



HEALTH AND SAFETY  
AUTHORITY

Health and Safety Authority | Annual Report 2009



Annual Report | 2009



Working to create a  
National Culture of  
Excellence in Workplace  
Safety, Health and  
Welfare for Ireland

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# Report by the Chairman and Chief Executive

To the Minister for Enterprise, Trade and Innovation

Mr Batt O’Keeffe TD

Minister, we are pleased to submit our annual report for 2009. This is the last report relating to our Strategy Statement for the period of 2007 to 2009. It closes one chapter as we open the next one through the implementation of our new strategy for 2010 to 2012.

We saw considerable change in the Authority and in the world of work over the last three years. We underwent a major reorganisation; we opened new offices in Kilkenny; and we took on the leading national role in the safe use of chemicals, not only in relation to workers but also in relation to the public and the environment.

2009 was an exceptional year in many ways. It saw the lowest number of workers killed at work since the Authority was formed and also saw the highest ever number of inspections and enforcement actions. This is consistent with the long term trend. The fatality rate has been steadily decreasing and investment in our inspection management systems has helped us to be more efficient and to use our resources more effectively.

Sadly, however, the fact remains that during 2009 a total of 43 work-related deaths were reported to the Authority. And we know that a greater number again died in work -related road-traffic incidents or as the result of occupational disease. So, while 2009 was an exceptional year, there is much more that we need to do to further reduce accident levels and to address the new challenges recognised in the areas of driving for work and occupational health.

We faced major challenges during 2009. Like many other organisations we had to make do with less. Our budget for 2009 was smaller than in previous years and our staff numbers declined too. Our staff worked hard to minimise the effect of this and did achieve very high levels of effectiveness. We will undoubtedly face further pressures on budgets and staffing over the next few years and we will work hard to reduce the effects of such pressures. We will, however, get to the point where critical functions can no longer be delivered and our ability to assist employers and employees in particular areas may be compromised. If we have to identify such areas to you in the future, we would ask you to consider not only the effects on the Authority but also those on workers and their employers, many of whom themselves are struggling.



**Jim Lyons**  
*Chairman*



**Martin O’Halloran**  
*Chief Executive*



# Role of the Authority

The Health and Safety Authority is the national statutory body with responsibility for enforcing occupational safety and health law, promoting and encouraging accident prevention, and providing information and advice to all companies, organisations and individuals. The Authority is also the national Competent Authority for REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) and other chemicals legislation. The Authority deals with every size of workplace in every economic sector.

The aim of the Authority is to make occupational safety, health and welfare an integral part of doing business in every Irish workplace. The Authority's strong legislative programme is fundamental to this objective. To ensure compliance with the legislation, the Authority seeks, primarily, to reduce workplace accidents by providing guidance and support to employers and employees. Where the preventive approach fails, the Authority takes legal action to protect workers and enforce health and safety standards.

To achieve its aims the Authority committed to a three year strategy (2007 to 2009) based on the following goals:

- Raise the level of general awareness of occupational safety, health and welfare in the workplace among employers, employees and society in general.
- Target the workers and managers of the future by fostering a culture of safety through early and continued interventions in the education and training systems.
- Make relevant specific information and guidance easily available to those who manage and promote workplace safety in all sectors and assist them to achieve their targets.
- Enforce occupational safety, health and welfare legislation through targeted and prioritised inspections and through legal action where necessary.
- Develop a research programme which will inform all our actions on current, emerging and future high-risk areas in occupational safety, health and welfare.
- Ensure that the Authority, its staff, resources and facilities deliver on our corporate goals in line with best practice and value for money.

# Board Members

The Board comprises twelve members: a chairperson and eleven members appointed by the Minister for Labour Affairs. The minister appoints members nominated by organisations which are representative of the social partners and other interests associated with occupational safety and health, including employees, employers and other bodies. The Board determines Authority policy.

The membership of the Board at the end of 2009 was as follows:

## Chairman

Jim Lyons,  
former Chief Executive, County Clare  
Vocational Education Committee

## Employer Nominees

Dermot Carey,  
Head of Safety Services, Construction  
Industry Federation (CIF)

Marian Byron,  
Director, Industrial Products Centre, IBEC

Sean Corrigan

## Employee Nominees

Eamon Devoy (Vice-Chairman),  
General Secretary Designate, Technical  
Engineering & Electrical Union (TEEU)

Esther Lynch,  
Policy Officer, Irish Congress of Trade  
Unions (ICTU)

Dessie Robinson,  
Assistant General Secretary, IMPACT

## Minister's Nominees

Anne-Marie Hayes  
Pat Kearney  
Francis Rochford  
Christina McEleney  
Rosie Sheerin

## Board Member

Jim Lyons (Chairman)  
Eamon Devoy (Vice-Chairman)  
Dessie Robinson  
Esther Lynch  
Dermot Carey  
Marian Byron  
Sean Corrigan  
Anne Marie Hayes  
Pat Kearney  
Francis Rochford  
Christina McEleney  
Rosie Sheerin

## Board Meetings Attended (out of 10)

10  
5  
8  
7\*  
9  
9  
9  
9  
8  
9  
9  
9  
8

\*Esther Lynch was absent from the June 19th meeting. She was attending the 98th Session of the International Labour Conference, which ran from June 3rd to June 19th, as the worker's delegate for Ireland.



Chairman



**Jim Lyons**  
*former Chief Executive,  
County Clare Vocational  
Education Committee*

Employer Nominees



**Dermot Carey**  
*Head of Safety Services,  
Construction Industry  
Federation (CIF)*



**Marian Byron**  
*Director, Industrial  
Products Centre, IBEC*



**Sean Corrigan**

Employee Nominees



**Eamon Devoy**  
*(Vice-Chairman), General  
Secretary Designate,  
Technical Engineering &  
Electrical Union (TEEU)*



**Esther Lynch**  
*Policy Officer, Irish  
Congress of Trade Unions  
(ICTU)*



**Dessie Robinson**  
*Assistant General  
Secretary, IMPACT*

Minister Nominees



**Anne-Marie Hayes**



**Pat Kearney**



**Francis Rochford**



**Christina McEleney**



**Rosie Sheerin**



## Executive Management Team

The Authority has a sanctioned staffing level of 197, comprising inspectors, professional specialists, administrators and clerical staff.

The Chief Executive Officer manages and controls the implementation of strategy in line with the Authority's statutory responsibilities and policies set out by the Board. The organisation is structured in four Units headed by Assistant Chief Executives as follows:

CEO  
Martin O'Halloran



Assistant Chief Executive  
Compliance and Advice  
Brian Higginson



Assistant Chief Executive  
Chemicals Policy & Services  
Sharon McGuinness



Assistant Chief Executive  
Prevention Services  
Mary Dorgan



Assistant Chief Executive  
Corporate Services  
Robert Roe



(PJ Claffey deputised for Sharon McGuinness during the second half of 2009)





# Chapter 1: Key Achievements in 2009

The 2009 programme of work was a challenging one for the Authority as it was implemented against the background of significant reductions in budget. Our efforts to allocate resources and target activities in the most efficient manner together with longer-term cost-saving programmes meant that all of our key programme targets were met and in some cases exceeded.

## Workplace Compliance and Advice

- We achieved the highest ever rate of inspection activity with 18,451 inspections and investigations carried out.
- Key inspection programmes were fully delivered in all priority sectors, and issues around health and safety management and sectoral and topical risk areas were addressed through 52,000 question sets completed by our inspectors. A new inspection programme was completed in the educational sector.
- A project-based approach for the review of health and safety management systems in large multi-site companies was successfully implemented.
- The focus on occupational health issues was increased during inspections – with particular emphasis on noise, vibration, bullying, stress, manual handling and first aid.
- Increased focus on REACH enforcement activity.
- We provided a significant level of support to employers through 6,874 written advices during inspection, 1,140 responses to requests for information and 302 responses to Land Use Planning queries.
- Enforcement powers were applied where necessary in 11% of inspections.
- Investigations resulted in 44 files being forwarded to the Director of Public Prosecution for direction.
- A total 38 prosecutions were concluded (23 on indictment). Total fines imposed amounted to €708,850.
- The first prosecution on indictment under Section 80 of the 2005 Act (relating to the liability of directors and officers of an undertaking) was successfully concluded.

## Prevention Services

- In 2009, there was a significant increase in the output of legislative proposals, including support materials to help employers comply with their duties. All legislative proposals, codes of practice and guidance and information materials were presented in a format that employers could easily access, understand and apply in the workplace. Many of our publications and revisions to existing legislative and other arrangements were supported with workshops, seminars and briefings that were held throughout the country.



