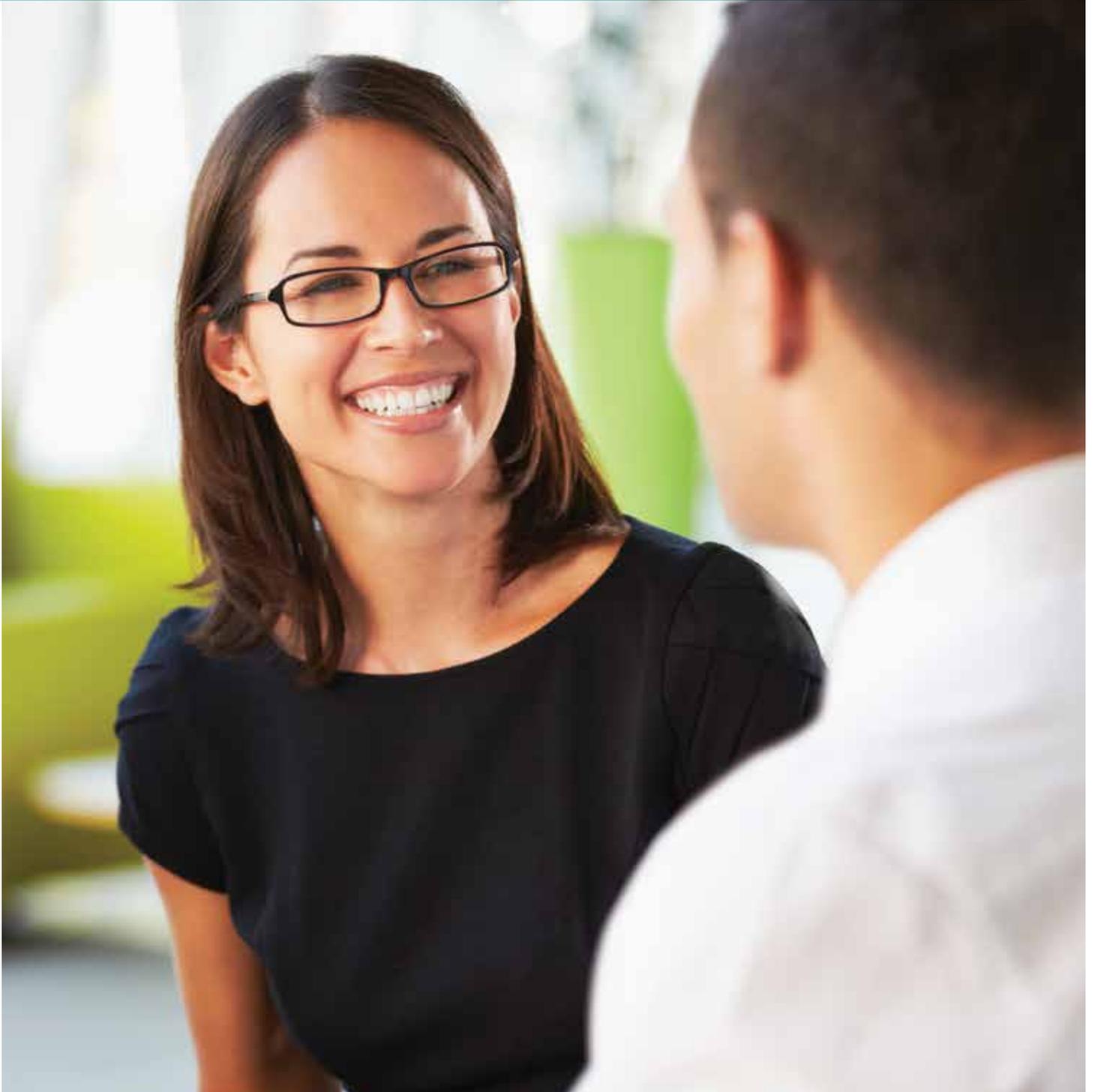


# Consultancy – good practice guide



Practical guidance on working as a competent  
health and safety consultant



# Good practice

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## Why a company may need a consultant

Employers have a legal responsibility to “appoint one or more competent persons” to help with health and safety. Whether they decide to have someone inside or outside the organisation, or a combination of both, it’s vital that they’re competent to do the job.

Having an in-house professional to manage health and safety

- someone who’s familiar with the organisation’s operations
- is typically the ideal solution.

