

HSE RAISES FFI CHARGE BY 20%

The Health and safety Executive (HSE) has raised the hourly rate of fees for intervention (FFI) from £129 to £154. FFI was initially introduced in October 2012 to cover the costs incurred by the HSE when taking action against organisations that failed to comply with health and safety legislation. The idea behind the scheme was to transfer the financial burden of regulatory action from the taxpayer to the business.

The HSE report that the increase in fees is necessary as thus far the scheme has been operating in deficit. For example, between 2017 and 2018, £15m was generated from fines to business, however total operating costs totalled £17m. This left a loss of £1.9m from running the FFI Scheme.

Charlotte O’Kane, associate at law firm Pinsent Masons, told IOSH Magazine “it serves to emphasise the fact that organisations should ensure that they are complying with the law and operating safely. If an HSE Inspector finds a material breach of health and safety law, this is now going to be significantly more expensive”.

The HSE define a material breach as “something which an inspector considers serious enough that they need to formally write to the business requiring action to be taken”.

The FFI covers an inspector’s time identifying and resolving an issue, any investigative or enforcement action up to the point where the HSE’s intervention has been concluded or prosecution has begun.

(Source: IOSH Magazine May 2019)