

# Competent Support



## 1. Introduction

- 1.1 As an employer, you must appoint a competent person or people to help you meet your health and safety legal duties.
- 1.2 A competent person should have the skills, knowledge and experience to be able to recognise hazards in your business and help you put sensible controls in place to protect workers and others from harm.
- 1.3 You could appoint (one or a combination of):
  - Yourself.
  - One or more of your employees.
  - Someone from outside your business.
- 1.4 If your business or organisation doesn't have the competence to manage health and safety in-house, for example, if it's large, complex or high risk, you can get help from a consultant or adviser. But remember, as the employer, managing health and safety will still be your legal duty.

## 2. Why Do You Need a Health and Safety Competent Person?

- 2.1 Having a competent person(s) in your workplace is a legal requirement. The Management of Health and Safety at Work Regulations 1999 states that "every employer shall... appoint one or more competent persons to assist him in undertaking the measures he needs to take to comply with the requirements and prohibitions imposed upon him by or under the relevant statutory provisions."
- 2.2 The requirement applies to all employers, regardless of size or sectors. Whether you employ 1 person or 10,000 people, whether you're a low-risk office-based business or a high-risk manufacturing company, you must appoint at least one suitable individual to take on this role.
- 2.3 Failure to appoint a competent person(s) can lead to a prosecution for breaching the Management of Health and Safety at Work Regulations 1999 which can, in turn, lead to intervention by your regulatory authority, a fine or, in extreme circumstances, imprisonment.

## 3. What are the Requirements of a Health and Safety Competent Person?

- 3.1 A competent person must have the skills, knowledge and experience to assist the employer in health and safety requirements. Your competent person(s) must be capable of identifying existing and predictable hazards in the workplace and can support with the quick implementation of corrective measures to eliminate them.
- 3.2 A competent person must tick the following boxes:
  - Relevant training, such as a course accredited by the Institution of Occupational Safety and Health (IOSH).
  - Applicable knowledge that can be implemented in practical, real-life situations.
  - Skills and technical ability to develop solutions to health and safety problems.
  - Practical experience.
  - Familiarity with your organisation, your work and your sector.
  - Ability to identify risk improvements and to influence how these can be implemented.
- 3.3 The level of competence required will depend on the complexity of the situation and the kind of help you need. If your business involves complex work or exists within a highly regulated industry, this will obviously require higher levels of training, knowledge and experience, as well as more in-depth problem-solving.

## 4. Where Can You Find a Health and Safety Competent Person?

- 4.1 While employers can appoint a health and safety competent person within their organisation (so long as that employer has the necessary competency), it's advisable to hire a health and safety professional externally, especially if your business operates in a high-risk environment. This will provide you with peace of mind that your employees stay safe in the workplace while your business remains on the right side of the law.

4.2 As employers of IOSH Chartered Safety and Health Professionals, William Martin can act as your competent person. We have a nationwide team of consultants who are experienced in ensuring their health and safety advice is fit for purpose and is:

- Correct and accurate based on risk assessment / audit.
- Compliant with the latest government regulations and standards.
- Tailored to your individual business and sector.
- Sensible and practical without overreacting to trivial issues.

## 5. What are the Benefits of Hiring a Health and Safety Competent Person?

- Saves you time and effort - by hiring a professional health and safety competent person, you can save time and money on training and development, giving you more time to focus on running your business.
- Keeps your employees safe - appointing a health and safety competent person(s) helps to achieve and maintain a safe working environment for your entire staff.
- Keeps your business compliant - a health and safety competent person ensures that your company adheres to the latest government laws and regulations while avoiding any fines, punishments or other legal repercussions.
- Boosts productivity - you can reduce absenteeism caused by workplace accidents, injuries and incidents while eliminating potential risks and hazards that can disrupt your operations.
- Peace of mind - you can rest assured that your health and safety responsibilities are being met (and being handled by professionals) while knowing that your employees are kept safe and out of harm's way.
- Fresh pair of eyes - by engaging an independent professional to re-consider the hazard identification process and risk management approach, resulting outcomes are often better.

The following steps detail the William Martin process in providing you with health and safety competent support.

## 6. William Martin's Approach

6.1 William Martin is able to provide a flexible yet tailored approach to providing you with a health and safety competent support service. This can be based on a project-by-project basis or on a retained model basis.

6.2 With regards to the retained model, our experienced health and safety consultant would conduct a Health and Safety GAP Analysis in order to:

- Undertake a high-level overview review to assess the current status of health and safety compliance and management at the organisation and whether these are adequate to meet statutory, best practice and your own requirements.
- To review current policies and procedures, internal audit system, processes in place, components of the organisations' health and safety management system, training matrix, organisation accountabilities and responsibilities, profile of risks within the organisation and to what extent current arrangement are working effectively.
- To consider to what extent the organisation's current health and safety management system is an integral part of workplace actions, behaviours, attitudes, and cultures.
- To highlight the areas of strength of the organisation's current approach.
- To identify any gaps and areas where improvements can be made.
- To produce a prioritised Action Plan of requirements and recommendations for stepping up to the next level and maintaining such standards.

(Refer to separate William Martin Health and Safety Management System Review [GAP Analysis] Specification for more information).

6.3 The findings of the GAP Analysis would then identify the ongoing needs for the Health and Safety Competent Support which would then be used to determine the practical plan for providing this service to you on an ongoing basis.

6.4 Typical service elements which could be included in the service include (but not limited to):

**Designated “Competent Person”**

We appoint a designated “competent person” who meets legal requirements. This individual serves as your go-to resource for health and safety matters. They possess the necessary skills, knowledge, and experience to recognise workplace hazards and recommend sensible control measures.

**Consultancy and Training**

An agreed number of consultancy days are allocated to address specific needs. Our experts provide training sessions tailored to your organisation’s requirements.

**Telephone and Email Support**

You have access to our advisors via phone or email. Whether it’s a quick query or a complex issue, we’re here to assist promptly.

**Emergency Support**

We offer out-of-hours emergency contact for continuous support. Priority response is given to contract clients.

**Insured Advice**

Additional protection for your organisation through our insured advice.

**Expert Witness**

Should the need arise, we provide expert witness services for both civil and criminal liability cases.



## Compliance without compromise

We create next-generation building compliance by fusing clever consultancy with cutting-edge technology, so our clients can grow. Our products include:



**Consultancy:** Unparalleled expertise to safeguard your people and property.



**Meridian:** Our online compliance and risk management platform gives you total visibility.



**Prosure360:** Take control of your supply chain, confidently and efficiently.

 0203 819 8829

 [enquiries@wmcompliance.co.uk](mailto:enquiries@wmcompliance.co.uk)

 [wmcompliance.co.uk](http://wmcompliance.co.uk)

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London Office, 20 Grosvenor Place, London, SW1X 7HN

Registered Office, C/O Marlowe Plc, 20 Grosvenor Place, London, England SW1X 7HN

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