But in smaller organisations this isn’t always possible. And in all organisations, whatever their size, there are times when getting outside help is the right thing to do.

A competent consultant can bring fresh thinking on good practice or new solutions to an organisation.

A business may need specific help on say, making sure safety is ‘designed in’ to new processes, or delivering a new health and safety campaign or training programme.

And, of course, qualified and experienced consultants can offer specialist support in areas outside the competence of in-house professionals, for example radiation protection or investigating serious incidents.

Employers can’t avoid their health and safety responsibilities, but they can choose to have a high-risk task carried out by a competent consultant rather than an in-house health and safety manager. This transfers some of the risk away from their organisation. Being a consultant, therefore, carries great responsibility.

## Are you competent?

To be a good consultant you must be competent. Competence is a mixture of experience, skills, knowledge and qualifications in the service that you're offering, as well as the sector you work in. Potential clients may want to check your competence and will find it easier as you're a member of IOSH, the Chartered professional body for health and safety.

The law says that people who "assist" in managing health and safety risks need to be competent, although it doesn't set out what 'competence' actually means and how you can achieve it. We believe that being competent means you must have:

- relevant experience, knowledge, skills and qualifications
- the ability to apply these in the right way, while recognising the limits of your competence
- training and other professional development activities to maintain your competence.

Of course, what you need to do to make you competent depends on the type of advice you want to offer. And you need to satisfy the clients you're going to advise that you have a high enough level of competence for the job in hand.

As a professional consultant, you may have expertise to offer in a particular field. Or you may want to spread your expertise across a range of sectors. In either case, you'll need to make sure that the skills and competences you can offer are up to date.

On their own, your academic and professional qualifications don't make you competent. You should treat them as the starting point for an ongoing programme of CPD throughout your career. Maintaining a portfolio of your skills, competences and experience help you offer evidence of your professionalism and previous successes to potential employers.

If you want to give advice as a health and safety consultant, we recommend that you are a Chartered Safety and Health Practitioner (CMIOSH or CFIOSH). You'll need to have experience of the sector you'll be working in. You may also need to get specific skill or sector qualifications. Chartered Safety and Health Practitioners can apply to join the Occupational Safety and Health Consultants Register (OSHCR), the UK government-recognised scheme for accredited consultants. The Register includes a free online client 'matching service', so joining it not only adds to your credibility, it also means your business will get more exposure. Have a look at [www.oshcr.org](http://www.oshcr.org) for details.

Remember that, as a member, you must comply with our Code of Conduct – see [www.iosh.co.uk/codeofconduct](http://www.iosh.co.uk/codeofconduct). The Code of Conduct may be revised from time to time and members should check periodically that they are working to the latest version.

### Point 2 of the IOSH Code of Conduct (March 2013) relates to competence and says members are required to:

- ensure that they are competent to undertake proposed work ensure persons working under their authority or supervision are competent to carry out tasks assigned to them
- undertake appropriate continuing professional development and record it in a manner prescribed by the Institution and
- ensure that they make clients, employers and others who may be affected by their activities aware of their levels of competence.

## What do I do once I get an 'opportunity'?

You've formed your consultancy and you're ready to offer your services to potential clients – but do you really know what they want or need? And how can you make sure you're following best practice?

This next section shows you, stage by stage, how to make sure you're meeting your clients' needs and working efficiently and professionally.

## Initial briefing and defining the project

When you're first contacted about a job, respond as fully as possible to the request for information and give constructive suggestions. Give a broad outline of the range of approaches, explaining the pros and cons of each. You should always be realistic about the amount of experience you can bring to a project, and be prepared to back up any claims you make with evidence. Give the client some idea of how long you'll need to complete the work, what the key milestones will be, and what you can deliver at these milestones.

If you work with a team of consultants, make sure you've enough suitable consultants to do the work that you're tendering for. Remember to indicate in the bid if you may need the help of extra specialist staff and state whether you would provide this at an additional cost. Be prepared to justify your price. Highlight in the tender if you've done similar work before and any demonstrable 'added value' from your experience. If you're an accredited consultant and you intend to use non-accredited consultants for any work you do for a client, you must tell the client and assure them of the competence and insurance status of everyone who'll be carrying out the work.

Some clients don't have a clear idea of what they need – they're often unsure about health and safety. This is where good practice starts. You need to listen to what they're saying. What they say to you may be expressed as a business objective or an interpretation of something they've read in a newspaper.

