



Need help on health and safety?

*Guidance for
employers on when
and how to get advice
on health and safety*



As an employer you have a lot to deal with to keep in business and there will be times when you have to look outside your firm for advice. This leaflet guides you through thinking about the help you might need, specifically on health and safety. Employers often hesitate to get help as they may be uncertain about where to go and what to ask for and may doubt whether they will get value for money. But getting the right help at the right time is good business sense and will play a part in ensuring that you meet your legal duties to protect your employees' health and safety. It can be money well spent both in the short term and to avoid more costly action later. Although most firms rarely experience serious incidents, an employee's bad accident or chronic ill health can have a significant impact on the smooth running of a business.

Why you need to seek assistance

You must appoint 'one or more competent persons' to help you comply with your duties under health and safety law so that you can prevent accidents and ill health at work. In practice, you could appoint:

- yourself (if you are sure you know enough about what you would have to do);
- one or more of your employees, ensuring you give them enough time and other resources to do the job properly;
- someone from outside your firm to help you, if neither you nor your employees have sufficient competence (or resources).

Health and safety duties cover a wide range of issues, such as identifying hazards and assessing risks, preparing health and safety policy statements, introducing risk control measures, providing adequate training and assessing the effects of work on employee health. You or your employees should be able to do much of this, for example by using HSE guidance. But you may have to call on outside help, if you or your employees lack sufficient knowledge or experience, for example where medical or detailed technical advice is needed.

Involving employees and their representatives

It is good sense to involve employees and their representatives in identifying problems and seeking solutions, as they are likely to know best where the challenges lie. They might be able to suggest options to tackle the issue and could certainly provide feedback on any changes you introduce to working practices. Their early involvement is more likely to mean a suitable, longer term solution. More specifically and where appropriate, you must consult safety representatives, or your employees where there are no safety representatives, when assessing risks in the workplace; deciding on preventive and protective measures; arranging the appointment of competent people; and putting solutions in place.

How to know whether you need to do something

It is not always obvious that you might need help to deal with a health and safety issue. This checklist sets out some questions to consider:

Checklist

	Yes	No
● Do you have evidence of exposure to something that might cause harm, for example, loud noise, dust on ledges, congested gangways, heavy weights being lifted, unguarded machinery?	<input type="checkbox"/>	<input type="checkbox"/>
● Are you unsure whether you have identified the hazards involved in your work?	<input type="checkbox"/>	<input type="checkbox"/>
● Are you uncertain about whether employees are at risk from them?	<input type="checkbox"/>	<input type="checkbox"/>
● Are you unsure whether you have done enough to control the risk?	<input type="checkbox"/>	<input type="checkbox"/>
● Are you thinking about introducing new working practices, plant, equipment or processes that might have an impact on your employees' health and safety?	<input type="checkbox"/>	<input type="checkbox"/>

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- | | Yes | No |
|---|--------------------------|--------------------------|
| ● Are sickness absence rates a problem? | <input type="checkbox"/> | <input type="checkbox"/> |
| Have you analysed them to establish what proportion might be work-related? | <input type="checkbox"/> | <input type="checkbox"/> |
| Have you costed them? | <input type="checkbox"/> | <input type="checkbox"/> |
| ● Have you noticed a pattern of ill health or accidents you can't explain? (Think about who is affected, when, how and why) | <input type="checkbox"/> | <input type="checkbox"/> |
| ● Are your employees reporting symptoms of ill health/discomfort and saying that they think their work is the cause? | <input type="checkbox"/> | <input type="checkbox"/> |
| Have you asked them? | <input type="checkbox"/> | <input type="checkbox"/> |
| ● Are you aware of reports of health and safety problems in similar jobs in other firms? | <input type="checkbox"/> | <input type="checkbox"/> |
| ● Have there been situations that almost resulted in injuries ('near miss' incidents)? | <input type="checkbox"/> | <input type="checkbox"/> |
| ● Have you had to deal with any compensation claims? | <input type="checkbox"/> | <input type="checkbox"/> |
| ● Are you intending to recruit or welcome back to work someone who has particular health and safety needs? | <input type="checkbox"/> | <input type="checkbox"/> |
| ● Are you unsure about what the law requires you to do on any aspect of health and safety law? | <input type="checkbox"/> | <input type="checkbox"/> |

What next?