- Proposals for Regulations transposing the Artificial Optical Radiation Directive 2006/25/EC were submitted to the Department of Enterprise, Trade and Employment for consideration by the Minister for Labour Affairs.
- Codes of Practice (COP) to support legislation were developed in the areas of Design and Installation of Anchors in Concrete; Managing Safety and Health in Forestry Operations; Contractors with Three or Less Employees – Working on Roads (addition to 2008 COP); Avoiding Danger from Underground Services; Preventing Accidents to Children and Young Persons in Agriculture.
- Thirteen guidance documents were prepared across a range of sectors and hazards together with numerous information leaflets and short guides.
- The Workplace Contact Unit (WCU) handled a large volume of information requests and complaints of alleged poor safety and health practices and breaches by duty holders. In all, a total of 22,000 external callers received a response ranging from resolution of issue by telephone through to referral for inspection or investigation. The WCU retained its customer service accreditation with the Customer Contact Association (CCA).
- Work was done in 2009 to improve the HSA website, which is now the principal source of information and advice on occupational health and safety matters for employers, employees and others. Many new pages and new topics were added in 2009, including electricity, ATEX and electrical apparatus. A policy of 'free download' has been introduced for the majority of Authority publications. This website work will be concluded in 2010.
- In 2009 our work benefited from a continued strong partnership approach. The sectors of agriculture and construction in particular made progress on goals which had been set out by existing partnerships – the Construction Safety Partnership (CSP) and Farm Safety Partnership Advisory Committee (FSPAC). The Construction Advisory Committee (CAC) acted as first consultation point in relation to legislative proposals, including amendments. Work to produce guidance for post-primary schools has been a collaborative exercise with the Department of Education and Science and the State Claims Agency. Other work on hazards and sectors has been supported by work groups and strategic alliances, including with the Electricity Supply Board (ESB), the Road Safety Authority (RSA) and Bord Iascaigh Mhara (BIM). We also collaborated with the National Disability Authority (NDA) to produce guidance for management of safety and health of employees with disabilities.
- As part of our work in the education system, we were pleased to have our Transition Year Unit accepted by the National Council for Curriculum and Assessment (NCCA) for inclusion in the curriculum.
- Work done in conjunction with stakeholders on new standards for manual handling and patient-handling training were approved and recognised by FETAC and this was followed up with briefing workshops run by the Authority throughout the country in the latter half of 2009.
- Innovations were made in our work in a number of areas. These included the development of Work Positive initiatives to manage workplace stress with participating companies from five sectors; completion of our first safety and health e-learning modules for use in the education sector; a new proactive campaign by WCU to raise awareness amongst employers on issues such as online reporting of accidents and advice on prevention.



- Greater emphasis was placed on developing internal competence in key areas including occupational health, the healthcare sector and work-related vehicle safety/driving for work. The last two areas have been the subject of the development of five year plans in 2009 and both of these plans are now in place for implementation.

## Chemicals Policy and Services

- The CPS Division carried out the lead role as the national Competent Authority under the Chemicals Act 2008 for a range of chemical legislation including REACH, Detergents and Export-Import Regulations. It also fulfils the Competent Authority role for the EU Classification, Labelling and Packaging (CLP) Regulation, which is to be transposed in an amendment to the 2008 Act, and for the EU Control of Major Accident Hazards (COMAH) Regulations, 2006, for major accident hazard sites. This work involved the Division inputting into decisions made at EU level, attending EU and European Chemicals Agency (ECHA) Committee meetings, presenting the Irish position on a number of key issues and representing Irish interests at these meetings. In turn, decisions at EU level were put into effect by the Division at national level.
- A total of 472 inspections were conducted, covering all major accident hazards sites covered by the COMAH Regulations and other high-risk workplaces storing and using large quantities of dangerous chemicals. Our EU commitments require us to inspect all 86 COMAH sites in Ireland (32 upper tier and 54 lower tier sites), which we achieved. We responded to 300 land use planning advice requests from local planning authorities around these major accident hazard sites. We presented our advice at a number of high profile An Bord Pleanála oral hearings during 2009. New draft COMAH Regulations went out for public consultation in December 2009 and the Division provided technical support to the DETE in preparing the draft.
- We developed a new Chemical Agents Code of Practice (CoP), which received the consent of the Minister for Labour Affairs to its publication early in 2010. We prepared proposals for new Biological Agents Regulations, an associated CoP, and guidelines which will go to public consultation early in 2010.
- The Division supported our stakeholders through the provision of dedicated REACH and CLP helpdesks, which answered 470 detailed queries in 2009. The Division continued to update the chemicals section of the Authority website, hosted two seminars on chemical safety management and delivered presentations at several conferences and industry meetings on the requirements of the REACH and CLP Regulations.
- Memoranda of Understanding were signed with the Environmental Protection Agency and An Bord Pleanála and others were progressed with the Pesticide Control Service, Department of Agriculture and Food and the Customs Services.
- We supported the DETE in briefings on all aspects of the REACH and other chemical legislative developments at EU and national level. This included giving briefings on chemical aspects of regulations covered by other departments on environmental effects such as on the Restriction on Hazardous Substances (RoHS) and Persistent Organic Pollutants (POPs) Regulations.



## Corporate Services

- Our draft Statement of Strategy 2010 to 2012 was produced after full consultation across the Authority and with external parties.
- We fulfilled all European level requirements for data gathering and statistics provision in relation to occupational injuries.
- We participated in the European Working Group with responsibility for developing the European Scoreboard Report 2009 to assess progress against the European Health and Safety Strategy 2007 to 2012.
- All legislative proposals were assessed in terms of their impact on health and safety and a range of other impacts, and the costs and benefits associated with compliance and enforcement.
- Staffing reductions were achieved in line with government policy.
- The Authority operated within its agreed budgets.
- Cost saving programmes in the area of ICT have left the Authority in a better position to cope with budget reductions in 2010.
- A comprehensive internal audit programme was completed.
- A total of 1,063 person days was allocated to a programme of technical training and skills development.
- The Code of Corporate Governance was implemented and the reserved and delegated functions of the Board were reviewed.



# Chapter 2: Workplace Compliance and Advice

In 2009 our programme of direct interaction with employers and employees continued to provide the clearest indicator of the approach to health and safety and its management at individual workplaces and within sectors.

For the second year in succession, the Authority achieved a significant increase in the number of individual workplace inspections with 18,451 being undertaken. This represents a 15% increase in inspection activity over 2008 and a 35% increase since 2007. One hundred per cent of the planned level of inspection was achieved in the following sectors: construction, agriculture, mines and quarries, financial services, wholesale and retail accommodation and food, public administration, human health and education.

In 2009 the Authority continued its risk-based approach to proactive inspection. The highest levels of activity were targeted in sectors and on topics which are high risk and have most impact on workplace safety and health.

In addition we recognise the importance of and benefits that flow from appropriate reactive investigations of dangerous occurrences, serious incidents and workplace fatalities. Investigations accounted for 5.5% of inspectorate activity.

Employers who were willing to make the required effort to improve their workplace safety and health performance were supported through verbal advice and the provision of written advice and guidance during 6,874 (37%) of workplace inspections.

Formal enforcement action was taken in 11% of inspections. Prohibition notices were issued during 3.5% of inspections, where inspectors identified activities which they considered to pose a serious risk to safety or health at the workplace.

The Authority sought voluntary prohibition in relation to 17 places of work, resulting in the cessation of work until appropriate remedial actions were taken.

Tables showing details of the number and type of inspections and the levels of enforcement are presented in Appendix A.



Key outcomes for individual sectors and cross-sector topics are detailed below.

## 2.1 Safety and Health Management

An assessment of the implementation of safety and health management systems was completed for all inspections across all sectors. Inspectors considered indicators such as the level of awareness of safety and health responsibilities at director/owner level, the presence of a safety statement based on risk assessments and the extent of the implementation of the control measures in the safety statement. In excess of 52,000 question sets were completed by the inspectorate on this topic. In 2009, the results of the assessment of safety and health management systems indicated the following:

- 76% of employers had a safety statement prepared.
- 85% of the assessed safety statements had identified the key hazards relevant to that place of work.
- 78% of the assessed safety statements contained work specific risk assessments and had identified the appropriate control. However, in 48% of these the implementation of the identified controls required the intervention of the inspector.



- The level of awareness of Senior Management of their responsibilities under the Safety, Health and Welfare at Work Act 2005 was at 60%.

- The observed levels of safety consultation across all sectors indicated that in 63% of inspections no action by the inspector was required; 42% per cent of workplaces had safety representatives appointed.
- 75% of workplaces inspected indicated an awareness of the requirement to notify the Authority in the event of a reportable accident.

