

How Comply works out the liability figure

Version 1.3 · generated 24 October 2026 · sources verified 29 September 2026

Illustrative only: exposure to enforcement under health and safety law if the gaps it describes were prosecuted today. It is not insurance and not legal advice.

This is the methodology document Comply generates from its own liability engine — every table is read from the same code and data the product uses, not typed by hand — published here unchanged at the version shown.

1. What the figure is, and what it is not

The figure is an estimate of what a prosecution could cost the organisation if its worst open gap were the subject of one. It is built from the Sentencing Council guideline a court uses: the organisation's turnover band, how culpable the failure would look, and how much harm it risks.

It is **not** insurance cover, **not** money owed, **not** a prediction and **not** a target. There is no score to get down: the cheapest way to win such a game would be to stop recording hazards.

A second, different figure, the **expected incident cost**, is what incidents of this kind cost on average (HSE published rates × HSE published unit costs). The two are different kinds of money and are never added.

2. The guideline and its two axes

The Sentencing Council's Health and Safety Offences guideline for organisations sets a starting point and a range for each combination of **culpability** (how far the organisation fell short) and **harm category** (1 is the gravest). A third input, the organisation's **turnover band**, selects which table applies.

Turnover band	
micro	Micro (under £2m turnover)
small	Small (£2m–£10m turnover)
medium	Medium (£10m–£50m turnover)
large	Large (£50m+ turnover)

Very large organisations: the guideline, as amended on 1 June 2025, says that where turnover very greatly exceeds the large threshold "courts should consider fines outside the range for large companies". The guideline sets no turnover at which an organisation becomes very large. The platform shows this note from £250m of stated turnover; that threshold is ours.

Fine starting points and ranges — Micro (under £2m turnover)

Culpability	Harm 1	Harm 2	Harm 3	Harm 4
Very high	£250,000 (£150,000–£450,000)	£100,000 (£50,000–£200,000)	£50,000 (£25,000–£100,000)	£24,000 (£12,000–£50,000)

Culpability	Harm 1	Harm 2	Harm 3	Harm 4
High	£160,000 (£100,000–£250,000)	£54,000 (£30,000–£110,000)	£30,000 (£12,000–£54,000)	£12,000 (£5,000–£21,000)
Medium	£100,000 (£60,000–£160,000)	£30,000 (£14,000–£70,000)	£14,000 (£6,000–£25,000)	£6,000 (£2,000–£12,000)
Low	£30,000 (£18,000–£60,000)	£5,000 (£1,000–£20,000)	£1,200 (£200–£7,000)	£200 (£50–£2,000)

Fine starting points and ranges — Small (£2m–£10m turnover)

Culpability	Harm 1	Harm 2	Harm 3	Harm 4
Very high	£450,000 (£300,000–£1,600,000)	£200,000 (£100,000–£800,000)	£100,000 (£50,000–£400,000)	£50,000 (£20,000–£190,000)
High	£250,000 (£170,000–£1,000,000)	£100,000 (£50,000–£450,000)	£54,000 (£25,000–£210,000)	£24,000 (£12,000–£100,000)
Medium	£160,000 (£100,000–£600,000)	£54,000 (£25,000–£230,000)	£24,000 (£12,000–£100,000)	£12,000 (£4,000–£50,000)
Low	£45,000 (£25,000–£130,000)	£9,000 (£3,000–£40,000)	£3,000 (£700–£14,000)	£700 (£100–£5,000)

Fine starting points and ranges — Medium (£10m–£50m turnover)

Culpability	Harm 1	Harm 2	Harm 3	Harm 4
Very high	£1,600,000 (£1,000,000–£4,000,000)	£800,000 (£400,000–£2,000,000)	£400,000 (£180,000–£1,000,000)	£190,000 (£90,000–£500,000)
High	£950,000 (£600,000–£2,500,000)	£450,000 (£220,000–£1,200,000)	£210,000 (£100,000–£550,000)	£100,000 (£50,000–£250,000)
Medium	£540,000 (£300,000–£1,300,000)	£240,000 (£100,000–£600,000)	£100,000 (£50,000–£300,000)	£50,000 (£20,000–£130,000)
Low	£130,000 (£75,000–£300,000)	£40,000 (£14,000–£100,000)	£14,000 (£3,000–£60,000)	£3,000 (£1,000–£10,000)