If you have answered 'yes' to any of these questions, consider how you might sort out the problem yourself, involving people from within your firm. In particular, ask yourself:

- | Checklist | Yes | No |
|--|--------------------------|--------------------------|
| ● Have you analysed the problem as far as possible (how tricky is it)? | <input type="checkbox"/> | <input type="checkbox"/> |

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	Yes	No
● Do you think you could do with some help?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you talked to employees and their representatives, as they can often be a source of useful, common sense advice?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you tried to identify someone in your firm who can help you?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you considered whether the employee you think can help you needs some extra or refresher training (ie don't assume they're competent)?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you checked other information sources for help? For example: - Manufacturers'/suppliers' information. - HSE advisory material/services. Check HSE's website at www.hse.gov.uk or call HSE's telephone enquiry service, InfoLine (0541 545500), which may be able to give advice. However, HSE cannot make specific recommendations about whom you should go to for outside help. - Trade journals. Have you compared what you do with what is promoted as good practice?	<input type="checkbox"/>	<input type="checkbox"/>

When to look for outside help

You should look for help on health and safety from someone outside your firm if you are sure that you have no employee who is competent to assist you with the issue, or if you or your employee(s) cannot devote enough time or other resources to solving the problem. Not all health and safety issues need to be tackled by someone with particular qualifications or high level skills. Many simply require an understanding of current best practice and an ability to judge and solve problems. Also work out whether the help required will be short or long term. If it is long term, it may be better to develop the expertise of someone from within your firm. In some circumstances, for example where you have some, but not enough, in-house expertise, you could get your employees to work with the people you have bought in to help you.

What to look for and where to go

Once you have decided that you need outside advice, consider the following:

Checklist	Yes	No
● Have you asked for a recommendation, for example from your business contacts, trade associations or local Chamber of Commerce?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you asked whether the person belongs to a relevant professional organisation?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you asked about their qualifications and experience of your industry and the type of work you do?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you asked for names of satisfied customers, and followed them up?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you written down clearly what you want them to do, particularly where you want proposals for a substantial job?	<input type="checkbox"/>	<input type="checkbox"/>
● Have you appointed someone to co-ordinate the activities of the people you have asked to help you?	<input type="checkbox"/>	<input type="checkbox"/>

Complicated situations may mean you need to look for more specific knowledge and skills. The range of specialisms listed in the table opposite gives a guide to what's on offer. Each of these groups has its own professional body who may be able to advise on selection and appropriate qualifications. Some specialise in particular aspects of work-related ill health. Others offer a wide range of services. Several professional bodies keep registers of reputable practitioners. On occupational health matters, your local HSE Employment Medical Advisory Service (EMAS) office can help by providing general advice (but does not recommend practitioners).

Asking about formal qualifications can be a useful way of assessing whether they are likely to do a good job for you. Pay particular attention to the experience and skills of occupational health professionals and general practitioners. They can be many and varied and you need to be sure that they can give you the service you want.

NEED HELP ON HEALTH AND SAFETY?

HEALTH AND SAFETY SPECIALISTS

HELP THEY CAN GIVE

Health and safety management

Policy development and planning, performance monitoring, aspects of employee involvement, training and communications.

Engineers

Ventilation engineers advise on the design and testing of general and local exhaust ventilation to control exposure to airborne hazards to health such as mists, dusts, gases, vapours and fumes.
Noise engineers advise on the cause and reduction of noise.
Water treatment engineers advise on the design and treatment of water systems to avoid and control the risk of microbiological contamination (eg Legionella).
Chemical process engineers advise on the safety of processing chemicals.
Engineers employed by Inspection Bodies carry out fitness for purpose assessments on work equipment.

Occupational hygienists

Assessment and practical advice on the prevention or reduction of risks to health from chemical, biological and physical agents arising from work activities.
Environmental monitoring.

Occupational health professionals (doctors and nurses)

Diagnosis and treatment of work-related disease (doctors).
Assessment of risks to health and advice on managing those risks.
Health, including medical, surveillance.
Fitness for work issues.
Advice on pre-employment, sickness absence and ill health retirement.
Providing health education, advice on rehabilitation after illness and injury and other counselling.
First aid.

NEED HELP ON HEALTH AND SAFETY?

HEALTH AND SAFETY SPECIALISTS

Ergonomists

HELP THEY CAN GIVE

Advice on:

- the prevention of musculo-skeletal disorders, eg back injuries and upper limb disorders at work;
- the suitability for use of equipment and workstations;
- the physical work environment, eg lighting and temperature;
- work organisation, eg machine-paced work, as it affects health;
- workplace, task and product design.

Radiation protection advisers

Advice on compliance with the Ionising Radiation Regulations 1999.

Advice on monitoring, risk assessment and production methods.

Conducting environmental monitoring.

Non-ionising radiation advisers

Specialist consultancies, university radiation protection officers and hospital physicists can be approached for advice on measures to prevent or control exposure.

Physiotherapists

Risk assessment, providing treatment and rehabilitation, advice on the prevention of musculo-skeletal disorders, advice on workstations, work equipment and job design.

Microbiologists

Assessment of biological agents likely to be present.

Advice on risks and control measures to prevent or control risks to health.

Sampling for micro-organisms.

Pages 10-11 list some useful contacts. Please note that this list is not comprehensive.