## 2.2 Sectoral Inspection Programmes

### Construction

A total of 5930 inspections were carried out in the construction sector in 2009, in addition to a further 448 investigations into accidents and complaints. The inspectorate investigated 10 fatal accidents in the construction sector. Fourteen agreed prohibitions were issued where poor overall standards of safety and health were observed at sites. This is a significant increase over the seven agreed prohibitions in 2008.

Guidance issued by the Authority was continually promoted during the inspection process, particularly the Construction Code of Practice (CoP) for employers with three or less employees, the CoP for Access and Scaffolding and the Safe System of Work Plans (SSWP). Current use of these guidance documents was assessed during the 2009 inspection programme:

- The CoP for Contractors with Three or Less Employees was relevant to 3,082 of the construction inspections (52%) carried out in 2009. Of these, the CoP was in use in 13% of cases.
- The number of sites where a Safety Statement, Safety and Health Plan or compliance with the CoP was observed was 4,207 (76% compliance). Of those assessed more than 90% had identified the relevant hazards, contained work-specific risk assessments, and had specified the appropriate control measures. However, action by the



inspector in relation to the implementation of identified control measures was required in 44% of inspections.

- 58% of sites inspected had activity associated with scaffolding at the time of inspection and of these 31% were using the CoP for access and scaffolding issued in 2008.
- The SSWP system was relevant to 79% of construction sites inspected; the system was seen to be in operation in 27% of these sites.



The awareness of the need to report accidents to the Authority was high at 86%; this was also matched by the level of awareness among managers of their responsibilities under the legislation at 70%.

The Authority noted with concern the increase in serious accidents because of falls from height and an overall reported reduction in the standard of control of this risk in the sector as observed by the inspectorate in 2009.

Two week-long construction safety campaigns were held in March and November.

### Agriculture

A total of 1,558 inspections were completed in the agriculture sector in 2009. A further 43 investigations into accidents and complaints were carried out. Inspectors investigated 11 fatal accidents in the sector.

61% of the inspections found that farmers had a Safety Statement or the CoP for Agriculture in place. This is a continuation of the increase in the levels of

compliance in this area which have been evident since 2006.

Of the safety statements/CoPs assessed, 80% had identified the relevant hazards for the sector. However, 30% had subsequently failed to identify the appropriate controls. Inspectors were required to take action in relation to 67% of the safety statements /CoPs reviewed. While the increase in the level of compliance with Safety Statement requirements within the agriculture sector is welcome, the quality and implementation of the identified controls continues to be a concern.

The inspection programme also focused on the safety of children and the elderly on farms. Specific advice and action on this topic was required in over half of the inspections.

The standards of facilities provided for livestock handling were found to be good, with enforcement action and written advice required in 8% of inspections. However, the Authority will maintain its focus in this area, as it has continuing concerns with the approaches and systems of work employed during animal handling.

The area of slurry handling continues to attract enforcement action with 3% of farms receiving improvement notices and a further 14% requiring specific written advice on this issue.

The area of tractor and machinery safety required action by inspectors in 58% of inspections, including prohibitions on the use of unsafe or unguarded equipment.

An agriculture safety campaign was held in April and provided a focus for safety initiatives by many of the organisations involved in the partnership approach to improving health and safety in the agriculture sector.

To support the agricultural community, inspectors of the Authority were available to give advice and guidance to farmers at the National Ploughing Championships.



### Mines and Quarries

The inspectorate completed 530 inspections in the mines and quarries sector in 2009 and in addition a further 22 investigations into accidents and complaints were carried out including two fatal accidents in the sector.

More than 90% of places of work inspected in the sector were found to have a safety statement; of the safety statements assessed, over 90% had identified the relevant hazards, and had work specific risk assessments and the appropriate controls for the sector.

Compliance with the following requirements of the Safety, Health and Welfare (Quarries) Regulations 2008 were high:

- Relevant appointments made: 74% compliance.
- Written operating procedures available: 73% compliance.
- Written shot-firing rules available: 81% compliance.

The inspection process resulted in action in a third of all mine and quarry inspections.

A mines and quarries safety campaign was held in October, with a focus on the movement of plant and machinery.

### Manufacturing

There were 2,563 inspections in the manufacturing sector in 2009. A further 151 investigations into accidents, complaints and one fatal accident were carried out.

Safety statements were available for 84% of the inspections in the sector. Of these, 85% identified the relevant hazards and 78% included relevant risk assessments and control measures. However, there was still a significant requirement for inspectors to take action in relation to the areas of machinery safety, forklift use, maintenance and work at height. Action was required in about 40% of inspections.

### Wholesale and Retail

There were 2,179 inspections in the wholesale and retail sector in 2009. A further 75 investigations into accidents, complaints and two fatal accidents were completed.

In 2009 67% of the inspections in the sector found a safety statement in place. Approximately 75% of these identified the relevant hazards, contained the relevant risk assessments and identified the necessary control measures for the sector.

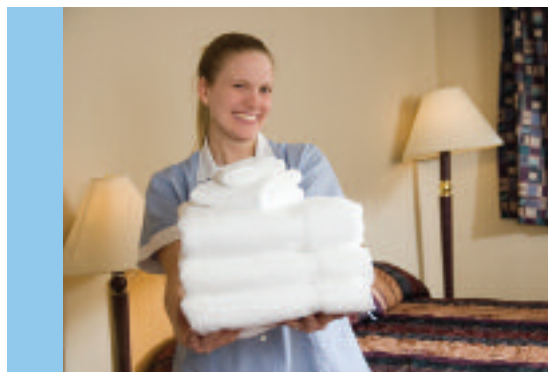
Forty per cent of employers in the sector were not aware of the requirement to report notifiable accidents to the Authority.

Levels of awareness of responsibilities under the Safety Health and Welfare at Work Act 2005 were low at only 45%.

### Accommodation and Food

There were 977 inspections in the accommodation and food sector in 2009 and in addition a further 27 accidents, complaints and one fatal accident were investigated.

Safety statements were available for 63% of the inspections in the sector. Where these were present, approximately 77% identified the relevant hazards, with risk assessments and control measures also addressed. Controls were not fully implemented in 60% of workplaces. Safety representatives were present in only 23% of workplaces in the sector and advice on safety consultation was required in 52% of inspections.





Over half of senior managers in the sector were not fully aware of their responsibilities under the Safety, Health and Welfare at Work Act 2005 and 42% of employers in the sector were unaware of the requirement to report accidents to the Authority.

### Education

The Authority initiated a series of 250 proactive inspections in the education sector in 2009. This level of activity was new to the sector. In addition, 19 accidents and complaints were investigated.

Safety statements were available for 89% of the inspections in the sector. Where these were present, 66% identified the relevant hazards, but only 55% contained the relevant risk assessments and identified the necessary control measures. The assessments revealed a significant requirement for inspectors to take action (83%) in relation to safety statements in this sector. Where controls were identified these were not being fully implemented in 62% of workplaces. Safety representatives were present in 63% of workplaces in the sector and advice on safety consultation was required in 49% of inspections.

## 2.3 Topical Inspection Programmes

### Manual handling

The levels of compliance in manual handling were assessed across the manufacturing, wholesale and retail, transport and storage, and accommodation and food sectors. The levels of compliance observed in each sector with the requirement to have a written risk assessment of manual handling risks were as follows: manufacturing 58%, wholesale and retail 42%, transport and storage 51%, and accommodation and food 26%.

### Workplace Vehicle Transport

The application of health and safety management systems to workplace vehicle transport was assessed in 1,923 inspections. Relevant traffic management plans were present in 52% of workplaces, with the relevant site rules available in 61% of cases. Advice

on one way traffic systems was required in 37% of workplaces and on reversing in 45%. Preventive maintenance systems and driver authorisation systems were present in approximately 75% of inspections.

### Noise

Inspectors determined that the risks posed by noise exposure were such that an assessment was required in 472 inspections. This was based on the lower (80dBA) and upper (85dBA) exposure levels. In these places of work there was a high reliance on personal protective equipment provision (>80%) but less on preventive approaches. Warning signs were evident in 77% of cases, while programmes of noise control measures and noise measurements were only observed in 68% of cases. Audiometry was made available in 66% of the relevant workplaces.

### Radon

In 2009 an awareness programme was initiated in ground-floor enclosed workplaces in geographic areas identified as high radon areas by the Radiological Protection Institute of Ireland (RPII). In total, the issue was addressed in 619 workplaces. Radon had not been addressed in the risk assessments in 72% of the safety statements in these workplaces. Awareness of the risks associated with radon gas exposure and the requirement to determine the need for workplace assessment of radon levels was identified as very low by the inspectorate. Appropriate action was taken to get employers to assess the risks and determine the radon gas levels if necessary. This programme will continue in conjunction with the RPII in 2010.

