

Getting help with health and safety



Practical guidance on working
with a consultant



Workers are your most valuable asset and you need to look after them. It makes good business sense – and it's your legal duty to keep your people safe

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To help you do this, you may need professional health and safety advice

But where can you get it, and how do you know you're getting good value? This guide answers these questions and more, helping you to make sure the health and safety adviser you choose has the right level of expertise and professional membership for you, your team and your business.

Why do you need help?

As an employer, you must "appoint one or more competent persons to assist" with health and safety – it's the law. But that's not the only reason to get advice. We know that you're not in business to hurt people, and getting health and safety management right will help to protect your team. It also makes good business sense. Making people ill at work, injuring or even killing them, can be costly – not just in terms of business losses, but reputation damage too. Making sure you get good advice can save you money in the long run.

You can get advice in-house, from a professional outside your organisation, or a combination of both. What's important is that it comes from someone who's competent. If you need outside help, we recommend that you choose someone suitable from the Occupational Safety and Health Consultants Register (OSHCR), the UK government-recognised accreditation scheme. To find out more, visit www.oshcr.org.

When do you need help?

It's usually best to get someone in-house to deal with health and safety, as they'll know a lot about your business and operations. Find out how to get the right person for the job by having a look at www.iosh.co.uk/thebestpeople.aspx, or by downloading the free IOSH guide, 'Setting standards in health and safety – raising performance through training and competence development', from www.iosh.co.uk/standards.

Of course, in small organisations, it's not always possible to get someone internal to look after health and safety. And even if you have in-house help, getting independent advice from an external consultant can be invaluable, whatever the size of your organisation.

There could also be times when you need help to cover areas outside the skills, experience or resources of your in-house team. For example, if you want to:

- introduce new products, processes or procedures
- give your staff training
- investigate incidents
- have an independent audit carried out
- use chemicals safely
- test samples – say, for asbestos or legionella.

For some pointers on getting outside health and safety advice, have a look at 'Questions to ask yourself' on pages 06–07.

Who can help you?

Before you begin looking for a consultant, you first have to decide what sort of consultant you need. For example, you may need someone to help you with general health and safety management, or you may need a specialist to deal with a specific issue.

Specialist health and safety consultants can advise you on a wide range of issues, including:

- dealing with harmful substances, from asbestos to clinical waste
- health problems
- legal questions and challenges
- noise and vibration problems
- policies and procedures
- designing a safe workplace
- sample testing
- stress and strains
- helping people back to work after they've been off with a serious injury or illness.

Competence and suitability

Consultants need to be competent to do the work they carry out. 'Competence' is a mixture of experience, skills, knowledge and qualifications in the service that a consultant is offering, as well as the employment sector they work in.

You can check a consultant's competence by asking them what qualifications, experience and professional membership they have. If you're hiring the services of a consultancy with a large team, make sure you check the credentials of the person who'll actually be carrying out the work. You should also check whether the consultancy has enough resources for your project.

Whether you're looking for general health and safety guidance or advice on complex, strategic or high-risk situations, we recommend you consider a Chartered Safety and Health Practitioner (CMIOSH or CFIOSH). The consultant you choose also needs to have experience of your sector. Depending on the work you need help with, they may have to have specific qualifications relevant to the sector or project, too. Visit www.oshcr.org to get the details of accredited Chartered Safety and Health Practitioners, as well as those in other professional bodies who have accredited consultant members. You can use

OSHCR's free online client 'matching service' to find an accredited consultant for the work you have in mind. It's important to remember that accreditation applies to individuals only, not consultancy organisations and those who work for them. For more information about the experience, skills and qualifications our members must have, visit www.iosh.co.uk/thebestpeople.aspx.

You should ask consultants for references and examples of work they've completed that are similar to yours, or work they've carried out in your industry. You could also talk to their previous clients to find out if they would use the consultant again and how they rate their performance.

It's essential that the consultant you appoint has the correct level of insurance, including professional indemnity. In fact, this is a requirement if they are to be included on the OSHCR Register. So, check that their insurance covers the work they're offering to do for you. If, for example, you're looking for help from an asbestos consultant, it's important that they're insured to give this advice.