You need to work out what they really need from you and decide what, if anything, you can do to help them. Your proposal needs to be sensible and proportionate to the level of risk.

Take the time to write down what you think the client wants, if they haven't done this already. This will help you focus and clarify what your client needs. Once you're clear about what they want and when, use your notes as a blueprint for your briefing. Later, you can develop your notes into the project outline.

## Developing your proposal

Make sure you offer a solution that's tailored to each client's needs. Also, make sure that your proposal will improve their existing health and safety management, and that it's practical and proportionate. Your proposal should:

- be based on a correct assessment of the risks
- take account of any established standards and good practice
- be directed at the actual circumstances found in the organisation
- involve workers and managers – in both design and delivery
- be based on your knowledge and experience of the particular industry or process the employer wants help with
- concentrate on practical action to control significant risks
- keep paperwork to a minimum
- recommend control measures that are 'reasonably practicable' to introduce
- be communicated effectively, without jargon, to various audiences in the organisation
- explain how the recommendations will benefit the business.

It shouldn't:

- make promises about issues you have no control over
- exaggerate the importance of trivial risks.

If your client asks for advice that you're not competent to give, you should tell them and, if possible, suggest someone suitable who can help.

Section 4 of the IOSH Code of Conduct (March 2013) says:

"Members are required to ensure that the terms of appointment and scope of work are clearly recorded in writing."

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## Your project proposal – the details

Your proposal should describe what you're going to do, how long it will take, how much it will cost and how your client will benefit. Make sure you don't underestimate the time it takes to produce a report, which can take as long as, or longer than, the time spent on site.

Cover the following in your proposal, no matter how briefly:

- an introduction, describing the background to the project and demonstrating your understanding of the issue and its context
- the method you'll use – preparation and planning, collecting information, options for the client to choose
- your timetable for completing the project, including the time it will take to write your report, if that's part of the proposal
- the contracted or agreed arrangements, setting out the resources you'll need, security clearance if necessary, and access to relevant documents and people
- your qualifications and experience and those of people who'll be working with you – offer the client references, or give them the details of previous satisfied clients
- similar work you've completed, and any cases where you've added value to a project
- a confidentiality clause to protect both you and the organisation you'll be working for
- an estimate of the cost of the work you'll do.

The client will be looking for the person with the best qualifications, the most relevant experience for their project, as well as someone they can work with. Whether the consultant is included on the OSHCR and has the right level of professional body membership are likely to be significant factors in the client's choice.

## Getting appointed and agreeing terms

In theory, you don't need a written instruction, although in practice it's best to confirm a telephone conversation in writing to make sure you've understood the work needed and that there's no ambiguity. Keep copies of relevant documents, including telephone notes with dates, times, names and so on.

Sometimes, when people buy something they know little about, they're dissatisfied when they get it. If a client feels this way, it's useful to have a brief you can refer to, showing what you agreed. If you or your client want to use a formal contract, agreement or appointment document, you may need legal advice. Often, your professional indemnity insurance policy will state that you won't be insured if you sign up to obligations that exceed your cover.

Once a client chooses you to do a job, agree terms, including your fee and other expenses. This should indicate how you're going to be paid – weekly, monthly, in stages or on completion. Decide on a timescale for invoicing and

providing statements. It is good practice to consider the following (although this will depend on your client):

- the scope of the work
- what you expect of the client (and when), and what the client expects of you (and your team, if you have one) in terms of resources
- who you are answerable to and who, from the client's organisation, you can take instructions from
- the timetable and what milestones you'll use to review progress and evaluate your success – make sure you build in face-to-face review meetings with the client and, if things aren't going to plan, be prepared to agree changes
- a 'risk register' of who's responsible for which risks, making sure that risk lies with whoever has the greatest ability to manage it
- how you'll evaluate the performance of the project, including agreeing reasonable performance measures that are simple to demonstrate
- whether the project has a defined conclusion and, if it does, who'll write the final report.

In practice, you may find that organisations that regularly use consultants or freelance workers have highly detailed standard forms of contract. You may want to draft your own standard form, although for some projects an exchange of letters will be enough. If you're VAT-registered, make this clear and give them your VAT number.

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Other points you need to consider include:

- identifying if any other consultants will be involved in the project and agreeing, if necessary, the scope of any changes during the assignment
- reviewing any contract you're using to check that it's fit for purpose
- making sure that what you do (or don't do) doesn't breach IOSH's Code of Conduct
- making sure your terms of business are included in the contract or agreement
- making sure you've got enough insurance cover (see page 11)
- restricting who can be assigned 'user rights' under the contract – be prepared to grant the client title for work they have fully funded and limited usage rights in your pre-existing intellectual property rights
- outlining any possible conflicts of interest.