### Bullying

The assessment of controls in relation to bullying was examined against the requirements of the CoP. This programme focused on employers with more than 50 employees and resulted in 983 inspections. Employers were found to have written records relating to bullying complaints in 63% of workplaces inspected. Employers were found to meet requirements in relation to other key aspects of the CoP in approximately 70% of cases.



### Occupational First Aid

Compliance with first aid requirements was assessed in 2,277 places of work in 2009. The outcomes of these inspections indicate a significant level of compliance. Ninety-two per cent of workplaces had provided and maintained adequate and appropriate first-aid equipment. The employers had designated a suitable number of first aiders and had ensured that the training provided was adequate in 86% of workplaces. The contact details of the local emergency services were clearly displayed in 81% of workplaces.

### Audits of Employers with Multiple Sites

In 2009 an audit of employers with multiple sites was initiated with five employers in the manufacturing and wholesale and retail sectors. Our chosen method was to engage at corporate level with senior management to obtain details of their approach to health and safety management. A series of inspections of the workplaces were undertaken and the results were then correlated with the advised corporate health and safety management system. Senior managers were advised of the outcomes and gave commitments where improvements in compliance were required. The implementation of these improvements will be assessed in 2010 and it is planned to extend this approach to a further 10 employers.

### Occupational Hygiene and REACH

The objective of the Occupational Hygiene and REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) Enforcement Unit of the Authority is to monitor compliance in Irish workplaces with the Chemicals Act 2008, the Safety, Health and Welfare at Work Act 2005 and the 2001 Chemical Agents Regulations.

Key outcomes and achievements for the Unit in 2009 included:

- REACH /Classification, Labelling and Packaging (CLP) awareness: The OH/REACH Unit completed 1513 inspections during 2009, including 1198 specific REACH inspections – the majority of which

were in the manufacturing, wholesale and retail, and construction sectors. The results of these REACH awareness inspections indicated that 90% of those inspected had identified themselves as downstream users and were therefore exempt from the chemical registration process.

Companies were given specific advice regarding quality of safety data available in 60% of these inspections and supply chain issues were raised in 25% of the inspections. Awareness of the new CLP Regulation was low with only 10% of those visited being familiar with the revised classification, labelling and packaging requirements. The Unit also participated in the European Chemical Agency (ECHA) REACH EN-FORCE Project, which specifically targeted companies subject to pre-registration obligations under REACH, finding high awareness and strong compliance among this group.

- Asbestos inspections and notifications: The Unit also completed 193 asbestos-related site visits in 2009 and reviewed 209 asbestos notifications during this period. A review, including premises inspection, was undertaken of the safety and health standards being applied by asbestos analysts during asbestos work. It revealed that standards are variable, and this issue will be followed up during asbestos inspections in 2010.
- Biological agents: The Authority completed 75 site inspections for biological agents in 2009, focusing primarily on waste management /sewage treatment, human health and accommodation sectors. This programme will be extended in 2010 to target laboratories which have notified under the Biological Agents Regulations 1994.
- Specialist monitoring: The Unit also conducted 49 hand-arm-vibration monitoring inspections and conducted air monitoring for exposure to total inhalable dust (flour) at 12 separate sites in 2009.

### Transport and Storage of Dangerous Substances

The carriage of dangerous goods by road and the storage and retail of petroleum is enforced by the Authority. In co-operation with the Gardai, the



Authority carries out roadside spot checks on vehicles transporting dangerous goods. Depots involved in consigning or receiving dangerous goods are inspected to ensure that they are meeting their obligations and that where required a Dangerous Goods Safety Advisor (DGSA) has been appointed. We also inspect retail and private petroleum stores to ensure safety is being appropriately managed on site.

In 2009, 1,557 inspections were carried out including inspections of 867 dangerous goods vehicles, 231 DGSA depots and 169 retail and private petroleum stores. We carried out 289 spot checks on unmarked vehicles to ensure they were not carrying dangerous goods.

We issued 102 on-the-spot fines for non-compliance with the Carriage of Dangerous Goods by Road Regulations. We issued a number of improvement and prohibition notices to achieve improved compliance with legislation in DGSA premises and petrol stations. A report on the coordinated enforcement of spot checks during 2008 was submitted to the European Commission as required by Council Directive 95/50/EC.

We prepared a submission on behalf of the Authority to the public consultation on the Review of the Dangerous Substances Acts and we published Guidance on Emergency Response Plans in Petrol Stations.

## 2.4 Enforcement Activities

The Authority engaged in a range of enforcement activities in 49% of all inspections in 2009. Tables showing the number and type of enforcement actions for each economic sector are available in Appendix A. In summary, enforcement actions in 2009 included:

- 6,874 instances of the provision of specific written advice to individual workplaces (37% of all inspected workplaces).
- 1,394 Improvement Notices issued to ensure compliance where contraventions of relevant statutory provisions were observed.

- 633 Prohibition Notices issued where activity likely to involve a risk of serious personal injury was observed.

The safety and health standards at 17 places of work were deemed to be so poor as to warrant a closure. In all instances the contractor engaged in the agreed prohibition process to enable the safety and health standards to be improved so that work could recommence on the site.

Inspectors investigated 350 serious accidents and 78 dangerous occurrences. A further 593 investigations were undertaken on the basis of complaints referred from the Authority's Workplace Contact Unit. All 43 work-related fatal accidents were fully investigated.

A total of 38 prosecutions were taken by the Authority in 2009; 15 were heard summarily and 23 were on indictment. Fines to the sum of €708,850 were imposed for breaches of safety and health legislation. One Prohibition Notice appeal was successfully defended. Two pending judicial review proceedings are being defended and await hearing.

## 2.5 Memoranda of Understanding

The Authority recognises that ensuring compliance with safety and health legislation and chemicals legislation may sometimes involve interaction with other state agencies that also have a statutory role. To facilitate co-operation in such circumstances, in 2009 the Authority has renewed or initiated memoranda of understanding with the following agencies:

- Radiological Protection Institute of Ireland.
- Environmental Protection Agency.
- Office of the Commission for Energy Regulation.
- An Garda Síochána.

# Chapter 3: Prevention Services

In 2009 the work of the Prevention Services Division was notable for the volume of information, guidance and Codes of Practice produced and published. There was considerable work on the development of legislative proposals for submission to the Department of Enterprise, Trade and Employment for ministerial approval. Innovations were implemented across many of our activities, reflecting the diverse range of our customers and changing priorities.

## 3.1 Sectoral Policy Programmes

### **Agriculture**

The Farm Safety Partnership Action Plan progressed with the establishment of six active working groups to address the six goals in the Plan. The Farm Safety Partnership Advisory Committee (FSPAC) actively supported the work and special events to achieve improvements in safety and health within the sector.

The Authority participated with significant promotion and awareness-raising actions at the National Ploughing Championships and at the Tullamore Show.

Following consultation with the industry, drafting work was completed on guidelines for animal handling in marts, abattoirs and lairages.

Representing Ireland, the Authority made significant contributions to the proposed EU Guidance for Agriculture.

A new Child Safety on the Farm information sheet was published and new guidelines for safety with overhead lines in agriculture, a guide to safe working with timber and chainsaws and also guidance on safe operation of marts and lairages were drafted in consultation with major stakeholders, all for publication in 2010.

Farm Safety Seminars were held in four farm accident 'Black Spot' areas. Two training seminars were held to assist Agriculture Consultants Association (ACA) members to deliver Farm Safety CoP Training.

A Children's Farm Safety Slogan Competition was launched for the Kildare Education Centre.



## Construction

Although numbers employed have fallen significantly in the sector, construction continues to be hazardous. It is vital that all of those with influence should sustain their emphasis on the safety and health of workers in this sector.

Work was completed for the following Codes of Practice: Design and Installation of Anchors in Concrete; Working on Roads (addition to 2008 CoP for employers with three or less employees); and Avoiding Danger from Underground Services.

The Authority continued its involvement with and contribution to partnership and working group structures. These included the Authority's own advisory committee on construction (CAC); the wider national group of the Construction Safety Partnership (CSP) and the FÁS Construction Industry Group (CIG). Through this process we have been able to successfully influence and contribute to improving health and safety standards at all levels of the industry. We have led or supported specific initiatives throughout the year.

As lead organisation of CSP's Goal 5 'Improving the Health and Safety of Small Contractors' we have developed a safety management pack for contractors employing 20 or less employees, which will reach the target group in 2010. A series of seminars was undertaken in February and March to inform and assist small and medium sized contractors.

Regular meetings were held during the year with our Northern Ireland counterparts – the HSENI – to discuss matters of mutual interest. We began planning for a North-South cross border seminar and an inspector's forum to be held in 2010.

## Mining and Quarrying

The revised Mines Regulations were drafted in 2009 and will be available for public consultation in early 2010. The Authority led extensive consultation with inspectors of the Department of Justice, Equality and Law Reform, including consultation on the explosives section of the draft Mines Regulations.