Fine starting points and ranges — Large (£50m+ turnover)

Culpability	Harm 1	Harm 2	Harm 3	Harm 4
Very high	£4,000,000 (£2,600,000–£10,000,000)	£2,000,000 (£1,000,000–£5,250,000)	£1,000,000 (£500,000–£2,700,000)	£500,000 (£240,000–£1,300,000)
High	£2,400,000 (£1,500,000–£6,000,000)	£1,100,000 (£550,000–£2,900,000)	£540,000 (£250,000–£1,450,000)	£240,000 (£120,000–£700,000)
Medium	£1,300,000 (£800,000–£3,250,000)	£600,000 (£300,000–£1,500,000)	£300,000 (£130,000–£750,000)	£130,000 (£50,000–£350,000)
Low	£300,000 (£180,000–£700,000)	£100,000 (£35,000–£250,000)	£35,000 (£10,000–£140,000)	£10,000 (£3,000–£60,000)

3. The culpability ladder

For a hazard on a project's register, culpability is the FIRST rung that applies, worst first. Every row below was produced by running the product's own culpability rule on a case that reaches that rung, so the reason and the reference are exactly what the product prints. Controls move culpability; they never move harm.

When	Culpability	What the product says	Priced against
The hazard is recorded with an information gap — its extent is not established	Very high	The extent of this hazard is not established, so nobody can say it is controlled.	CDM 2015 reg 4 / reg 13
Asbestos is recorded with no confirmed survey	Very high	A safety-critical hazard is recorded with no confirmed survey — a strict duty left undischarged.	CAR 2012 reg 5
A structural hazard is recorded with no confirmed appraisal	Very high	A safety-critical hazard is recorded with no confirmed appraisal — a strict duty left undischarged.	CDM 2015 reg 13
Buried services are recorded with no confirmed location	Very high	A safety-critical hazard is recorded with no confirmed service location — a strict duty left undischarged.	HSG47
A blocking review flag is open against the hazard	High	A blocking review flag is open against this hazard and work has not been stopped by it.	CDM 2015 reg 13
Nobody attached to the project has in-date competence evidence for this work	High	No in-date competence evidence is held for anyone on this project to carry out this work.	CDM 2015 reg 15(7) / MHSWR reg 13
The hazard needs a method statement and no RAMS is filed on the project	High	This hazard requires a method statement and none is filed against the project — no recognised measures are in place.	CDM 2015 reg 15 / MHSWR reg 3
The hazard needs a COSHH assessment and none is filed	High	This hazard requires a COSHH assessment and none is filed against the project.	COSHH 2002 reg 6
The hazard needs a permit to work and none is currently issued	High	This hazard requires a permit to work and none is currently issued.	CDM 2015 reg 15
The COSHH assessment relies on PPE or procedure alone	Medium	The COSHH assessment for this substance relies on PPE or procedure alone — control by other means is expected first.	COSHH 2002 reg 7(3)
The documents exist but the phase sign-off is not recorded	Medium	The documents exist but the phase sign-off has not been recorded — systems in place, not sufficiently followed.	CDM 2015 reg 12
People were inducted before the current plan was issued	Medium	People on site were inducted before the current plan was issued, so they were briefed on an earlier version.	CDM 2015 reg 13(4)
Documented, signed off and briefed	Low	Documented, signed off and briefed — the hazard is controlled to the recognised standard.	—
A company-level policy arrangement is missing for this activity (a floor: only ever raises, never lowers)	High	Your company has no covered “Work at height” arrangement — a systemic gap this project inherits. Close it with a covered company policy and this rung falls away.	Sentencing Council — culpability: falling far short of the appropriate standard