Things you shouldn't do include:

- agreeing to unlimited collateral warranties\*
- signing up to unlimited liability
- agreeing to directors' guarantees
- working outside your or your organisation's expertise.

\*A 'collateral warranty' is a form of contract that runs alongside, and is usually an addition to, another contract. In this case, it would run alongside the contract between you and your client, allowing the client to assign rights and benefits to a third party. This means that you would be legally responsible for any defects in their work, in effect providing a guarantee to the third party.

## Be clear about what you're charging

You'll need to use your own resources to meet your client's needs. This is chiefly the time you spend at their premises and writing up your report, if that's part of the agreement. If you have a lot of research to do, this could indicate that you're working beyond your competence.

As well as your fee, you'll need to agree what else your client will pay for, such as travel expenses, overnight stays, meals, printing and binding, postage and so on. You should spell out your expenses in detail, for example rate per mile for driving, itemised telephone calls. You also need to be clear

on whether there's a limit on how much you can spend and whether you need to get your client's approval before you pay for things. Remember – even if your client doesn't pay on time, you'll still have regular expenses to meet, and possibly some special ones in connection with work for them.

With long projects, you may want to ask for interim payments.

## Specify added value

You need to ask yourself whether the service that you'll be providing will add value to your client's business, for example cutting down their sickness absence rate. If this is the case, your client is likely to be prepared to pay more than they would for a service that doesn't obviously improve their 'bottom line'. Naturally, businesses have competing demands for their money, so you need to explain how your service is good value for their business. Take care not to make claims you can't deliver or prove you've delivered.

## Implementing the project

Remember that you've told the client what you're going to do, so do it in the agreed timeframe – aim to please your client.

Once you've started work, you need to:

- keep people informed about what's going on and keep your client up to speed on progress
- work alongside your client, defining what information you need from them and when
- be prepared to agree changes to the work plan with the client, in response to what's actually happening – it's pointless having a rigid approach if things aren't working.

And remember – don't disclose confidential information to your client's staff. It's unlikely that they'll be as well briefed as you on some areas.

When preparing your report and/or making recommendations, consider the most effective ways of delivering your findings. This may be through a written report, formal presentation of your findings, or a combination of the two.

## Changes during the project

If you and your client agree to any changes or additions to the work, it's good practice to record them in writing, including confirming telephone calls. You may also need to agree a new schedule to any contract or agreement, which both of you should sign. You should then update your project plan.

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## Good practice when invoicing

The client must be clear about what you're charging for and be happy that the terms of the contract or agreement have been met. Equally, if you've done a good job, you're entitled to be paid in accordance with your agreement.

There may be several stages to invoicing:

- clarify any questions you may have with your invoice with your client contact before sending it in.
- make sure you know of/follow the client procedures for the submission of invoices. In some cases, invoices may be processed in a different country.
- keep a track of payments and review them against the amounts you have invoiced.
- if there are any discrepancies, raise them straight away and confirm in writing.

## Dealing with complaints

In the unlikely event that your client has a complaint or dispute about some aspect of your service, it's a good idea to ask them to put it to you in writing. Once you have the written complaint, you should respond in writing. If you're sure that you did everything you were contracted to do, in accordance with the terms agreed for the instruction, you can include this in your reply.

If there is something outstanding, do your best to resolve the situation quickly and pragmatically. Agreeing comprehensive written terms should reduce the likelihood of complaints and help you deal more easily with any that you do receive. If a complaint becomes a claim, your insurers are likely to prefer that the scope of your involvement was clearly documented.

## Where's your next project coming from?

Finding new clients from scratch will cost you more than securing more work from existing clients. So, if you make your clients happy, you're more likely to get other work from them. And they may recommend you to their business contacts and other people they meet.

If you're an OSHCR-accredited consultant, you may be approached by a non-accredited consultant who wants to work with you in collaboration. If you agree to this, you should make sure they're competent and fully insured. You also need to inform your clients of this arrangement.

## Evaluation, follow-up and learning

It's good practice to evaluate and follow up your project. When the project's complete, take a critical look at the results. Ask yourself what went well, what could have been done better and what you learned (including about your own performance). Ask clients for constructive feedback and keep in touch with them, periodically phoning (or visiting) them to see how things are progressing. This is particularly important where you're offering long-term solutions, and will help you foster and maintain good relationships with clients.