Because you'll be working closely with the consultant, arrange face-to-face meetings with all prospective candidates before you decide on who you want to do your work.

Where do you go?

As the world's largest body for health and safety professionals, IOSH has worked with the HSE and other bodies to set up the OSHCR.

- To find out more about the Register and how you can find the health and safety consultant that's right for your business, visit www.oshcr.org.

Other professional bodies have members who offer services for specific specialist areas. These include:

- the British Occupational Hygiene Society, which has a Directory of Occupational Hygiene Consultants – www.bohs.org
- the Institute of Acoustics, which can link you up with a noise engineer – www.ioa.org.uk
- the Chartered Institute of Environmental Health, which can put you in touch with an environmental health officer – www.cieh.org.

You may also be able to find a consultant by contacting your trade association, or through a personal recommendation.

For a fuller list of specialists, what they do and their relevant professional bodies, have a look at 'Who to go to' on pages 08–09.

It's worth remembering that, as well as having entry requirements that members must meet, professional bodies such as IOSH enrol their members on Continuing Professional Development programmes to keep skills, knowledge and expertise up to date. Our members also have to comply with a strict code of conduct. With these safeguards in place, you can be confident that when you hire the services of a consultant with the appropriate level of professional body membership, you're taking on someone with high standards of professional practice.

Choosing and hiring a consultant

Once you've decided on the type of help you need and identified sources of competent advice, you're now in a position to begin the process of choosing the right consultant for you and your organisation.

When you select a consultant, make sure they improve your health and safety management system (if you already have one). Be careful that you don't end up paying for a generic 'package' of information, a set of risk assessments that aren't tailored to your circumstances, or just a health and safety manual. One size doesn't fit all. Any information the consultant gives you should be specific to you. You should look beyond general information that will merely help you 'tick the box' if an inspector calls or an insurer asks for it. You need practical, proportionate and customised ways to manage your risks effectively and improve the health and safety of your business.

Step 1: Develop your brief

- Write down what you need and discuss it with other people in your organisation. Once you're clear about what your objectives are and what your timetable is, use your notes as a blueprint to brief your prospective consultants.
- Be open-minded. Once you've told prospective consultants what you need, you may find that there are alternatives that you hadn't thought of, or that you've focused on the symptom rather than the cause. Remember – part of the consultant's role is to give you a vital outsider's view.

Step 2: Define the scope of project and tender work

- Scope: define the work you need doing – list the outputs, milestones and standards you need, and any budget, time or other constraints.
- Type of help: develop a list of competences, skills and resources you need from a consultant – read ‘Competence and suitability’ on page 02 and ‘Questions to ask yourself’ on pages 06–07. If it’s general health and safety management you need help with, visit www.oshcr.org. Alternatively, contact one of the organisations or trade bodies dealing with specialist areas – have a look at ‘Who to go to’ on pages 08–09.
- Communicate: take time to brief prospective consultants properly on a one-to-one basis so that they fully understand what you need.
- Compare: invite more than one consultant to tender and interview, even if you like the first one, so you can compare their approaches and credentials.
- Proposals: allow enough time for consultants to prepare their tender proposals, according to the size and complexity of the project.
- Clarify: ask each consultant to give you a presentation on what they can offer you and their tender proposals, so that everyone is clear about what’s needed and what’s to be delivered.
- Trust: remember, for all projects, especially if the project is likely to be long term or involve major change or sharing sensitive information, you and your staff need to develop trust and rapport with the consultant you choose.

Step 3: Consider value

Once the consultants have given you their list of fees, make sure you’re comparing like with like. If you’re in doubt, check that the consultants understand what you need and ask them how their proposal is structured – how much time they’ve budgeted for, if they’ll have other expenses in addition to a daily rate, and if they charge VAT.

If you want to introduce a programme of continual health and safety improvements, check with the consultant about the number of days each month or quarter they intend to provide a service to you, and what they’ll charge – say, a fixed daily rate or monthly fee. This type of ongoing support – often where an organisation doesn’t have in-house competent help – may have no specific end-point, and you should agree review dates to make sure that the service your consultant is providing meets your needs.

