

COMPETENCE

Competence – a guide for employers

Employers have a duty to ensure that any person who carries out a task, as part of his employment, is competent. If a person is being trained, a competent person must supervise that person until he can carry out his work safely.

This duty also extends to people who employ contractors. A duty holder must be able to show that his / her organisation has done enough to reassure itself that the contractors it has engaged are competent.

Definition of Competence.

A competent person can be considered to require three main attributes:

The ability to complete tasks effectively
The ability to work safely
The knowledge of his / her limitations

For many positions in our industry (risk assessors, consultants, water treatment chemists etc.) the person must also have the ability to communicate well.

Recognising Competence.

The qualities we look for in deciding that a person is competent (as defined above) include that person:

- having undergone appropriate training
- being sufficiently experienced to carry out the activity effectively
- having the ability to communicate verbally and in writing
- having the ability to use his experience to work safely in unusual situations (eg when carrying out risk assessments)
- having the ability to manage time (his own and perhaps other people's time)
- being able to meet deadlines without compromising safety

Competence is recognised in a practical way. This means that on-the-job assessment is required in order to show that the employee has the ability to work in a safe manner.

Competence cannot be assessed in the classroom. While training is part of being competent, that training should not be only formal, classroom training but it should include on-the-job training.

Proving Competence

In order to show that we are competent, or that we are employing competent people we must put in place a formal strategy. This will vary depending on whether the person is a contractor, or a direct employee.

Similarly, you may be a contractor and you may wish to be able to prove your competence to a client.

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The basic requirements will be:

1. References from customers (for contractors). These will be available, as other customers of the contractor will also need to be able to prove that the person is competent and a network of people reassuring you of the ability of the contractor to work effectively and safely will have been generated. For employees of a contractor, colleagues within that business will be able to reassure you of a person's ability to work safely. For the self-employed, their present customers could be used.
2. Legionella Control Association (LCA) membership for service providers. Companies that are members of the LCA have a commitment to ensure their employees are competent.
3. Having suitable qualifications or being members of professional bodies for employees.
4. On-the-job checking on a regular basis. When first employing a contractor you can check his ability when introducing him to the site and ensure he can work safely. For direct employees, his supervisor will need to check his work frequently. If you are a contractor, ask your site contact to do this if he requires proof of your ability or the ability of one of your employees.

Recording Competence

Finally, you will need to be able to show that every person employed is competent to do the job he has been employed to do. Even though you have done all of the above, the person may be involved in a lost time accident. You may be asked to prove that you did everything practicable to allow you to believe the person was competent. This means that you will need to keep records of your observations. Those records need to be kept up to date, so be prepared to readdress all these aspects on a regular basis.