Finally, consider sharing your experience of what works and what doesn't, and learn from the experience of others. This is one of the times when your membership of IOSH is invaluable. It's always helpful to have an 'outside-in' view from time to time, keeping you on top of new developments and helping you focus and accelerate your progress. And don't forget the support the IOSH Consultancy Group can offer – find out more at [www.iosh.co.uk/groups/consultancy](http://www.iosh.co.uk/groups/consultancy). You'll also find our online discussion forums and helplines useful.

# Setting up and running a consultancy

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## First steps

You need to do some careful research and planning before you decide to become a consultant – there's a lot at stake. The potential market for consultancy work varies from area to area, depending on the type and size of organisations in the region. You also need to think about the distance you're prepared to travel. So, you need to consider every aspect carefully before striking out on your own.

If you've got any doubts about 'going it alone', or if you want to see how a consultancy works before you make your decision, you could consider joining a consultancy firm as an associate. You might also want to consider working with an OSHCR-accredited consultant until you've become accredited yourself.

## Before you take the plunge...

- Why do you want to become a consultant?
- What has triggered the idea?
- Would working for yourself allow you to use your skills more successfully?
- Are your personality and skills suited to working in this way?
- Would you be happy working on your own?
- Are you able to plan and manage your time – and do you know when to call a halt?
- How will you keep your skills up to date?
- Can you handle your own finances?
- Are you prepared to research and arrange your own income tax, VAT, National Insurance payments, other types of insurance and pension scheme?

## What type of consultancy do you want to be?

There's a range of choices and you should pick the one that suits you best – each has different risks and benefits.

Four of the main options are:

- self-employed or sole trader
- partnership
- limited liability partnership (LLP)
- limited company.

For more information on these, visit [www.gov.uk/business](http://www.gov.uk/business). It would pay to get professional advice from a solicitor or accountant too.

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## Making your decision

When you're thinking about becoming a consultant, you need to be clear about the type of advice you're competent to provide, who you'll offer your services to, how you'll get yourself known, and what you'll charge. You also need to ask yourself:

- what are my marketable skills?
- would firms or individuals be prepared to pay for what I can offer?
- how do I decide which market to aim at?
- would I be eligible to join the OSHCR?

You also need to identify your 'unique selling points' so that you stand out from the rest. To do this you need to:

- understand your values, motivation, interests and strengths
- analyse and describe your achievements
- identify your transferable skills
- have a look at the competition.

When considering your new career, it's useful to think about:

- what motivates you
- what you need from your working environment to help you achieve your best
- what you enjoy doing.

Look at where your interests, skills and abilities merge – these are your strengths and it's these you need to be able to 'sell' to a client if you become a consultant.

Make a list of your achievements.

These will provide evidence of your competence and track record, and will help clients feel confident about employing you for future work. This also helps you develop a clearer idea of the sort of work that suits you best. For each achievement, identify the problem, the action you took and what you did that made a difference.

To identify your transferable skills, think back to a previous job you've had. For example, can you lead a team, or are you better off working where someone else makes the 'business' decisions? Or, if you managed a team, what was your leadership style, how did you manage performance, and did you lead by example?

Whichever way you work, you'll need to be able to take a brief from a client and deliver advice in a way that the client can understand and will take action on. You'll usually be communicating using a written document supported by a verbal presentation of the written material. You also need to have a persuasive personality to convince your client that they need to take the action you suggest.

It's essential to do some thorough research before making your decision to go freelance, so that you're confident that it's the right choice for you. It will also help you work more effectively once you've made your decision.

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### Where are you going to work?

At one end of the spectrum is your spare bedroom or a garden office. At the other is renting an office. In between the two is to take on a fully serviced office space. Again, there are a number of issues to take into account when making your choice:

- is the area large enough?
- will you have clients visiting you?
- how many employees will you have?
- will you send your books to an accountant, or will the accountant come to see you?
- what are your expansion plans?
- what is the risk that your business won't be a success and you'll have to stop trading?

### Setting up in practice – writing your business plan

When you've decided that you've got something to offer that people will want to buy, and where you're going to work, you can write up your business plan. At its most basic, a business plan needs to include how much your set-up costs will be and how you'll finance them, where you expect to get business to cover at least your living costs, and contingency plans to cover start-up and 'quiet' periods. If you need a loan, you'll need a far more detailed plan including realistic financial projections for the first few years. You can get useful information on the business section at [www.gov.uk/business](http://www.gov.uk/business).