A CoP for Management of Electricity in Quarries was drafted and presented for public consultation.

The Authority worked closely with FÁS and other stakeholders to ensure the take-up of Quarry Skills Certificate Scheme (QSCS) training.

Authority staff adjudicated the Ireland and UK Annual Mine Rescue Competition held in Cleveland Potash Mine, UK.

### Healthcare Sector

The Authority's five year plan for the Healthcare Sector was finalised and published following consultation with the sector. The plan has been distributed to key stakeholders and implementation has commenced.



### Docks

Following a regulatory impact analysis, we have commenced public consultation on regulatory proposals for this sector. In addition, we have published information sheets on the Management of Health and Safety in Docks and Hazards in Port and Dock Operations.

### Accommodation and Food Service Activities

A toolkit was developed for the sector, following consultation with relevant trade associations. Presentations on catering safety were delivered to lecturing staff in a number of third level institutions.

## 3.2 Topical Policy Programmes

### Occupational Health

The Authority oversaw the first full year of a revised administration and certification system in first aid. The system is operating to plan and monitoring continues to identify the potential for future improvements.

An Occupational Health toolkit to assist employers in small businesses was completed in collaboration with the Small Firms Association (SFA).

Recommendations made in the 2008 Workplace Health and Well-being Strategy continue to be implemented by the Authority in the area of both prevention and promotion initiatives.

A Work Positive Initiative for the management of workplace stress was implemented with organisations from five sectors. The results, including case studies developed during the projects, have been published and serve as guidance for other businesses seeking to address work-related stress.

Recently developed standards for training of instructors in manual handling and patient handling were approved by FETAC. A series of information seminars was carried out in conjunction with FETAC to introduce participants to the revised system. The Authority concluded research on manual handling in the construction sector and the report was presented to representatives and stakeholders in the industry. The Authority participated in and contributed to the technical expert group at EU level on the development of a revised Directive on work-related musculoskeletal disorders and display screen equipment.

Work commenced on the development of regulatory proposals, or guidance, as appropriate, on the management of and testing for intoxicants in workplaces.

Collaborative work with the National Disability Authority (NDA) led to the publication of Employees



with Disabilities – a guide for employers in the management of health and safety for disabled people.

### Education

The Authority's Transition Year Unit (45 hours of learning) achieved formal recognition from the National Council for Curriculum and Assessment (Department of Education and Science) for use in post-primary schools. The NCCA also accepted the recommendations of the Authority's submissions on the Home Economics syllabus, Junior Cert, and the Art, Craft and Design syllabus, Junior Cert.

The Choose Safety Resource, developed by the Authority and aimed at post-primary students, expanded to a national programme in 2009.

Guidelines on Managing Safety and Health in Post-primary Schools were finalised in collaboration with the Department of Education and Science and the State Claims Agency.

Four e-learning courses were developed and are now available for target audiences on the host site [www.alison.com](http://www.alison.com):

- An introduction to Managing Safety and Health in Schools.
- Safety and Health in the Science Laboratory for Teachers.
- Safety and Health in the Technology Classroom for Teachers.
- Get Safe – Work Safe:; Workplace Safety and Health for Senior Cycle Students.

A 'Serious Games' project was completed. This initiative is aimed at senior cycle students going on work experience and uses computer game technology to deliver the awareness message.

Two 'Keep Safe' information days were run for primary schools in Sligo and in Ballina. This was a collaborative effort with other agencies to make children at primary school level aware of the concepts of risk management.

### Work Related Vehicle Safety

A five year plan for Work Related Vehicle Safety was completed following consultation with principal stakeholders.

The Authority and the Road Safety Authority (RSA) jointly developed and published Driving for Work: Guidelines for Employers. In addition, both agencies jointly organised and hosted an international conference on Road Safety at Work.

We published Workplace Transport Risk Assessment and Reversing Vehicles information sheets. Jointly with the RSA and An Garda Síochána, we developed and completed a series of vehicle check sheets.



We continued the process of raising awareness through briefings and workshops to a range of parties.

### Diving

The Authority significantly reworked and updated legislative proposals and the Inland and Inshore and Offshore Codes of Practice, following a formal consultation stage and discussion with a wide range of stakeholders. We also prepared a Diving Standards reference guide.

### Physical Agents

Draft regulations on Optical Radiation were prepared and submitted for ministerial approval.



### Slips, Trips and Falls

Guidance on the prevention of slips, trips and falls was developed as part of the toolkit for the accommodation and food service sector. A short general guide has also been prepared for finalisation in 2010.



### Engineering; Machinery and Equipment

Legislative proposals to amend the Safety, Health and Welfare at Work (General Application) Regulations were developed in consultation with the Department of the Environment, Heritage and Local Government. This process will be concluded in early 2010. The Authority represented Ireland on EU machinery technical committees.

### Personal Protective Equipment (PPE)

The Authority represented Ireland on the EU PPE Technical Working Group.

## 3.3 Competent Authority Roles: Transport of Dangerous Goods by Road [ADR] and Transportable Pressure Equipment [TPED]

The Authority developed proposals relating to the transposition of the new Inland Transport of Dangerous Goods Directive [Road Mode only].

Draft legislative proposals to amend the Safety, Health and Welfare at Work (General Application)

Regulations to include new provisions for the use and inspection of pressure systems were drafted and submitted to the Department of Enterprise Trade and Employment.

A new formal procedure for exemptions and ADR multilateral special agreements was put in place to enable efficient management of future requests.



ADR exams, managed through the Authority's external agent, were monitored and audited to our satisfaction. Enhancements and amendments were made to application forms, ADR driver certificate (EU Driving Licence format), examination format and exam fees.

We developed a series of four ADR posters relating to key issues and a revised asbestos transport guide was published.

## 3.4 Communications and Customer Services

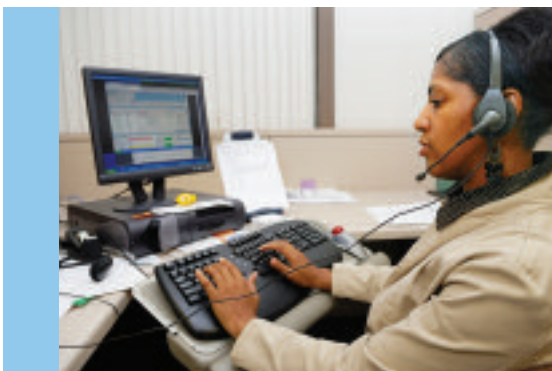
Throughout 2009 effective relationships were maintained with key media outlets, securing strong coverage for a range of topics and industry sectors.

The Workplace Contact Unit dealt with almost 22,000 telephone calls and consistently operated within agreed service quality benchmarks. A new proactive outbound campaign was successfully implemented. Our Customer Contact Association accreditation was successfully retained.





The HSA website was updated daily and now acts as the single most important communication route for employers, employees and members of the public. Over 500,000 visits with in excess of 2.5 million page views were recorded. A new website design was agreed in 2009 for launch in 2010.



A wide range of new publications were issued, the vast majority of which are available from our website free of charge. In excess of 325,000 publications were downloaded during the year.

Many events were successfully managed nationwide. These included seminars, conferences and workshops. Topics were diverse and covered, for example, the new Classification, Labelling and Packaging (CLP) Regulation, construction safety, farm safety and manual handling training.

# Chapter 4: Chemicals Policy and Services

The Chemicals Policy and Services Division (CPS) fulfilled the Authority's obligations as the lead national Competent Authority under Section 8 of the Chemicals Act 2008, specifically in relation to the REACH, Detergents and Export-Import Regulations.

We also fulfilled the Competent Authority role for the EU Classification, Labelling and Packaging (CLP) Regulation, which is to be transposed in an amendment to the 2008 Act, and for the EU Control of Major Accident Hazards (COMAH) Regulations 2006 for major accident hazard sites. We supported the DETE in briefings on all aspects of the REACH and other chemical legislative developments which the Authority has responsibility for at EU and national level. This also included giving briefings on the chemical aspects of regulations covered by other Departments on environmental effects, such as on the Restrictions on Hazardous Substances in Electrical and Electronic Equipment Directive (RoHS–recast) and the Persistent Organic Pollutants (POPs) Regulations.

In carrying out our lead Competent Authority role, the CPS advised and co-operated with the other Irish Competent Authorities set up by the 2008 Chemicals Act, i.e. the Environmental Protection Agency (EPA), the Pesticide Control Service (PCS) and the Customs. The main tasks carried out in 2009 by CPS to fulfil its lead Competent Authority role under the Chemicals Act and its associated Regulations are outlined below.