The law each rung rests on

- **CDM 2015 reg 4** — checked on [legislation.gov.uk](https://www.legislation.gov.uk) on 29 September 2026 (<https://www.legislation.gov.uk/ukxi/2015/51/regulation/4>). Client duties in relation to managing projects — including providing pre-construction information to every designer and contractor (reg 4(4)).
- **CDM 2015 reg 13** — checked on [legislation.gov.uk](https://www.legislation.gov.uk) on 29 September 2026 (<https://www.legislation.gov.uk/ukxi/2015/51/regulation/13>). Duties of a principal contractor in relation to health and safety at the construction phase — plan, manage and monitor the construction phase (reg 13(1)).
- **CAR 2012 reg 5** — checked on [legislation.gov.uk](https://www.legislation.gov.uk) on 29 September 2026 (<https://www.legislation.gov.uk/ukxi/2012/632/regulation/5>). Control of Asbestos Regulations 2012 —

Identification of the presence of asbestos: no work liable to expose employees to asbestos without a suitable and sufficient assessment of whether it is present.

- **HSG47** — HSE guidance, not legislation — so it is not on legislation.gov.uk and has not been checked there.
- **CDM 2015 reg 15(7)** — checked on legislation.gov.uk on 29 September 2026 (<https://www.legislation.gov.uk/uksi/2015/51/regulation/15>). A contractor must not employ or appoint a person to work on a construction site unless that person has, or is in the process of obtaining, the necessary skills, knowledge, training and experience.
- **MHSWR reg 13** — checked on legislation.gov.uk on 29 September 2026 (<https://www.legislation.gov.uk/uksi/1999/3242/regulation/13>). Management of Health and Safety at Work Regulations 1999 — Capabilities and training.
- **CDM 2015 reg 15** — checked on legislation.gov.uk on 29 September 2026 (<https://www.legislation.gov.uk/uksi/2015/51/regulation/15>). Duties of contractors — plan, manage and monitor construction work so that, so far as is reasonably practicable, it is carried out without risks to health and safety (reg 15(2)).
- **MHSWR reg 3** — checked on legislation.gov.uk on 29 September 2026 (<https://www.legislation.gov.uk/uksi/1999/3242/regulation/3>). Management of Health and Safety at Work Regulations 1999 — Risk assessment: a suitable and sufficient assessment of the risks.
- **COSHH 2002 reg 6** — checked on legislation.gov.uk on 29 September 2026 (<https://www.legislation.gov.uk/uksi/2002/2677/regulation/6>). Assessment of the risk to health created by work involving substances hazardous to health.
- **COSHH 2002 reg 7(3)** — checked on legislation.gov.uk on 29 September 2026 (<https://www.legislation.gov.uk/uksi/2002/2677/regulation/7>). Control measures "in order of priority": work processes and engineering controls, then control at source, and personal protective equipment only "where adequate control of exposure cannot be achieved by other means" (reg 7(3)(c)). *Corrected in this version: the code cited reg 7(11), which is the definition of "adequate".*
- **CDM 2015 reg 12** — checked on legislation.gov.uk on 29 September 2026 (<https://www.legislation.gov.uk/uksi/2015/51/regulation/12>). Construction phase plan and health and safety file — the principal contractor must draw up a construction phase plan before setting up a construction site (reg 12(1)). *The platform records this as the phase sign-off; the regulation itself does not use the word "sign-off".*
- **CDM 2015 reg 13(4)** — checked on legislation.gov.uk on 29 September 2026 (<https://www.legislation.gov.uk/uksi/2015/51/regulation/13>). The principal contractor must ensure that "a suitable site induction is provided" (reg 13(4)(a)).
- **Sentencing Council — culpability: falling far short of the appropriate standard** — The Sentencing Council guideline, not legislation. Its High culpability factor reads "Offender fell far short of the appropriate standard" (checked on the guideline page).

4. Harm, by hazard and by policy gap

Hazards on a project's register

Harm is a property of the hazard. Hazard types with no row here are shown and refused a price, never guessed.

Hazard	Harm category	Why
Asbestos	1	Asbestos kills more UK construction workers than anything else, with decades of guidance behind it — uncontrolled exposure risks fatal disease.
Work at height	1	Falls from height are construction's single biggest cause of death.
Fragile roof / rooflights	1	Falls through fragile roofs and rooflights are a long-recognised fatal risk with well-established controls.
Confined space	1	Confined-space atmospheres kill quickly, and typically kill the rescuer too.