### Insurance – what do you need?

Whatever business set-up you choose, unless you're employed by someone else, you'll need to have insurance.

There are three main types:

- employer's liability compulsory insurance – this is a legal requirement where you employ someone, but not if you're the sole working director of a limited company. You may still want it to protect you if you're injured while working for your company
- public liability insurance – this provides cover if a member of the public sues you if they're adversely affected by your work
- professional indemnity insurance – this provides cover against negligence claims brought against you by one of your clients. This form of insurance is essential and in fact is required if you are to be accepted onto the OSHCR Register. There can be a delay between an event and a subsequent claim, so if you intend to cancel your policy (if you stop working as a consultant or retire), you need to consider taking out 'run-off' cover for a period afterwards.

The best defence against being sued on the grounds that your work caused loss or damage to the client is to maintain your professional development and keep yourself up-to-date. Clear and reasonable disclaimers are also helpful, for example, stating that you have no liability for errors in published sources. Pay attention to deadlines and keep records – ideally for six years.

If you rely on the income from your business, you may want to take out income protection or personal accident insurance to provide you with an income if you have an illness or injury that prevents you from working. See [www.oshcr.org](http://www.oshcr.org).

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## Building and contents insurance

If you occupy office space, you'll also need building and contents insurance. If you're working from home, you'll need to tell your domestic insurer and they may charge you an extra premium. Check your car insurance as well, as you may need extra cover if you start using your car for business driving.

## Issues that could affect your premium

The premium you'll pay for insurance cover will depend on a number of things, and you need to be confident that the insurer will pay out if you have a claim. Some of the issues that affect the cost of premiums include:

- your actual (or predicted) turnover, including VAT if applicable
- the level or amount of cover (described as the 'sum insured' for property policies, and 'level of indemnity' for liability policies)
- the amount of excess
- the duration of the cover
- consulting on certain types of work, for example asbestos, contaminated land, nuclear material
- if you or your employees will be working at height, offshore or at other high-hazard locations.

There are several ways that you may be able to get a discount on your premium:

- by being at the right level of membership of a professional body – for example, a Chartered Member of IOSH – by belonging to a recognised competency scheme, or by being a member of the OSHCR
- by being a member of an organisation that has negotiated an insurance scheme or a premium discount for members
- by having formal accreditation of your business processes, such as ISO 45001.

In the UK you can obtain useful insurance information from the Association of British Insurers at [www.abi.org.uk](http://www.abi.org.uk) and the British Insurance Brokers' Association at [www.biba.org.uk](http://www.biba.org.uk). Alternatively, organisations may exist in your country of residence that can provide you with similar information.

You could also get advice from an insurance broker on the types of insurance and the level of cover or indemnity to suit your circumstances.

## Financial matters

Be precise about your finances, especially when you're setting up in business. Work out answers to these questions:

- how much do you need to live on each month?
- what's your financial break-even point?
- do you need to make a profit, and if so how much?
- how much should you put aside to meet your annual tax bill?

Build into your calculations the cost of items usually supplied by an employer but which you'll now need to pay for – holidays, pensions, training, sickness absence, stationery, access to a range of databases, IT support and other bought-in expertise such as accountants. You'll need enough money to finance yourself for at least six months without income.

Weigh up the advantages of opening a small business bank account rather than passing your professional fees through your personal account.

If you need an overdraft facility or a loan, you'll need to discuss your business plan with your bank manager.

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## What to charge?

Be flexible about charges. You need to be competitive, as it's all too easy to price yourself out of the market. So, charge different rates for different services, circumstances and even clients. For example, it may make more business sense to lower your rate slightly to secure a particular client onto your books, rather than charging your normal fee.

When working out rates, take into account:

- paying your own insurance, VAT, tax, pension arrangements and fees for your professional advisers
- allowing time for writing up detailed accounting records and completing tax returns
- if you use your home as an office, the cost of using your own telephone and email system and increased energy costs
- paying for photocopying, clerical support or buying your own equipment
- if you offer online services, hardware and software maintenance and telephone costs, and subscription charges
- the cost of time and travel when you're looking for sources of information or carrying out interviews
- paying your own fees for conferences and training
- putting aside money for when you're unwell and unable to work
- when you'll be able to take holidays
- the cost of marketing your business.