We are also presenting a report to the Minister, in line with Section 8 of the Chemicals Act 2008, on the overall operation of the Act at a national level, based on reports received from the national competent authorities, and from relevant sections of the Authority, mainly CPS and Workplace Compliance Division.

## 4.1 Regulatory Responsibilities

### REACH Regulation

Throughout 2009 CPS worked with experts from other EU Member States (MS), from the European Chemicals Agency (ECHA) and the EU on several ECHA and Commission committees to develop harmonised European positions. Our key achievements are as set out below:

- Provided the Irish opinion on ECHA's proposal to identify 15 substances as substances of very high concern (SVHCs).
- Developed a format for risk management options (RMO) analysis to be used for developing substances dossiers with particular emphasis on proposed SVHCs.
- Worked on ECHA's Partner Expert Groups (PEGs) for the review and updating of guidance documents in relation to various aspects of REACH and CLP.
- Provided the Irish position during ECHA's public consultation on the proposal to include seven priority substances in Annex XIV of the REACH Regulation, i.e. substances subject to authorisation.
- Provided the Irish opinion on the first testing proposals decision from ECHA.
- Developed the Irish position during ECHA's public consultation on proposals for harmonised Classification and Labelling (C&L) for eight chemical substances.



- Progressed the dossiers for harmonised classification and labelling for three Irish substances. An ECHA decision was reached on two of these substances and the third substance will be progressed through the ECHA Risk Assessment Committee in 2010.
- Participated in the Commission's Nano Subgroup, which is developing EU guidance for nano substances.
- Reached an agreement on three Irish risk assessments in the OECD Chemicals Programme.
- Planned for and coordinated activities to ensure the Authority has access to REACH IT, the IT system to be used by ECHA for the management of REACH information.
- Contributed to and prepared Irish positions for the EU REACH and CLP Competent Authority meetings of MS on the operation of the REACH and CLP Regulations (Caracal).
- Represented Ireland, along with DETE, at the Article 133 (REACH Regulation) Comitology meetings to reach agreement on the revised Annex II and draft Annex XVII proposals.
- Represented the Authority at four meetings of ECHA's Member State Committee (MSC) and participated in a working group which prepared the MSC's opinion on ECHA's recommendation to include substances in Annex XIV of REACH.
- Participated in four of ECHA's Risk Assessment Committee (RAC) meetings, providing an opinion to RAC on Annex VI dossiers for the proposed harmonised classification and labelling of substances. Prepared first RAC rapporteur accordance check report for Annex VI substance proposed to ECHA.
- Participated in two ECHA Socio-Economic Analysis Committees (SEACs) meetings and workshops.
- Represented Irish interests at the ECHA Forum on REACH Enforcement and participated in the first EU coordinated REACH Enforcement Project. We provided policy and technical input into various forum working groups, including one on REACH Inspection Criteria.
- Participated in two HELPNET (formally REHCORN) meetings for REACH and CLP helpdesks, along with a number of teleconferences, webinars and workshops.
- Consulted with Irish stakeholders on the proposal to restrict the use of boric acid in a number of applications and prepared a report for the DETE.
- Inputted into a Commission-sponsored study on penalties and enforcement regimes for REACH.
- Provided advice to the Commission on the design and content of the Member State Competent Authority (MSCA) 5 yearly Report to the Commission on the operation of the REACH Regulation.
- Assisted the Irish chemical industry in their deliberations with ECHA on 42 registration queries with regard to previously notified substances in Ireland under the old Notification Directives.

We co-operated with the EPA, the PCS and the Customs on the effective implementation of the REACH Regulation across Irish industry. A Memorandum of Understanding (MoU) was signed with the EPA on the REACH Regulation and one was progressed with the PCS.

We developed a REACH Enforcement Strategy and Training programme for Authority inspectors who carry out REACH Regulation inspections and provided them with technical support during those inspections. We also carried out an ECHA-sponsored REACH Enforcement Project in over 30 Irish workplaces and reported to ECHA on its findings.

### EU Detergent Regulation



We briefed the Irish Cosmetics, Detergents and Allied Products Association on the implications of the Detergents Regulation. We consulted with Irish stakeholders and the DEHLG on the Commission proposal to restrict the use of phosphorus in detergents, and prepared the Irish opinion for the Commission. We also represented Irish interests on the EU Detergents Working Group. We processed seven detergents queries and supported the Authority's inspectors on detergent issues.

### EU Export-Import Regulation

We processed 20 industrial chemical export notifications and 20 requests for explicit consents under this Regulation. We produced a guidance brochure to assist exporters in completing the export notification form required by the Regulation and answered 30 queries. We developed systems and procedures for processing of export-import notifications and explicit consents. We represented Irish interests on the EU Export-Import Designated National Authority (DNA) meetings. We sent the Irish export and imports report under this Regulation to the EU Commission.

We developed our co-operation links with the other DNAs for the Regulation, the PCS and the Customs, with respect to its implementation in Ireland. We agreed the terms of reference for our co-operation and drafted an MoU to be signed in 2010. We held an Export-Import Stakeholder meeting to communicate obligations under the Regulation and made a presentation to the Irish Exporters Association on our role under the Regulation. We provided input into the Customs service procedures on 'Restrictions and Prohibitions Tariffs 2010'. We also provided briefing for the DETE on potential barriers to trade involving chemicals.

### Classification, Labelling and Packaging (CLP) Regulation

The CPS Division held two CLP seminars, in Cork and Dublin, in May. We represented Irish interests at the United Nations Sub-Committee on Global CLP at its seventeenth and eighteenth sessions. We produced a CLP brochure which highlights the requirements for

downstream users, and this document was tailored to suit small and medium enterprises (SMEs). We progressed the development of proposals with the DETE to give effect to the EU CLP Regulation EC 1272/2008 under the Chemicals Act 2008.

### Chemical, Biological and Asbestos Regulations

We developed a new Chemical Agents Code of Practice (CoP), which received the consent of the Minister for Labour Affairs to its publication early in 2010. The CoP includes the chemicals listed in the Third Indicative List directive, which was published in December. The Code is due for publication early in 2010.

We drafted proposals for new consolidated Biological Agents Regulations in 2009 together with a code of practice, a regulatory impact assessment and guidelines. These are due for public consultation in early 2010. A draft amendment to the 2006 Asbestos Regulations was prepared, but its publication was postponed until the publication and full transposition



of the new EU codified asbestos workers directive. A draft code of practice was also prepared and this will be published following full transposition of the codified asbestos workers directive. A survey was also carried out of asbestos consultant competencies and the outcomes from this survey will be reflected in the new Asbestos Code.

### Control of Major Accident Hazards Regulation

Our inspectors carried out 472 inspections of sites covered by the COMAH Regulation and dealt with



300 requests for land use planning (LUP) advice under the Regulation. We worked with the DETE to produce new draft COMAH Regulations, which went out for public consultation in December. We updated and published on our website a new major accident hazards LUP policy. Under the Chemical Weapons Act 1997 we submitted the required reports and notification to the UN Organisation for the Protection against Chemical Weapons (OPCW). One OPCW inspection of an Irish company was facilitated during the year.

#### **Dangerous Substances Act 1972**

With the DETE we reviewed the Arup Report on the Dangerous Substances Act (DSA) 1972. This led to the preparation of a paper for public comment on a new regulatory regime for petrol stations and comments reviewed with the DETE.

## 4.2 Safe Use of Nanotechnology at Work

We developed the Authority policy on this issue through a sub-group of the Technical Scientific Advisory Committee and it was approved by the Authority. We used this experience to work on the development of EU Nano guidance for industry with the Commission and others, to develop specific advice on how to establish the substance identity of nanomaterials. We participated in and presented to the Interdepartmental and Agency group with responsibilities for nanotechnology in Ireland. We participated in the Joint Action meeting hosted by FORFAS on nanotechnology in Ireland under the SANCO Public Health Program.

## 4.3 Other Chemical Activities

We provided comments on chemical related work of the DEHLG. This involved providing technical advice to the DETE on the interface between the REACH Regulation and the new EU proposal for a Regulation on the Restriction of Hazardous Substances in Electric and Electronic Equipment (RoHS–recast). We consulted with the Legislation and Guidance Sub-Committee on the proposal to include the Authority

as a Competent Authority in the new Persistent Organic Pollutants (POPS) Regulations. We participated in a Department of Health and Children-sponsored Chemical Hazards Working Group on the assessment of health capacities related to chemical hazards and the International Health Regulations (IHR).

We provided comments to the OECD on its new and revised test guidelines and guidance documents. We inputted into the EU Senior Labour Inspectors Committee (SLIC) initiative on Risks from Chemicals in the Workplace.