Hazard	Harm category	Why
Live electrical	1	Contact with live conductors risks immediate death or catastrophic burns.
Overhead services	1	Contact with overhead lines is almost always fatal, and is a Schedule 3 particular risk in its own right.
Buried services	1	Striking a buried gas or electricity service risks fatal explosion or arc-flash (HSG47).
Excavation	1	Collapse, burial and engulfment are Schedule 3 particular risks with a high fatality rate.
Demolition	1	Uncontrolled collapse during demolition risks multiple deaths.
Structural / stability	1	Loss of structural stability risks collapse onto anyone below or inside.
Silica (RCS)	1	Respirable crystalline silica causes silicosis and lung cancer — irreversible, and fatal at the top end.
Fire	1	Fire and inadequate means of escape risk multiple-fatality events, particularly in occupied or timber-framed buildings.
Water / drowning	1	Drowning is a Schedule 3 particular risk and leaves no margin for rescue.
Site transport / moving plant	1	Being struck by moving plant or vehicles is one of the three commonest causes of death on UK construction sites.
Falling objects	1	A falling load or tool striking a person below risks fatal head and crush injuries.
Lifting operations	2	Dropped or uncontrolled loads and uninspected lifting gear are recognised-standard failures with serious-injury potential (LOLER).
Lead paint	2	Lead exposure causes cumulative, irreversible neurological and reproductive harm.
Contaminated land	2	Ground contaminants cause serious chronic illness where exposure is not assessed and controlled.
Wood dust	2	Hardwood dust is a recognised cause of sinonasal cancer and occupational asthma.
Hazardous substance	2	Uncontrolled substances (fume, isocyanates, resins) cause serious, often irreversible ill health.
Biological (sewage, legionella, sharps)	2	Legionella, sewage and sharps exposure cause serious infection; legionella can be fatal (ACOP L8).
Noise / vibration	3	Noise-induced hearing loss and HAVS are permanent and untreatable, though rarely fatal.
Manual handling	3	Musculoskeletal injury is frequent, foreseeable and often career-ending.

Gaps in the company's written arrangements

A missing arrangement reads at the culpability below; a partial one is read one step lower. An area with no row here is skipped rather than guessed.

Area	Culpability if missing	Harm category	Why
written-policy	High	3	A written policy is the legal foundation (HSWA s.2(3)) — having none reads as falling far short of the recognised standard for organising H&S at all.
cdm	High	2	CDM 2015 duties are the recognised standard for running construction work — absent arrangements suggest a systemic failure to plan and manage projects.
riddor	Medium	3	Failing to report under RIDDOR is a distinct offence and reads as systems not being followed; it also aggravates any underlying incident.
coshh	High	2	Uncontrolled hazardous substances (dust, silica, fumes) are a well-understood serious-illness risk — no COSHH arrangements reads as ignoring recognised measures.

Area	Culpability if missing	Harm category	Why
work-at-height	High	1	Falls from height are construction's biggest killer — absent arrangements risk death and read as falling far short of a universally recognised standard.
first-aid	Medium	3	Missing first-aid provision worsens outcomes when something happens — a failure to follow well-known, low-cost measures.
fire	High	1	Fire and emergency arrangements protect against multiple-fatality events — absent arrangements risk the gravest harm.
training	Medium	2	Untrained people on site is a classic “systems not sufficiently adhered to” finding — competence arrangements are expected everywhere.
subcontractors	Medium	2	Duty extends down the supply chain — no vetting/monitoring arrangements reads as systems that stop at your own payroll.
manual-handling	Medium	3	Manual handling injuries are frequent and foreseeable; absent assessments read as not following long-established measures.
asbestos	High	1	Asbestos is a well-known killer with decades of guidance — working without checks reads as falling far short, risking fatal disease.
noise-vibration	Medium	3	Noise and vibration cause irreversible chronic harm (deafness, HAVS); missing assessments read as ignoring recognised exposure limits.
work-equipment	High	2	Unmaintained or unguarded equipment and uninspected lifting gear are recognised-standard failures with serious-injury potential.
lone-working	Medium	2	Lone workers with no check-in or emergency arrangements face escalated outcomes when things go wrong — a foreseeable, assessable risk.
welfare	Low	4	Welfare failings rarely risk grave harm alone but are a CDM Schedule 2 duty and colour how a court reads the wider management picture.
ppe	Medium	2	PPE is the last line of defence and the most basic, universally understood control — no arrangements for providing, fitting, maintaining and enforcing it reads as systems not being put in place, with serious injury to eyes, head, hands or lungs the foreseeable result.
working-time	Medium	3	Rest breaks, the 48-hour average and night-work limits are long-established, low-cost measures; no arrangements reads as systems not sufficiently adhered to, with fatigue a recognised contributor to errors on plant, at height and behind the wheel.
street-works	High	1	Signing, lighting and guarding in the live highway is a prescriptively codified standard — absent arrangements leave operatives and the public exposed to moving traffic and open excavations, risking death.
confined-spaces	High	1	Confined-space deaths characteristically take the would-be rescuer as well — entry without a safe system, atmospheric testing and pre-arranged rescue reads as falling far short of a standard set out in its own regulations and ACOP.

