

You have a legal requirement to appoint a nominated “Competent Person” who is responsible for Health and Safety. This is a legal requirement; you MUST have an appointment in place.

Who should you appoint as the Competent Person?

In reality, you have 2 options to consider:

- If you are the Business Owner, Director, or Senior Manager you may decide to appoint yourself.**
- Alternatively, you might decide to appoint a specialist external Health & Safety Consultant to provide competent advice and guidance.**

Key Criteria you need to consider when appointing a Competent Person

A competent person is not someone who simply has the competence to carry out a particular task safely. In general terms, the definition of a competent person is someone who has the necessary skills, experience, and knowledge to manage health and safety.

If you are a Director, Owner or Manager you will probably have extensive experience in your industry sector, what you might not have is experience and knowledge of the complex health and safety legislation that you will need to understand and implement.

Ask yourself the question if you had a serious accident or incident would you be confident answering questions about the decisions you have made -or not made- that may have contributed to the accident or incident?

Unfortunately getting things wrong, even with the best of intentions, or not having the knowledge or experience to put in place legal requirements could lead to a prosecution or fine which will not be covered by your insurance policy.

A recent prosecution reinforced the importance of having “competent advice and guidance”.

Case Study

GA Projects Ltd, the company which owns the Meppershall Care Home in Bedfordshire, and Mohammed Zarook, the company’s director, were fined following the death of a resident.

A lack of competence from a business and individual perspective resulted in significant fines of £50,000 plus costs of £36,000 and from a personal perspective the Director was fined £150,000 plus £100,000 costs.

Why consider outsourcing your “Competent Person” advice and guidance?

- **If you decide to outsource, make sure you utilise the services of Consultancy who has experience in your industry sector.**
- **Make sure that the service is tailored to your needs and that you are not paying for a faceless service or call centre service.**
- **Ask to see evidence of how the Consultant has worked with other providers and practical examples of how they have made a positive impact.**
- **Check their professional qualifications and also if they have access to associated consultants to cover areas such as fire, training, mental health and stress management.**



S P E C T R A

Spectra provide Competent Person solutions as part of our Health and Safety Service

if you would like to find out more about our services or book a Free H&S Review please contact Dave on 0161388 5130 or enquiries@thespectragroup.co.uk