

When a health and safety inspector calls

What to expect when we visit your business

About this leaflet

This leaflet tells you what can happen when one of our inspectors visits your workplace.

Before we start

Our job is to keep people safe and healthy at work. We visit thousands of locations every year as part of that job. Your visit is one of many that we do every day.

We may have arrived without warning. This isn't unusual. We don't always tell people we're coming and the law lets us visit at any reasonable time.

Although we have the powers to come into your workplace, our inspectors still have to follow the government's code of practice on entering homes or businesses.

You can complain if you think our inspector hasn't followed the code.

See the 'Complaints' section at the end of this leaflet, or the information at www.gov.uk/guidance/powers-of-entry.

During the visit

The inspector will look at how you keep your workers, and anyone who may be affected by your work, healthy and safe. They may also give you advice on health and safety or make sure you are providing suitable welfare facilities, such as running hot and cold water and toilets.

While the inspector is with you, they may:

- ask you about your workers and what they do;
- look at any possible health risks arising from the work you are doing;
- look at any machinery or other equipment that you have;
- ask to see records or other documents; and
- take photographs.

The inspector will want to know about:

- the main health and safety issues in your workplace; and
- your own knowledge or experience of health and safety.

The inspector may also talk to you about things like safety standards, guidance and everyday practices in your industry.

Your workers

The inspector will need to talk to your employees or their representatives during the visit.

What if there's something wrong?

The inspector may take action if they find you're breaking the law during the visit. They may also tell you to stop a dangerous activity in your workplace immediately. For example, a dangerous activity could be people working on a roof where scaffolding is unsafe.

After the visit

After the inspector has finished looking round your workplace, they might:

- offer advice (either verbal or in writing);
- give you a notification of contravention;
- give you an improvement notice;
- give you a prohibition notice; or
- prosecute you for breaching health and safety laws.

We publish all improvement and prohibition notices on our website: www.hse.gov.uk/notices.

Advice

The inspector may give you advice, verbally or in writing, about some improvements you could make to health and safety in your workplace. This advice is free.

Notification of contravention

A notification of contravention (NoC) is a document or letter that tells you about health and safety laws you've broken. It also explains how you've broken them. A NoC will tell you what you need to do to stop breaking the law.

The inspector will only give you a NoC if they think you are in 'material breach' of the law. This means the inspector thinks you have broken the law seriously enough for them to write to you about it.

If the inspector gives you a NoC, you'll have to pay for the cost of the visit. There's more about this in 'Recovering our costs' on pages 3 and 4.

Improvement notice

An improvement notice will tell you:

- what's wrong;
- any changes you need to make to put things right; and
- how long you have to make those changes.

We will give you at least 21 days to make any changes. You commit a criminal offence if you don't make the changes in the time we give you.

Prohibition notice

You may get a prohibition notice if there is a risk of serious personal injury now or in the future. This could be, for example, people working on a roof where scaffolding is unsafe.

A prohibition notice orders you to stop doing something until you have made it safe to continue. This could be, for example, keeping workers off a roof until you fix any unsafe scaffolding. You commit a criminal offence if you don't comply with a prohibition notice.

Prosecution

We can prosecute you for breaking health and safety laws or for failing to comply with an improvement notice or a prohibition notice. The courts can fine you or in some cases send you to prison.

Disagreeing with our decision

If you don't agree with what we've decided when we write to you, you may be able to challenge our decision.

We will always tell you how you can challenge one of our decisions. Please contact your inspector or their manager before you start any formal dispute against one of our decisions. They may be able to look at the decision again.

Recovering our costs – fee for intervention

If we give you a notification of contravention you will have to pay a fee. This is called a 'fee for intervention' (FFI).

How much could this cost me?

The fee will include the costs for the time of the entire original visit. It may also include the inspector's time:

- at your business or workplace;
- preparing reports;
- getting specialist advice;
- talking to you after the visit; and
- talking to your workers.

The fee can vary and will depend on:

- how long the original visit was;
- the time the inspector spent helping you put things right;
- the time it took the inspector to investigate your case; and
- any time we spend on taking action against you.

Paying your invoice

We send out invoices every two months. You must pay any invoice we send you within 30 days.

What if I don't agree with my invoice?

If you disagree with anything on your invoice, you can query it with the FFI invoice dispute team. It costs nothing to query an invoice.

If you don't agree with our response to your query, you can dispute it with the FFI invoice dispute team. This must be done in writing. A disputes panel, completely independent of HSE, will consider your dispute and write back to you informing you of the outcome.

You can find information on how to raise a query or dispute an FFI invoice at: www.hse.gov.uk/fee-for-intervention.

Contact the invoice disputes team

By email

feeforintervention@hse.gov.uk

By phone

0300 0033 190

By post

HSE FFI Team
HSE
Building 6
Redgrave Court
Bootle
L20 7HS

Complaints

If you have any complaints about your visit, you can contact your inspector's manager to tell them why you're not happy. Your inspector has to tell you their manager's name. If you're not satisfied with what your inspector's manager tells you or any investigation they carry out, you can complain in writing to our Chief Executive:

Chief Executive,
Health and Safety Executive
Redgrave Court
Merton Road
Bootle
L20 7HS

If you're not satisfied with the response, you can contact the Parliamentary and Health Service Ombudsman:
www.ombudsman.org.uk.

If you think our inspectors have given you wrong advice or bad advice, you can complain to the Independent Regulatory Challenge Panel:
www.hse.gov.uk/contact/challenge-panel.htm

Find out more

Health and safety made simple: The basics for your business Leaflet INDG449 HSE Books 2011 www.hse.gov.uk/pubns/indg449.htm

The health and safety toolbox: How to control risks at work
www.hse.gov.uk/toolbox/

Enforcement Policy Statement HSE41(rev1)
www.hse.gov.uk/enforce/enforcepolicy.htm

The way in which HSE recovers its costs under the fee for intervention scheme is set out at www.hse.gov.uk/fee-for-intervention

How to query or dispute an FFI invoice:
www.hse.gov.uk/fee-for-intervention

Further information

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk/. You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

This document is available online at www.hse.gov.uk/pubns/hsc14.htm.

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