5. The expected incident cost

Workers × HSE incidence rate × HSE cost per case, for each of fatality, injury and ill health, summed:

	Rate per worker per year	Cost per case
Fatality	1.92 per 100,000	£2,185,000
Non-fatal injury	2.5%	£10,000
Work-related ill health	3.8%	£24,200

Worked example, 10 workers for a year:

- Expected injuries: $10 \text{ workers} \times 2.5\%/\text{yr} = 0.3 \times £10,000/\text{case} = £2,500$

- Expected ill-health: 10 workers $\times$ 3.8%/yr = 0.4 $\times$ £24,200/case = £9,196
- Fatality risk: 10 workers $\times$ 1.92 per 100,000/yr $\times$ £2,185,000 = £420
- **Total: £12,116 a year**

The headcount must be entered (on the Risk page, or the company profile's number of employees). With no headcount the figure is not priced; a project's own headcount is never used for the company.

The company's own record — experience rating

The sector rate is then blended with the company's own recorded incident rate by Bühlmann credibility (experience rating), the standard actuarial way to weigh one member's experience against its group's, by how much experience it has:

- **n** = worker-years on record = headcount $\times$ years the company has kept records in Comply (from its first record of any kind, at most 3 years — the HSE rates' own window)
- **own rate** = incidents recorded in those years $\div$ n
- **Z** = $n \div (n + k)$, the credibility: 0 with no record, rising towards 1 as the record grows
- **blended rate** = $Z \times \text{own rate} + (1 - Z) \times \text{sector rate}$; the expected incident cost is scaled by blended $\div$ sector.

k = 160 worker-years, derived rather than chosen: for incidents arising at the sector injury rate λ per worker-year, Bühlmann's k is $\lambda \div (s \cdot \lambda)^2 = 1 \div (\lambda \cdot s^2)$, where s is how far a firm's own underlying rate typically sits from the sector's. We state $s = 0.5$ ($\pm 50\%$) — an assumption, and the only judgement in the method. With no headcount, no record, or a record that could not all be read, $Z = 0$ and the sector rate stands — said in words, never shown as a small number. Only incidents recorded in Comply can be counted.

- Worked example — 10 workers, 3 years, no incidents: $n = 30$, $Z = 0.16$, own rate 0.00%, blended 2.11%, $\times 0.84$.
- Worked example — 100 workers, 3 years, 12 incidents: $n = 300$, $Z = 0.65$, own rate 4.00%, blended 3.48%, $\times 1.39$.

This replaced (1.1) an evidence modifier of fixed percentages per open policy gap, uncovered project and incident, which had no published source.

