

Prison sentence warning for directors and managers

RECENT legislation means company heads could face a prison sentence for ignoring health and safety regulations – even when there is no fatality involved.

Robert Cholmondeley, director of the Corporate Insurance division of financial advisory group Taylor Patterson, warns that The Health & Safety (Offences) Act 2008, which came into effect recently, increases the range of penalties for a number of health and safety offences.

Previously, only a handful of offences could result in an individual being sent to prison. Now, prosecutors only need to prove a breach of health and safety regulations, and courts have the option to impose a prison sentence for a greater number of such breaches.

Mr Cholmondeley said: "Companies must be aware of this change, and undertake a review of their health and safety policy, procedures and risk assessments. In case of the worst case scenario, decision makers should also be provided with Directors and Officers Liability Insurance to cover any future legal defence costs arising out of prosecution proceedings."