Step 4: Appoint and agree terms

Once you decide which consultant you want, you need to agree business terms and decide whether you want a written contract or agreement – you may need to get legal advice. Your consultant may have standard contract conditions, but make sure you review them before you enter into a contract. Agree any changes to standard conditions before you sign – don't simply delete clauses.

You may prefer to use your own organisation's standard terms. Here, make sure the contract is relevant to the type of work, uses defined and objective terms, and avoids subjective measures of performance such as 'satisfaction'.

Remember to include a schedule in the contract or agreement, detailing the agreed outputs, cost, timescale and payment terms. This will need updating if changes or 'extras' have been agreed.

You should check the consultant has enough and the correct type of insurance cover for the work. And you also need to address intellectual property rights issues, both current and those that emerge during the project. Some consultants like to keep ownership of tools and techniques, but you may want to own them if they relate specifically to your project.

Agree with your consultant a statement outlining the way the project will be carried out, including a plan, what they'll deliver, and when. This may contain a 'risk register', detailing what the risks are, what could happen, how likely it is that something will go wrong, what to do if it does, how to prevent it and who's responsible for which risks. In general, make sure that 'ownership' of a risk lies with whoever has the greatest ability to manage it.

Step 5: Review

Make sure you have a formal review once the work is complete so that you can assess how well it has gone. This may not be the final review, as you may have developed an ongoing relationship and want to continue the existing arrangement or start another project. Don't be afraid to ask questions. Once you've studied any recommendations, you need to make sure you fully understand them and know how to implement them.

Remember...

Check that your consultant:

- is competent
- is a member of the right professional body, at the right level
- is experienced
- has references
- is insured

Make sure you:

- define the scope of the work
- carry out interviews
- have a written agreement, including a timescale
- agree terms and conditions, and outputs
- review progress

Questions to ask yourself

What would I want a consultant to do?

Different health and safety consultants will be able to take on a wide range of projects. Here are just some examples:

- carry out an audit to see if you're complying with the law
- advise you on how to improve the effectiveness of your health and safety management
- identify the hazards in your workplace and suggest ways of getting rid of or reducing them
- carry out a sampling or other fact-finding exercise to see whether you need to do more to protect people
- advise you on particular issues, such as how to change a process to make it less hazardous
- carry out or help you with accident investigations
- identify what training you need, and either give advice on or carry it out
- prepare a written report of their work and recommendations

How specialised is the work – could I do any of it myself or within my team?

- Is there someone in-house with the competence and time to carry out the work?
- Would it be better to give a member of staff the training to do the work, recruit a competent professional or call in outside help?
- Would it be best to have a combination of in-house advice and consultancy support?

It's worth thinking about the resources you'll need to get the right member of staff trained or qualified, how long it will take, and the commitments they already have in the business.

What type of help do I need?

- a broad-based health and safety practitioner, with the appropriate skills, qualifications and experience?
- a specialist in, for example, radiation?
- an adviser, facilitator or a 'doer'? Should the consultant be advising on what should be done, or working under my direction?

Not sure what you need?

If you know you need help with health and safety, but you're not quite sure what to ask for, call our team for guidance on +44 (0)116 257 3199.

Can the consultant or consultancy I'm thinking about hiring meet my needs?

- Have I compared different consultants for suitability and value?
- Does the consultant who'll do the work have the right knowledge, qualifications, skills, experience and level of professional membership?
- Are they a member of the government-recognised accreditation scheme, OSHCR?
- Do they have enough professional indemnity and public liability insurance?
- Can they give me references for work they've completed that's similar to my project?
- Do they have enough resources to carry out the work?
- Can they complete the task in an acceptable timescale?
- Will any of the work be subcontracted, and how will it be controlled?

What should be covered in the agreement or contract with the consultant?

- the detailed scope of the work
- the basis for the fees, including dates for payment
- any possible conflict of interest
- dates for completion of the work and a report, if that's part of the project
- how any changes or new work identified during the project will be agreed
- terms and conditions of the agreement or contract

Once I've received the consultant's recommendation or report:

- do I fully understand the results and recommendations?
- do I know how to implement them?
- can the consultant provide continuing support?