## 4.4 Stakeholder Support

An extensive review and update was carried out of the chemicals web pages on the Authority website. We presented to several national and international conferences on chemicals (REACH and CLP) and on HSA nanotechnology policy recommendations. We provided verbal and written advice through the REACH and CLP helpdesks to Irish companies on meeting their obligations under the REACH, CLP, Detergents and Export-Import Regulations (470 queries received). Stakeholder communications on REACH/CLP progressed throughout the year through the publication of four REACH/CLP e-Bulletins. We targeted our communications with Irish pre-registrants to ensure they were familiar with the requirements of the Substance Information Exchange Forums (SIEFs) formation and the first registration deadline of December 2010. Our Technical Services Advisory Committee held three meetings during the year, which looked at developments in the REACH, CLP, COMAH, chemical and biological and ADR areas. We developed the chemical input in the Authority's Roofwork CoP, the Small Firms Association occupational health toolkit, a toolkit for the hospitality sector and the Safety Management Pack for Small Contractors. We participated in the development of an Environmental Protection Agency Code of Practice for Local Authorities handling hazardous substances at civic amenity sites.

# Chapter 5: Corporate Services

The Corporate Services division worked during 2009 to support the Authority, including its Board, management and staff, to meet its goals in the following areas:

- Corporate governance.
- Research and statistics.
- Human resources management.
- Financial and facilities management.
- Information and communication technologies.
- Legislative development and departmental liaison.

## Corporate Governance

We met our obligations in relation to the revised Code of Corporate Governance for State Bodies and the Ethics in Public Office legislation and guidelines. The Chairperson and Board members received necessary information, including all relevant briefing material, five days before each Board meeting.

We conducted a significant public consultation exercise and developed a new strategy for the Authority to cover the period 2010 to 2012. This was submitted to the Minister for approval in October 2009. The Annual Report and Programme of Work for 2010 were submitted to the Minister within the statutory deadlines.

## Research and Statistics

We published the annual Statistics Summary, and timely and accurate statistical outputs for press releases, parliamentary questions and the Authority website were delivered throughout the year.

We worked closely with Eurostat (Statistical agency of the European Union) in 2009 to update Irish data on the Eurostat website. The Authority represented Ireland at meetings of the ESAW (European Statistics on Accidents at Work) Working Group in April and October.

We initiated discussions with the Central Statistics Office and Department of Social and Family Affairs to identify appropriate sources to meet requirements to supply occupational disease data to Eurostat.

The Authority also contributed to the work of the European Scoreboard Working Group. The Scoreboard, which measures Member States' progress in relation to the Community Strategy on Safety and Health at Work 2007/2012, was published by the Commission in December 2009.



## Human Resources Management

We monitored our performance management systems and further developed our attendance management, occupational health, disciplinary and equality policies and systems.

We maintained stable industrial relations through ongoing engagement with staff interests.

We managed and delivered learning and development programmes to staff totalling 1,063 person days.

## Financial and Facilities Management

We completed our draft annual accounts for 2008 before the end of February 2009.

We ensured the Authority did not exceed its overall budget in 2009 and responded to reductions in that budget compared to 2008 by implementing a range of cost savings.

We provided support to the Board's Finance and Internal Audit Committees and implemented any internal audit recommendations.

We ensured that staff had high-quality, safe and accessible accommodation and completed the move of the Sligo field office to new offices.

## Information and Communication Technologies (ICT)

We ensured that the service availability to users was in excess of 99.5% for core applications.

We provided technical support for staff for the new enforcement support system (GeoSmart).

We developed our disaster recovery/business continuity capability. We implemented a series of cost saving initiatives to reduce costs in relation to maintenance and telecommunications, and we reduced our reliance on third parties to the greatest extent possible.

During 2009 the Authority won an ICT Excellence Award for the development of its new GeoSmart system for the management of the entire inspection and enforcement process.





## Legislative Development and Departmental Liaison

The Authority developed the following legislative proposals and Codes of Practice during 2009:

- Draft Safety, Health and Welfare at Work (General Application)(Amendment) Regulations 2009 on Artificial Optical Radiation were transmitted to Minister for consideration with a view to legal settlement.
- Draft European Communities (Dangerous Substances and Preparations)(Marketing and Use)(Revocation) Regulations 2009 were transmitted to Minister for consideration with a view to legal settlement.
- Code of Practice for Avoiding Danger from Underground Services was approved for publication by the Minister
- Draft Code of Practice on Preventing Accidents to Children and Young Persons in Agriculture was cleared for submission to Minister for consent for publication.
- Draft Code of Practice for Working in Confined Spaces submitted to Minister for consent for publication.
- Code of Practice for Managing Health and Safety in Forestry Operations was approved by the Minister for publication.
- Draft Safety, Health and Welfare at Work (Mines) Regulations cleared for public consultation in 2010.
- Draft Safety, Health and Welfare at Work (Biological Agents) Regulations and Code of Practice and Guidelines was cleared for public consultation in 2010.
- Updated Code of Practice for Chemical Agents was submitted to Minister for consent for publication.
- SSWP on 'Working on Roads' for addition to 2008 Code of Practice for Contractors with Three or Less Employees was cleared for submission to Minister for consent for publication.
- Draft Code of Practice on Roofwork cleared for public consultation in 2010.
- Draft Code of Practice on Safe Operation of Vehicles delivering quarry products was issued for public consultation.
- Review of the Docks (Safety, Health and Welfare) Regulations undertaken for public consultation in 2010.

We developed our Regulatory Impact Assessment (RIA) approach to focus on the development of realistic options. The impacts of legislative proposals in the areas of optical radiation, docks, payment in lieu of prosecution, biological agents and mining were examined, and the RIA documents were subject to a public consultation together with the relevant draft Regulations.





# Financial Reports

'09

# Financial Reports and Unaudited Accounts<sup>1</sup>

## Statement on Internal Financial Control

On behalf of the members of the Board of the Health and Safety Authority I acknowledge our responsibility for ensuring that an effective system of internal financial control is maintained and operated. The system can only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely period.

## Key Control Procedures

The Authority has taken steps to ensure an appropriate control environment by -

- Clearly defining management responsibilities and powers.
- Establishing formal procedures for reporting significant control failures and ensuring appropriate corrective action.
- Establishing a process to safeguard the assets of the Authority.
- Developing a culture of accountability across all levels of the organisation.

The Authority has established processes to identify and evaluate business risks by -

- Identifying the nature, extent and financial implication of risks facing the Authority including the extent and categories which it regards as acceptable.
- Assessing the likelihood of identified risks occurring.
- Assessing the Authority's ability to manage and mitigate the risks that do occur.
- Assessing the costs of operating particular controls relative to the benefit obtained.
- Working closely with Government and various Agencies to ensure that there is a clear understanding of the Authority's goals and support for the strategies to achieve those goals.

The system of internal financial control is based on a framework of regular management information, administrative procedures including segregation of duties, and a system of delegation and accountability. In particular it includes -

- A comprehensive budgeting system with an annual budget which is reviewed and agreed by the Board of the Authority;
- Regular reviews by the Authority of periodic and annual financial reports which indicate financial performance against forecasts;
- Setting targets to measure financial and other performance.
- Clearly defined purchasing and approval guidelines.
- Formal project management disciplines.

<sup>1</sup> The Authority submitted its unaudited accounts to the Comptroller and Auditor General (C&AG) as set out in the Safety, Health and Welfare at Work Act 2005. The C&AG had not completed their audit work at the time of publication and the accounts are therefore titled as unaudited.



The Authority has put in place an internal audit function, which operates in accordance with the principles set out in the Code of Practice on the Governance of State Bodies. The work of internal audit is informed by analysis of the risk to which the body is exposed, and annual internal audit plans are based on this analysis. The analysis of risk and the internal audit plans are endorsed by the Audit Committee. At least annually, the Internal Auditor will provide the Authority with a report of internal audit activity. The report includes the Internal Auditor's opinion on the adequacy and effectiveness of the system of internal financial control.

The Authority's monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the internal auditor, the Audit Committee which oversees the work of the internal auditor, the Executive within the Authority who have responsibility for the development and maintenance of the financial control framework, and comments made by the Comptroller and Auditor General in his management letter or other reports.

A Code of Standards and Behaviour has been put in place for employees and a Code of Corporate Governance has been put in place for Board Members and both are adhered to.

Government policy on the pay of Chief Executives and all State body employees is being complied with. Details of the salary of the Chief Executive Officer are published as a note to the Financial Statements and in the Annual Report.

Government guidelines on the payment of Directors' fees and expenses are being complied with. The fees and expenses paid to Board members during 2009 will be detailed in a note to the Financial Statements and in the Annual Report.

There have been no significant post balance sheet events.

The Authority has complied with the Government travel policies in all respects, is adhering to the relevant procurement policy and procedures and is compliant with the asset disposal procedures.

