g that guarding is in place when

lard interlocks designed to ensure ed without the guard properly in

s in use, including boilers, steam e cookers, autoclaves and heat , which, if released inadvertently,

at has not been maintained or ked with any safe operating limit; 2.15.2 a steam be preventive in personnel.

2.16 Safe maintenance

Maintenance is ess but it introduces its when the first line of valve on a section of are critical to ensuri

Some examples of

- 2.16.1 employees r carrying out
- 2.16.2 no effective certain precaubstances,

2.17 Moving vehicles

Every year, a signinjuries from being planned or manage transport is ensuring

Some examples of

- 2.17.1 not ensuring aisle ways separation practicable:
- 2.17.2 not providin lights, and n
- 2.17.3 not ensuring trained nor d
- 2.17.4 not organisir

2.18 Inadequate Welfar

Adequate welfare f hazardous substant avoid contamination etc. does not reduc society.

Some examples of

- 2.18.1 have no read
- 2.18.2 have no rea cold running
- 2.18.3 have no ad facilities to food is likely

2.19 Breaches of health

The examples in the However, often the

ritten scheme of examination or or being serviced by untrained

nd equipment in a safe condition, tenance can only be carried out ard on a dangerous machine or an removed. Safe systems of work stances.

ngerous parts of machines before tc.; and

which authorises work only after ent isolation or testing for harmful n high hazard plant.

le are killed or suffer significant icles overturn on them in poorly n workplaces. The key to safe and safe vehicles.

efined traffic routes, obstruction of hting, uneven surfaces and no hicles where this is reasonably

efective steering, brakes, mirrors, equired;

lift truck drivers who are neither

pedestrians and vehicles on site.

b health where people work with wash their hands before eating to ovision of toilets, washing facilities that of people at work in a modern

ere employees:

ilets:

washing facilities, e.g. no hot and

ng water, have no suitable rest are regularly eaten at work, and

nt

s the result of a 'one-off' failure. Ire to control the risks in general.



This can be due to exists or has been of

Some examples of

- 2.19.1 no effective (including e present, su processes, o
- 2.19.2 no assessm expectant m exposure to
- 2.19.3 no access to where signif
- 2.19.4 not providine significant ris key control r
- 2.19.5 not making a risks are no tailored to the and implem particular sit

alth and safety management that

ht include:

for managing health and safety ts) where significant risks are the safety implications of new g contractors on site;

people, such as young people or t risks to them are present (e.g.

external health and safety advice ately controlled;

ation or training to employees on re such information or training is a

risk assessment where significant and the precise control measures ot straightforward (e.g. to identify gement systems suitable for a

