



Be Prepared Be Proactive Be Protected

HSE Sentencing and Fines Guidelines

Who is liable?

Under the Health and Safety at Work Act 1974, one of the key sections to consider is section 37. This section outlines that individuals who have operational control or influence over policies, procedures, and culture could be prosecuted if there is a failure to comply with Health and Safety regulations. It is crucial to note that section 37 clearly states that both individuals and the company can be punished.

Sentencing Guidelines Approach

The sentencing guidelines were introduced in February 2016 to help courts identify what type and length of sentence they could impose. These guidelines set out the factors courts should consider before making their final decision.

The guidelines use a step-by-step approach to categorizing an offence to determine the sentence looking at areas like turnover, culpability, and harm caused.

Step 1 What's the level of harm?

	Level A	Level B	Level C
	<ul style="list-style-type: none"> Death Physical or mental impairment resulting in lifelong dependency on third-party care for basic needs Health conditions resulting in significantly reduced life expectancy 	<ul style="list-style-type: none"> Physical or mental impairment, not amounting to Level A, which has a substantial and long-term effect on the sufferer's ability to carry out normal day-to-day activities or on their ability to return to work. A progressive, permanent or irreversible condition 	<ul style="list-style-type: none"> All other cases that do not fall within Level A or Level B
High likelihood of harm. Falling far short of the appropriate standard	Harm Category 1	Harm Category 2	Harm Category 3
Medium likelihood of harm. Offender fell short of the appropriate standard between "high" and "low"	Harm Category 2	Harm Category 3	Harm Category 4
Low likelihood of harm. Offender just fell short of the appropriate standard	Harm Category 3	Harm Category 4	Harm Category 4 (start towards bottom of range)

Step 2 What's your culpability

Step 3 What's your harm category

Calculate your Cost

Large Organisation Turnover of over £50 million

	Starting point	Category range
Very high culpability		
Harm category 1	£4,000,000	£2,600,000 - £10,000,000
Harm category 2	£2,000,000	£1,000,000 - £5,250,000
Harm category 3	£1,000,000	£500,000 - £2,700,000
Harm category 4	£500,000	£240,000 - £1,300,000
High culpability		
Harm category 1	£2,400,000	£1,500,000 - £6,000,000
Harm category 2	£1,100,000	£550,000 - £2,900,000
Harm category 3	£540,000	£250,000 - £1,450,000
Harm category 4	£240,000	£120,000 - £700,000
Medium culpability		
Harm category 1	£1,300,000	£800,000 - £3,250,000
Harm category 2	£600,000	£300,000 - £1,500,000
Harm category 3	£300,000	£130,000 - £750,000
Harm category 4	£130,000	£50,000 - £350,000
Low culpability		
Harm category 1	£300,000	£180,000 - £700,000
Harm category 2	£100,000	£35,000 - £250,000
Harm category 3	£35,000	£10,000 - £140,000
Harm category 4	£10,000	£3,000 - £60,000

Medium Organisation Turnover between £10 and £50 million

	Starting point	Category range
Very high culpability		
Harm category 1	£1,600,000	£1,000,000 - £4,000,000
Harm category 2	£800,000	£400,000 - £2,000,000
Harm category 3	£400,000	£180,000 - £1,000,000
Harm category 4	£190,000	£90,000 - £500,000
High culpability		
Harm category 1	£950,000	£600,000 - £2,500,000
Harm category 2	£450,000	£220,000 - £1,200,000
Harm category 3	£210,000	£100,000 - £550,000
Harm category 4	£100,000	£50,000 - £250,000
Medium culpability		
Harm category 1	£540,000	£300,000 - £1,300,000
Harm category 2	£240,000	£100,000 - £600,000
Harm category 3	£100,000	£50,000 - £300,000
Harm category 4	£50,000	£20,000 - £130,000
Low culpability		
Harm category 1	£130,000	£75,000 - £300,000
Harm category 2	£40,000	£14,000 - £100,000
Harm category 3	£14,000	£3,000 - £60,000
Harm category 4	£3,000	£1,000 - £10,000

Small Organisation Turnover between £2 and £10 million

	Starting point	Category range
Very high culpability		
Harm category 1	£450,000	£300,000 - £1,600,000
Harm category 2	£200,000	£100,000 - £800,000
Harm category 3	£100,000	£50,000 - £400,000
Harm category 4	£50,000	£20,000 - £190,000
High culpability		
Harm category 1	£250,000	£170,000 - £1,000,000
Harm category 2	£100,000	£50,000 - £450,000
Harm category 3	£54,000	£25,000 - £210,000
Harm category 4	£24,000	£12,000 - £100,000
Medium culpability		
Harm category 1	£160,000	£100,000 - £600,000
Harm category 2	£54,000	£25,000 - £230,000
Harm category 3	£24,000	£12,000 - £100,000
Harm category 4	£12,000	£4,000 - £50,000
Low culpability		
Harm category 1	£45,000	£25,000 - £130,000
Harm category 2	£9,000	£3,000 - £40,000
Harm category 3	£3,000	£700 - £14,000
Harm category 4	£700	£100 - £5,000

Micro Organisation Turnover less than £2 million

	Starting point	Category range
Very high culpability		
Harm category 1	£250,000	£150,000 - £450,000
Harm category 2	£100,000	£50,000 - £200,000
Harm category 3	£50,000	£25,000 - £100,000
Harm category 4	£24,000	£12,000 - £50,000
High culpability		
Harm category 1	£160,000	£100,000 - £250,000
Harm category 2	£54,000	£30,000 - £110,000
Harm category 3	£30,000	£12,000 - £54,000
Harm category 4	£12,000	£5,000 - £21,000
Medium culpability		
Harm category 1	£100,000	£60,000 - £160,000
Harm category 2	£30,000	£14,000 - £70,000
Harm category 3	£14,000	£6,000 - £25,000
Harm category 4	£6,000	£2,000 - £12,000
Low culpability		
Harm category 1	£30,000	£18,000 - £60,000
Harm category 2	£5,000	£1,000 - £20,000
Harm category 3	£1,200	£200 - £7,000
Harm category 4	£200	£50 - £2,000



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Join us in this journey towards a safer, more resilient future. Prepare for challenges, proactively address risks, and protect what matters most - **your people.**

