

HSE statement to the external providers of health and safety assistance



The Management of Health and Safety at Work Regulations require employers to appoint '*one or more competent persons*' to help them to meet their duty to control risks at work.

Many employers can get or develop this help **in-house** which they are required to use when it is available. However, as **external providers**, you deliver an essential service to employers where their own resources are insufficient.

Typically, employers will seek help from specialist providers, eg occupational health and safety practitioners, engineers, occupational hygienists, occupational health professionals (doctors and nurses), ergonomists, ionising and non-ionising radiation protection advisors, noise and vibration specialists and microbiologists etc.

You can help employers to manage risk **sensibly**, ie, focussing on reducing real risks, both those which arise more often and those with serious consequences.

As the provider you must be **competent**, give a good quality service and deliver help that is **fit for purpose**.

'Competent'

Competent help is fundamental to manage risks sensibly. It is not an optional extra - the Management of Health and Safety at Work Regulations require it. In general, being competent is having:

- relevant **knowledge, skills** and **experience**;
- the ability to **apply** these appropriately, while recognising the limits of your competence; and
- the necessary **training** to help you acquire and maintain this.

The Regulations do not outline how to achieve competence, or require you to have a particular set of skills or qualifications. Rather, it is set as a **goal** for you to achieve. What you actually need to make you competent will depend on the particular help you are proposing to provide.

Employers are likely to deal with simple health and safety issues **in-house**, eg using published guidance (for example on HSE's website), past experience and, sometimes, formal training.

Employers are more likely to turn to you, as **external providers**, to deal with more complex situations, where a higher level of competence, involving a **greater depth** of understanding of the issues and an ability to judge and solve problems from first principles is required.

How you achieve competence is up to you. But you will have to be able to **satisfy the employer** that you have a sufficient level of competence for the job in hand. Being a member (at the appropriate level) of a professional body which sets competence standards for its members, and prescribes levels of qualification and schemes of continuing professional development, is one way of helping you to do this. Presenting evidence of relevant experience, (eg references from previous clients) is another.

‘Fit for purpose’

As a provider of health and safety assistance, your advice must be:

- **Right:**
 - based on a correct assessment of the risk; and
 - taking account of any established standards (eg exposure limits) and good practice (eg as found in HSE guidance);
- **Tailored:**
 - directed at the actual circumstances found in the workplace under consideration;
 - based on your knowledge and experience of the particular industry, process etc.; and
 - tapping into the knowledge and experience of both the management and workers at the particular workplace.
- **Sensible:**
 - concentrating on practical action to control significant risks;
 - not over-responding to trivial risks;
 - not pursuing paperwork as an end in itself; and
 - looking to control measures that are reasonably practicable.

Competence and value for money are demonstrated by quality and clarity of practical advice, not by volume of paperwork.

Finally...

Follow up, if possible! It is helpful to see whether your advice has been understood, that any problems with implementation are overcome and the impact you and the employer intended has been achieved. While not all employers will want or allow any follow-up, where possible, it will help you deliver a good quality service to the employer concerned and enhance your own competence by adding to your experience.