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You need to be clear about what you are paying for and what you are expecting in return (and how much you can afford). Preparing a written specification is a good idea, covering, for example:

- the problem and why you cannot deal with it yourself;
- information about your firm and its business;
- what you want the person to do;
- what you consider to be a successful outcome;
- the resources you can offer, including a named contact point to support the adviser;
- when you want the work done by;
- how and when you want reports;
- any other relevant information.

Remember that most duties under health and safety law rest with you as an employer. You may delegate tasks but you must ensure that they are carried out. And when you are obtaining advice, you should ensure that the adviser understands what is being asked of him or her. If you act on faulty advice from a consultancy which leads to a breach of health and safety law, and you are considered to have contributed to that faulty advice being given to you, both you and the consultancy may be liable to prosecution. However, you can reduce the chance of this by being able to show that you have made reasonable enquiries to gauge their knowledge, skills and experience.

Buying in good quality advice can be expensive, but if you have thought through your problem and chosen carefully, it will be good value. Do not hesitate to make known your concerns if you are not sure about how the task is being handled and question recommendations if you don't understand them or can't act on them. And don't forget to evaluate your actions later, against the recommendations made to you, to check that the advice was sound, remembering to consult your employees or their representatives to get their opinions.

Other sources of advice

Please note that this list is not comprehensive. Inclusion of an organisation in this list does not imply any endorsement by the Health and Safety Executive.

The Association of Noise Consultants (ANC)
Tel: 01763 852958
Website: www.isvr.soton.ac.uk/ANC/

Association of Consulting Scientists Ltd
Tel: 01255 862526

British Occupational Hygiene Society (BOHS)
Tel: 01332 298101
Website: www.bohs.org

British Institute of Occupational Hygiene (BIOH)
Tel: 01332 298087
Website: www.bioh.org

The British Psychological Society
Tel: 0116 254 9568
Website: www.bps.org.uk

British Safety Council
Tel: 020 8741 1231
Website: www.britishsafetycouncil.org

British Safety Industry Federation (Bsif)
Tel: 01745 585600
Website: www.bsif.co.uk

Chartered Institute of Environmental Health
Tel: 020 7928 6006
Website: www.cieh.org.uk

The Chartered Society of Physiotherapy
Tel: 020 7306 6666

Engineering Employers' Federation (EEF)
Tel: 020 7222 7777
Website: www.eef.org.uk

Ergonomics Society
Tel: 01509 234904
Website: www.ergonomics.org.uk

The Faculty of Occupational Medicine
Tel: 020 7317 5890
Website: www.facocmed.ac.uk

Independent Safety Consultants Association (ISCA)
Tel: 01782 776322
Website: www.isca.uk.com

Institute of Acoustics
Tel: 01727 848195
Website: www.ioa.org.uk

The Institute of Radiation Protection
Tel: 01582 715026

The Institution of Chemical Engineers
Tel: 01788 578214
Website: www.icheme.org

The Institution of Electrical Engineers (IEE)
Tel: 020 7240 1871
Website: www.iee.org.uk

The Institution of Occupational Safety and Health (IOSH)
Tel: 0116 257 3100
Website: www.iosh.co.uk

The Royal Environmental Health Institute of Scotland
Tel: 0131 225 6999
Website: www.royal-environmental-health.org.uk

The Royal Society for the Prevention of Accidents
Tel: 0121 248 2000
Website: www.rosopa.co.uk

Safety Assessment Federation (SAFed)
Tel: 020 7403 0987

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The Society of Occupational Medicine
Tel: 020 7486 2641
Website: www.som.org.uk

The Society of Occupational Health
Nursing
Tel: 020 7409 3333
Website: www.rcn.org.uk

The Society for Radiological Protection
Tel: 01364 644487
Website: www.srp-uk.org

A comprehensive list of professional and other safety organisations can be found on HSE's website (www.hse.gov.uk).

Environmental Health Officers, based in local Council offices, also offer health and safety advice to certain sectors of industry, eg offices and retail.

Government Departments and Agencies have enquiry facilities and can provide information on health and safety legislation other than the Health and Safety at Work etc Act 1974.

Further reading

See in particular Management of health and safety at work. Management of Health and Safety at Work Regulations 1999. Approved Code of Practice and guidance (L21 2000 HSE Books ISBN 0 7176 2488 9). Paragraphs 46-52 explain the requirements on an employer to obtain competent assistance.

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For information about health and safety ring HSE's InfoLine Tel: 08701 545500 Fax: 02920 859260 e-mail: hseinformationservices@natbrit.com or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG. You can also visit HSE's website: www.hse.gov.uk

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

This leaflet is available in priced packs of 15 from HSE Books, ISBN 0 7176 1790 4. Single free copies are also available from HSE Books.

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