Who to go to

Here's an alphabetical list of where you can get help. The list isn't comprehensive, and apart from IOSH, the inclusion of an organisation doesn't imply any endorsement by IOSH.

Building services engineers

Key areas

- air conditioning
- energy
- fire detection
- heating
- lighting
- plumbing
- refrigeration
- security
- ventilation

More information

- Chartered Institution of Building Services Engineers
t +44 (0)20 8675 5211
www.cibse.org

Doctors (occupational medicine)

Key areas

- diagnosis
- monitoring and treatment of occupational ill health
- disability and fitness for work assessments
- rehabilitation
- return to work and health promotion programmes

More information

- Faculty of Occupational Medicine
t +44 (0)20 7317 5890
www.facocmed.ac.uk
- Society of Occupational Medicine
t +44 (0)20 7486 2641
www.som.org.uk
admin@som.org.uk

Environmental health practitioners

Key areas

- food safety and hygiene
- enforcing environmental health legislation for local authorities
- advising public and private sector bodies on environmental health concerns and best practice

More information

- Chartered Institute of Environmental Health
t +44 (0)20 7928 6006
www.cieh.org
info@cieh.org
- Royal Environmental Health Institute of Scotland
t +44 (0)131 225 6999
www.rehis.com
contact@rehis.com

Ergonomists

Key areas

- ergonomic design of equipment, tasks and systems

More information

- Institute of Ergonomics & Human Factors
t +44 (0)1509 234904
www.ergonomics.org.uk
iehf@ergonomics.org.uk

Health and safety practitioners

Key areas

- occupational safety and health advice
- guidance on management systems (policy, strategy and best practice)
- risk assessment and effective controls
- audit
- inspection
- investigation
- benchmarking
- performance monitoring and analysis
- training

More information

- Institution of Occupational Safety and Health
t +44 (0)116 257 3100
www.iosh.co.uk
enquiries@iosh.co.uk
- For information on finding a consultant, visit www.iosh.co.uk/consultancygroup
- Occupational Safety and Health Consultants Register
www.oshcr.org (free online resource)

Noise engineers

Key areas

- specialist workplace noise risk assessment and control
- environmental noise measurement

More information

- Institute of Acoustics
t +44 (0)1727 848195
www.ioa.org.uk
ioa@ioa.org.uk

Nurses (occupational health)

Key areas

- occupational health monitoring and screening
- return to work assessments
- rehabilitation programmes
- injury treatment and counselling

More information

- Association of Occupational Health Nurse Practitioners (UK)
t +44 (0)845 225 5937
www.aohnp.co.uk
admin@aohnp.co.uk
- Society of Occupational Health Nursing
t +44 (0)20 7409 3333
www.rcn.org.uk

Occupational hygienists

Key areas

- measuring the significance of work-related exposure to
 - chemical
 - biological
 - physical
 - ergonomic
 - psychosocial health hazards.
- recommending controls

More information

- British Occupational Hygiene Society
t +44 (0)1332 298101
www.bohs.org
admin@bohs.org

Risk managers

Key areas

- risk management in
 - industry
 - commerce
 - consultancy
 - the public sector
- business continuity and contingency planning

More information

- Institute of Risk Management
t +44 (0)20 7709 9808
www.theirm.org
enquiries@theirm.org

Other sources of information

Business Link

www.gov.uk/business

Equality and Human Rights Commission

www.equalityhumanrights.com

European Commission

<http://europa.eu/youreurope/business>

European Network of Safety and Health Professional Organisations

www.enshpo.eu/home

Health and Safety Executive

www.hse.gov.uk

Institution of Occupational Safety and Health

www.iosh.co.uk

International Labour Organisation

www.ilo.org/global/lang--en/index.htm

Scottish Centre for Healthy Working Lives

www.healthyworkinglives.com

Trades Union Congress

www.tuc.org.uk

Workboost Wales

www.workboostwales.com

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IOSH is the Chartered body for health and safety professionals. With more than 44,000 members in over 120 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.

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INVESTORS
IN PEOPLE | Silver