All these are hidden costs if you work for someone else. If you work for yourself, you must take them into account when you calculate your fees. One straightforward method is to take a realistic current salary and, using that, calculate a weekly, daily and hourly rate. Remember that out of the 365 days in each year, 104 days are accounted for by weekends. Add in bank holidays and other holidays and this leaves about 220 working days.

However, not all of these 220 days are earning days, since you have to set aside a considerable amount of time for business development and administration, course and conference attendance, plus other professional development. Therefore, the number of days you'll probably work and earn fees can vary between 150 and 200 each year.

### Example

An annual salary of £35,000 (from 175 days' work) equals about £200 per day. To take into account of all your overheads, you should probably double this figure. Therefore, £200 becomes £400 per day or £57 per hour, based on a seven-hour day.

Having arrived at an appropriate figure, you can make adjustments according to the market and length of the project. A short project of two or three days could be charged at a higher daily rate than one of several weeks or a regular weekly or monthly commitment.

With all these calculations, bear in mind that many organisations either can't or won't be prepared to pay to a freelance the sort of fees that an established firm of consultants would command.

Allow yourself at least two years to get established and build up your client base. Initially, you'll spend a lot of time and effort trying to get work. Many organisations take a long time to respond – unfortunately, some also take a long time to pay their bills.

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## Tax

In the UK, even if you employ an accountant, the responsibility for complying with tax rules and regulations lies with you. It's important to understand how the tax system works, and what you need to do. With the current system of self-assessment, you need to keep accurate records and relevant documents, so that you can back up the information on your tax return. Self-employed people must keep these for five years after the date of sending back their tax return. So, you need to be well organised, and keep all your receipts and documents in chronological order so they're easier to process. It's a good idea to invest in a straightforward book-keeping package, so that your records are in order and accurate from the start.

## VAT

In the UK, VAT is collected on business transactions and imports, and you'll need to decide whether to register to pay it. If your annual turnover is low, you won't need to register. If you're not VAT-registered, your services may appear cheaper than those of organisations who are. Some consultants feel that being registered – and quoting this in their publicity – gives them added credibility.

Other more tangible benefits include being able to reclaim your expenditure on some goods and services that you use in your business – the VAT element of your business telephone bill, for example. You'll have to do quarterly returns, but these can be simplified by joining a VAT scheme. Take advice before making your decision. For more information, visit [www.hmrc.gov.uk](http://www.hmrc.gov.uk).

Please note that these processes from the UK are given as examples but may function differently in other countries.

## General Data Protection Regulation (GDPR)

From 25 May 2018, the EU's General Data Protection Regulation (GDPR) will apply in the EU and the UK. However, other data protection regulations will apply in other countries. The GDPR will supersede EU member state implementations of the 1995 Data Protection Directive (DPD). This also means that the UK Data Protection Act 1998 (DPA) will be superseded by a new DPA that enacts the GDPR's requirements. Organisations will need to be aware of the key areas of change and the critical areas introduced by the Regulation when preparing for compliance.

The new law marks a broad and significant shift in the way that organisations must protect personal data.

It grants data subjects a number of new rights, which includes the right to judicial remedy against organisations that have infringed their rights, and requires organisations to adopt "appropriate technical and organisational measures" to protect personal data. It also introduces mandatory data breach reporting.

A number of tools will be available online to help organisations to prepare for the GDPR.

Contact the Information Commissioner's Office to find out how to comply with the Regulations:  
t +44 (0)303 123 1113  
[www.ico.org.uk](http://www.ico.org.uk)

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## Professional advice

In the UK, HM Revenue and Customs and other government departments offer free advice, but it's still worth thinking about using the services of professionals such as accountants and lawyers. Using other people's expertise can save you time, effort and, ultimately, money. Most professional advisers will give you a cost-free preliminary interview to explain their services, and then give you a quotation.

## Getting paid

You've done the job, now you need to get paid. If the job lasts more than, say, a month, you may want to arrange to be paid in instalments. When you send in your fee proposal to a potential client, agree payment terms, when they should pay your invoices, whether you're entitled to part payments and so on. You also need to be clear what 'payment terms' really mean. Even with 30-day payment terms, you can realistically expect to receive the money between 60 and 90 days after sending in the invoice.