6. Sources and vintages

Source	Edition	What it feeds	Captured	Next review	Figures last re-based
Sentencing Council — Health and Safety Offences Definitive Guideline (organisations)	Effective 1 February 2016; very-large-organisation guidance added 1 June 2025	The fine starting points and ranges — all 64 cells, by turnover band, culpability and harm	29 September 2026	1 June 2027	Not since first captured
HSE — Costs to Britain of workplace fatalities and self-reported injuries and ill health, 2023/24	Table 1 appraisal values, 2024 prices (published 20 November 2025)	The cost of one fatality, one injury and one case of ill health	29 September 2026	30 November 2026	Not since first captured

Source	Edition	What it feeds	Captured	Next review	Figures last re-based
HSE — Construction statistics in Great Britain, 2025	Published 20 November 2025 — fatal rate the five-year average 2020/21–2024/25; injury and ill health 2022/23–2024/25	How often construction workers are killed, injured or made ill each year	29 September 2026	30 November 2026	29 September 2026 — The 2024/25 single-year fatal rate (1.65 per 100,000) and 3.76% ill health; now the published five-year fatal rate (1.92 per 100,000) and 3.8% ill health

Every number in sections 2 and 5 is held by a test to a fixture captured from these sources on the date shown. When a source re-bases the figures, every liability screen says so for 90 days, and Rodney can say which source changed, when, and what it replaced.

7. The four rules

1. **Fines take the maximum; expected loss takes the sum.** A court fines the organisation once, per offence, so the headline is the single worst gap, never a total.
2. **Controls move culpability, never harm.** Harm is a property of the hazard; a method statement does not make a fall survivable.
3. **No data is never low risk.** A missing turnover band, missing hazards or a missing headcount produce no figure, not a small one.
4. **It is a measurement, not a target.** Nothing returns a score or a goal.

8. How the company figure relates to the project figures

The company figure is the **worst** contributor across the company's own policy gaps and every live project's worst hazard — one number, many contributors, never a total. A project that cannot be priced is left out and counted separately; it is not treated as zero.

9. How real fines are used

The guideline tables above are the basis of the figure; real fines never set it. They are shown BESIDE it:

- Every week Comply reads HSE's public registers of convictions (construction, the last 12 months) and of enforcement notices. Each convicted company is matched to its Companies House filing to find its size; a person is never looked up or named, and no address is kept. A filing as "small" (turnover up to £10.2m) cannot be split into the micro and small bands, so those firms are a group of their own and are never guessed into one.
- Beside the guideline figure: "In the last 12 months courts fined N construction firms in your band a median of £X for" the kind of breach the worst gap is — matched by what each case was about, not the defendant's trade. Fewer than 3 matched cases gives no median ("not enough matched cases yet"); a register not read for 14 days is stated with its date.
- Inspector order: gaps can be listed by how often each kind of breach was the ground of a construction notice in the last 12 months, with the share stated as a share of the notices whose grounds were read.

10. Limitations

- It is an illustration built from the organisation's own records and published guidance, not legal advice.
- A register that is out of date prices what it holds: hazards nobody recorded are not priced, because they cannot be seen.
- A turnover band set incorrectly scales every figure.

- Evidence held but not recorded (a certificate in a filing cabinet) cannot be seen, and is treated as absent.
- The guideline gives ranges and factors a court weighs; the starting point is where a court begins, not where it ends.

Version history

Version 1.3 24 October 2026 **CURRENT**

No change to the method. The company-level rung's reason now says to close the gap with a covered company policy, where it named Ready, so the wording holds in every app that shows the figure.

Version 1.2 17 October 2026

No change to the method. The company-level rung's reason now names Ready as the place to close a policy gap, where it named the Company Compliance page. The product changed on 14 October 2026, and this document printed the new wording under version 1.1 without a new version; from this version on, the document cannot change without one. Section 3 no longer names the code that produces the ladder.

Version 1.1 10 October 2026

The expected incident cost blends the sector rate with the company's own recorded incident rate by Bühlmann credibility (experience rating) ($k = 160$ worker-years), replacing the fixed-percentage evidence modifier. Section 9 describes how real fines are now shown beside the figure.

Version 1.0 29 September 2026

First version. Fatal rate moved to HSE's published five-year average (1.92 per 100,000, was the single year 2024/25), ill health to 3.8% (was 3.76%), the very-large-organisation note to the guideline as amended on 1 June 2025, and the COSHH "PPE last" citation to reg 7(3)(c) (was reg 7(11)).

Illustrative only: exposure to enforcement under health and safety law if the gaps it describes were prosecuted today. It is not insurance and not legal advice.

Published at <https://comply.ai/methodology.html#v1-3>