What Is a Competent Person for Health and Safety at Work?

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The Legal Requirement

Regulation 7 of the Management of Health and Safety at Work Regulations 1999 requires every employer to appoint one or more competent persons to help them comply with their health and safety duties. This applies to every business, from a sole trader with one employee to a large manufacturer with several sites. There is no size threshold and no exemption for low risk work; the duty exists the moment you employ anyone.

The regulation does not specify a job title, a qualification, or a particular number of hours. What it requires is that someone, inside or outside the organisation, is appointed to give you competent advice on meeting your health and safety obligations. The law does not say the appointment must be in writing, but if it has never been made explicit, it is hard to show who the competent person is, what they cover, or whether they have the time and means to do the job. Even a workplace that is reasonably well managed in practice can struggle to demonstrate compliance on that basis.

What Does Competent Actually Mean?

There is no single qualification that automatically makes someone a competent person. The test, in plain terms, is whether that individual has enough training, knowledge and experience of your type of work to identify the risks involved and advise on sensible, proportionate controls. Competence is relative to the task, not absolute. Someone who is entirely competent to advise a small office on

display screen equipment and fire evacuation may not be competent to advise a construction site or a manufacturing plant running complex machinery.

This is why the level of competence required has to be matched to the level of risk in your business. In a straightforward retail or office environment, a manager with a recognised qualification such as IOSH Managing Safely, practical experience of the workplace and up-to-date knowledge may be a reasonable choice. A business involved in construction, work at height, or processes using hazardous substances needs someone with considerably deeper technical understanding, and often needs to draw on external specialist input for specific assessments.

In-House or External: Making the Right Choice

The regulations set an order of preference. Where someone in your own organisation is competent to do the job, you must appoint them in preference to an external adviser. In practice that often makes sense too, because your own staff know your operations, your equipment and your culture better than anyone brought in from outside. Many businesses train a manager, supervisor or HR lead to take on the day-to-day role, covering routine risk assessments, induction, and basic monitoring.

Where no one in the business has sufficient competence, or where the work is complex or higher risk, you need to look outside. In practice, most organisations end up with a blended arrangement: an internal person who owns day-to-day health and safety administration, supported by an external consultant for the technical work that needs specialist knowledge, such as fire risk assessments, COSHH assessments, or auditing against an accreditation scheme. This combination is common across sectors we work with regularly, including manufacturing and engineering businesses with complex plant, and care homes managing both staff and resident safety under separate but overlapping regulatory regimes.

What a Compliant Arrangement Actually Looks Like

A competent person appointment that would stand up to scrutiny is rarely just a verbal understanding that "someone deals with health and safety." In practice it has several concrete features that distinguish it from a box-ticking exercise:

- A written record of who has been appointed, covering what scope of work, dated and signed off by the employer or a director
- A clear description of what the person is expected to do, such as producing risk assessments, reviewing incidents, or advising on policy, rather than a vague catch-all responsibility
- Enough allocated time to actually do the work, recognised in that person's job description or contract rather than added informally on top of an already full role
- Access to the information needed to do the job properly, including incident records, equipment lists, and details of any contractors or subcontractors used
- A budget or route to bring in external expertise when a task genuinely exceeds the in-house person's competence
- A mechanism for the competent person to raise concerns directly with senior management,

without those concerns being filtered or ignored

Where any one of these elements is missing, the arrangement tends to fail in exactly the circumstances it is meant to protect against: during an incident investigation, a change in legislation, or a period of rapid growth.

Common Mistakes We See

The most frequent problem is appointing someone in name only. A manager is told they are now responsible for health and safety, but receives no training, no additional time, and no support. They become the person blamed when something goes wrong, without ever having had the resources to prevent it. This does not satisfy Regulation 7 and leaves the underlying risks unmanaged.

A second common mistake is assuming that appointing a competent person, whether internal or external, transfers legal responsibility away from the employer. It does not. The duty to manage risk in your business remains with the employer, which in a limited company is the company itself, and directors can be held personally accountable in some circumstances. The competent person advises and supports; the decisions, and the accountability for those decisions, remain with the business. This is precisely why the quality of the advice you choose to rely on matters so much.

A third mistake is treating the appointment as a one-off exercise, made years ago and never revisited, even as the business has changed significantly in size, activity or location.

Reviewing the Arrangement and Keeping Records

Competence is not permanent. An arrangement that was adequate when a business had five employees doing office work may be entirely inadequate once that business takes on manufacturing processes, moves into larger premises, or starts using contractors. The regulations do not set a fixed review interval, but you should review your competent person arrangement whenever there is a significant change in your work activities, following any serious incident or near miss, and whenever relevant legislation changes. Reviewing it once a year as a sensible minimum, even if nothing obvious has changed, helps catch gradual drift.

Good practice is to keep a simple record showing when the appointment was made, when it was last reviewed, what training the competent person has undertaken, and what issues or gaps were identified at each review. For schools, housing associations, and other organisations managing multiple buildings and shifting staff, this record becomes particularly important as part of wider governance and accreditation requirements.

Where your business relies on specialist input outside the scope of competent person advice, such as occupational health monitoring or asbestos surveying, that work should sit with the relevant specialist provider rather than being folded into the competent person role itself.

Getting the Right Level of Support

For many smaller and medium sized businesses, the simplest route is a competent person service that gives you access to a qualified health and safety professional without the cost of a full-time in-

house role. This works particularly well alongside broader health and safety consultancy support, which can help with policy, risk assessments and ongoing compliance rather than just answering the phone when something goes wrong.

If you are based in Leicestershire or the wider East Midlands and are not confident your current arrangement would hold up to scrutiny, our competent person service in Coalville is a sensible place to start. Get in touch and we will help you work out exactly what level of competence your business needs.

Talk to Integral Safety Ltd

We are health and safety consultants based in Coalville, Leicestershire, working with businesses across the East Midlands. If anything in this guide applies to your workplace, we can help.

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This guide is general information about UK health and safety law and practice, correct as at 11 November 2026. It is not advice on your particular circumstances. The latest version is at https://integralsafetyltd.co.uk/blog/what-is-a-competent-person-for-health-and-safety-your-legal-duty-explained.