If you don't get paid and you have a contract, you can take your case to the Small Claims Court (UK) – have a look at [www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk). For a fee, the court can issue claim forms to your client, leaving them in no doubt that you're considering taking legal proceedings against them. Alternatively, you can start debt recovery online (it's slightly cheaper) from 'money claims on-line' at [www.hmcourts-service.gov.uk/onlineservices2/mcol/index.htm](http://www.hmcourts-service.gov.uk/onlineservices2/mcol/index.htm). You can also get advice from your local Citizens Advice Bureau.

## How to sell yourself

- The basic message is 'get yourself known', as most business comes through personal contact and raising awareness of both yourself and your work.
- Be clear about what you're offering and how it differs from others – identify your key selling points.
- Commission a professional brochure to send out and give to people – include a concise run-through of your experience and capabilities. Summarise the information on a business card.
- Consider setting up a professionally designed website.
- Write articles for the press, journals, business groups, Chambers of Commerce and similar networks, and volunteer to serve on committees.
- Join other professional organisations relevant to the sector you'll be specialising in.
- Think about contacting networks you wouldn't normally connect with, and offer to speak at local business clubs and other organisations.

Remember that these activities, although vital for publicity, use up your most important resource: time. So, regularly review the benefits of your involvement and 'weed out' activities that bring you the least reward.

## Presenting your consultancy

You need to decide how you're going to present and promote your business. One of the first things you'll need to decide is what you're going to be called. Your business address can also say a lot about you – 'Rose Cottage', for example, sends a different message to 'Enterprise House'.

For your business stationery, consider getting a professional designer to do your artwork, and digital printing to keep costs down. You'll also need to think about how your business appears in all correspondence, including invoices.

## Useful web links

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The Occupational Safety and Health Consultants Register (OSHCR) offers a free online resource that matches clients who want health and safety assistance with accredited health and safety consultants. [www.oshcr.org](http://www.oshcr.org)

You may also find our network group for consultants useful, as well as our free technical guides and online resources. [www.iosh.co.uk/groups/consultancy](http://www.iosh.co.uk/groups/consultancy) [www.iosh.co.uk/guidance](http://www.iosh.co.uk/guidance) [www.ohtoolkit.co.uk](http://www.ohtoolkit.co.uk) [www.oshresearch.co.uk](http://www.oshresearch.co.uk)

The Health and Safety Executive website provides free guidance – you may also be interested in the ‘Access to competent health and safety advice’ page, including the HSE statement to external providers of health and safety assistance. [www.hse.gov.uk](http://www.hse.gov.uk) [www.hse.gov.uk/business/competent-advice.htm](http://www.hse.gov.uk/business/competent-advice.htm)

The Chartered Institute of Personnel and Development offers information on setting up your own business. [www.cipd.co.uk/hr-resources/factsheets/self-employed-hr-consultant.aspx](http://www.cipd.co.uk/hr-resources/factsheets/self-employed-hr-consultant.aspx)

Gov.uk provides practical advice for businesses (formerly Business Link) [www.gov.uk](http://www.gov.uk)

HM Revenue and Customs gives information on tax and online VAT services. [www.hmrc.gov.uk](http://www.hmrc.gov.uk)

Visit Companies House for information on setting up a limited company. [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)

The Citizens Advice Bureau offers help on self-employment in England, Scotland, Wales and Northern Ireland. [www.adviceguide.org.uk/index/life/employment/self-employment\\_checklist.htm](http://www.adviceguide.org.uk/index/life/employment/self-employment_checklist.htm)

Basic information on different EU countries can be found at: [www.europa.eu/youreurope/business/index\\_en.htm](http://www.europa.eu/youreurope/business/index_en.htm)

European Network of Safety and Health Professional Organisations [www.enshpo.eu/home](http://www.enshpo.eu/home)

International Labour Organization [www.ilo.org/global/lang--en/index.htm](http://www.ilo.org/global/lang--en/index.htm)

We’d like to thank the IOSH Consultancy Group for its valuable contribution in producing this guide.

The Group also helped to prepare our Getting help with health and safety guide, aimed at clients. You can download it at [www.iosh.co.uk/consultanthelp](http://www.iosh.co.uk/consultanthelp).

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IOSH is the Chartered body for health and safety professionals. With more than 47,000 members in over 130 countries, we're the world's largest professional health and safety organisation.

We set standards, and support, develop and connect our members with resources, guidance, events and training. We're the voice of the profession, and campaign on issues that affect millions of working people.

IOSH was founded in 1945 and is a registered charity with international NGO status.

## Institution of Occupational Safety and Health

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