

Legal Appointment for Safety

What you need to know and do

What do I need to know?

1. Every employer (apart from sole traders) needs to appoint a competent person to advise and assist with safety.
2. This may be several people or organisations and they need to address all applicable safety areas, including (but not limited to)
 - a. Fire
 - b. First Aid
 - c. Fork Lifts and other lifting equipment
 - d. Noise
 - e. Protective Equipment
 - f. Accident reporting and investigation
 - g. Safety signs
 - h. Vibration
 - i. Work at Height
 - j. Machinery and other work equipment
 - k. Workstations including working at a computer
 - l. Communication and consultation
 - m. Chemicals and other dangerous substances such as dusts
 - n. Electrical equipment and installations
 - o. Information for employees
 - p. Risk Assessments
 - q. Emergency procedures
 - r. Manual Handling
 - s. Human Physiology and Health
 - t. Construction work (including contractors working at your premises)
3. Competence means the skills knowledge and experience needed to do the job
4. Advice means email, telephone or face-to-face information about what you need to know (the legal requirements) and what you can do (usually there are several ways to achieve safety and compliance)
5. Assistance means carrying out safety related tasks such as inspections and audits on people, premises, plant and paperwork, completing safety related documents (which should be written for you and not just templates or blank forms)

What do I need to do?

1. Employ or appoint an external consultant.
2. Make sure they are qualified, have a professional industry membership.
3. Make sure they confirm their appointment in writing and clarify what they are going to do for you in writing.
4. There are three legal requirements you need to consider with your appointed person(s);
 - a. Ensuring the adequacy of resources (time, money, people, equipment and space) to meet the legal requirements
 - b. Provision of information on all aspects of safety (sharing information for legal safety reasons usually supersedes other laws such as protecting personal and sensitive data and failing to discriminate (it is more important to keep an employee safe and alive than to not offend them!))
 - c. Ensuring there is cooperation between you and them on matters of health and safety

Other useful information

1. Professional bodies for safety in the UK include (but are not limited to)
 - a. IOSH - <https://www.iosh.co.uk/>
 - b. IIRSM - <https://www.iirsm.org/>
 - c. BSC - <https://www.britsafe.org/>
 - d. CIEH - <https://www.cieh.org/>
 - e. RoSPA - <https://www.rosipa.com/>
2. A video on Legal Appointment <https://www.youtube.com/watch?v=EFM7IRLisCQ> .
Subscribe to receive a notification of new videos.
3. The full legal requirement to appoint a competent person(s) -
<http://www.legislation.gov.uk/ukxi/1999/3242/regulation/7/made>

Resources

- Greens Consultancy - <https://www.greensconsultancy.co.uk/>
- Our other articles - <https://www.greensconsultancy.co.uk/blog>
- HSE – <http://www.hse.gov.uk/>
- NEBOSH - <https://www.nebosh.org.uk/>

For more advice and assistance on what your business needs to do, contact
enquiry@greensconsultancy.co.uk or call (0116) 2169224.