The Authority was in compliance with all relevant tax laws and the Code of Practice for the Governance of State Bodies is being complied with.

### **Annual Review of Controls**

The Authority's Audit Committee reviews the effectiveness of the internal financial control systems with a formal report then going to the Board. The Board has carried out a formal review of its internal controls during 2009.

On behalf of the Board.

*Jim Lyons*  
Chairman  
February 2010



## Statement of Authority Responsibilities

Section 48(1) of the Safety, Health and Welfare at Work Act, 2005 requires the Authority to prepare financial statements in such form as may be approved by the Minister of State at the Department of Enterprise, Trade and Employment with the concurrence of the Minister for Finance. In preparing those financial statements, the Authority is required to:

- Select suitable accounting policies and then apply them consistently.
- Make judgements and estimates that are reasonable and prudent.
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Authority will continue in operation.
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Authority is responsible for keeping proper books of account which disclose with reasonable accuracy at any time the financial position of the Authority and which enable it to ensure that the financial statements comply with Section 48(1) of the Safety, Health and Welfare at Work Act, 2005. The Authority is also responsible for safeguarding the assets of the Authority and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.



## Statement of Accounting Policies for Year ended 31st December 2009

### 1. Basis for Accounting

The financial statements are prepared under the accruals method of accounting and in accordance with generally accepted accounting principles under the historical cost convention.

### 2. Fixed Assets and Depreciation

Fixed assets are stated at their historical cost less accumulated depreciation.

Expenditure on tangible fixed assets above €1,000 is capitalised.

Software development costs on major systems are written off over a period of 10 years from the date of implementation.

Depreciation is calculated on the straight-line basis as follows:-

Office Furniture and Equipment	20% per annum
Computer Equipment	33.33% per annum
Scientific Equipment	20% per annum
Fixtures and Fittings	10% per annum
Software Development	10% per annum

### 3. Stocks

Stocks of publications on hand have no net realisable value and are not regarded as assets.

### 4. Capital Account

The capital account represents the unamortised value of Oireachtas grants used to purchase fixed assets.

### 5. Income Recognition

Oireachtas Grants shown in the Income and Expenditure Account reflect the amounts received from the Department of Enterprise, Trade and Employment (DETE) in respect of the year.

### 6. Foreign Currencies

Transactions denominated in foreign currencies converted in Euro at standard rates during the year are included in the Income and Expenditure for the year.

### 7. Superannuation

The Health and Safety Authority operates an unfunded defined benefit pension scheme which is funded annually on a pay as you go basis from monies available to it, including monies provided by the DETE.

Pension Costs reflect pension benefits earned by employees in the period and are shown net of staff pension contributions which are refunded to the DETE in accordance with the Authority's financing arrangements. An amount corresponding to the pension charge is recognised as income to the extent that it is recoverable, and offset by grants received in the year to discharge pension payments.

Actuarial gains or losses arising on scheme liabilities are reflected in the Statement of Total Recognised Gains and Losses and a corresponding adjustment is recognised in the amounts recoverable from DETE.

Pension liabilities represent the present value of future pension payments earned by staff to date. Deferred pension funding represents the corresponding asset to be recovered in future periods from the DETE.

# Draft Financial Statements

<b>Income and Expenditure Account for Year ended 31 December 2009</b>			
<b>INCOME</b>	<b>NOTES</b>	<b>2009 €</b>	<b>2008 €</b>
Oireachtas Grants	1(a)	22,561,000	24,235,450
Net deferred funding for pensions	8(c)	4,915,000	4,534,000
Employee deductions refundable to DETE		(875,144)	(715,633)
Other Income	1(b)	354,094	578,615
Sub total		26,954,950	28,632,432
Transfer from / (to) Capital Account	2	421,502	259,230
		27,376,452	28,891,662
<b>EXPENDITURE</b>			
Salaries Costs	3	12,960,288	12,440,840
Pension Costs	8(a)	5,124,856	4,584,367
Other Administration Costs	4	8,481,672	11,618,247
		26,566,816	28,643,454
(Deficit)/Surplus for the Year		809,636	248,208
Accumulated Surplus/(Deficit) at 1 January		(133,367)	(381,575)
Accumulated (Deficit)/Surplus at 31 December		676,269	(133,367)

The results for the year relate to continuing operations.

The Statement of Accounting Policies and Notes 1 to 12 form part of the Financial Statements.



<b>Statement of Total Recognised Gains and Losses for Year ended 31 December 2009</b>					
	<b>NOTES</b>	<b>2009</b>	<b>2009</b>	<b>2008</b>	<b>2008</b>
		€	€	€	€
Surplus/(deficit) for financial year			809,634		248,208
Experience losses/(gains) on pension scheme liabilities	8(d)	(720,000)		366,000	
Changes in assumptions underlying the present value of pension scheme liabilities		0		0	
Actuarial loss/(gain) on pension liabilities		(720,000)		366,000	
Adjustment to Deferred Pension funding		720,000		(366,000)	
<b>Total recognised gains and losses for the year</b>			<b>809,634</b>		<b>248,208</b>

The Statement of Accounting Policies and Notes 1 to 12 form part of the Financial Statements.



Balance Sheet as at 31 December 2009					
	NOTES	2009 €	2009 €	2008 €	2008 €
<b>FIXED ASSETS</b>	5		855,907		1,277,409
<b>CURRENT ASSETS</b>					
Debtors and Prepayments	6	1,000,207		737,192	
Bank and cash Balances		162,656		56,369	
		1,162,863		793,561	
<b>CREDITORS (due in less than one year)</b>					
Creditors	7	486,594		930,686	
		486,594		930,686	
Net Current (Liabilities)/Assets			676,269		(137,125)
<b>NET ASSETS BEFORE PENSIONS</b>			1,532,176		1,140,284
Deferred pension funding	8(b)		52,900,000		49,600,000
Pension Liabilities	8(b)		(52,900,000)		(49,600,000)
<b>NET ASSETS</b>			1,532,176		1,140,284
<b>REPRESENTED BY:</b>					
Capital Account	2		855,907		1,273,651
Accumulated Surplus/(Deficit) on Income and Expenditure Account			676,269		(133,367)
			1,532,176		1,140,284

The Statement of Accounting Policies and Notes 1 to 12 form part of the Financial Statements.





<b>Cash Flow Statement as at 31 December 2009</b>		
<b>RECONCILIATION OF OPERATING SURPLUS/(DEFICIT) TO NET CASH INFLOW FROM OPERATION ACTIVITIES</b>	<b>2009</b>	<b>2008</b>
	<b>€</b>	<b>€</b>
(Deficit)/Surplus for year	809,634	248,208
Movement on Capital Account	(421,502)	132,593
Adjustment on Capital Account	3,760	-
Depreciation	513,640	619,759
(Increase)/decrease in Debtors	(263,015)	(121,182)
Increase/(decrease) in Creditors	(444,092)	(131,270)
<b>Net Cash Inflow from Operating Activities</b>	<b>198,425</b>	<b>791,643</b>
<b>Cash Flow Statement</b>		
<b>Net Cash Inflow from Operating Activities</b>	<b>198,425</b>	<b>791,643</b>
<b>Capital Expenditure</b>		
Payments to acquire fixed assets	(92,138)	(795,887)
<b>(Decrease)/Increase in Cash</b>	<b>106,287</b>	<b>(4,244)</b>
<b>Reconciliation of net cash flow to movement in Net Funds</b>		
(Decrease)/Increase in cash in year	106,287	(4,244)
Net funds at 1 January	56,369	60,613
Net funds at 31 December	162,656	56,369
<b>Analysis of Change in net funds</b>	<b>Cash at Bank and in hand</b>	<b>Total</b>
	<b>€</b>	<b>€</b>
At start of year	56,369	56,369
Cash Flow	106,287	106,285
At end of year	162,656	162,654

The Statement of Accounting Policies and Notes 1 to 12 form part of the Financial Statements.


**Notes to the Financial Statements year ended 31 December 2009**

<b>Notes to the Financial Statements year ended 31 December 2009</b>			
<b>1(a).Oireachtas Grants</b>		<b>2009</b>	<b>2008</b>
		€	€
		22,561,000	24,235,450
<b>1(b). Other Income</b>		<b>2009</b>	<b>2008</b>
		€	€
EU Grant		-	5,393
Driver Training Course Income		38,315	15,135
Processing Fees		-	123,373
Fines – ADR (carriage of dangerous goods by road)		19,890	15,960
Sale of Authority's Publications		81,515	180,549
Miscellaneous (seminars, legal, witness expenses)		214,375	238,205
		354,095	578,615
<b>2. Capital Account</b>		<b>2009</b>	<b>2008</b>
		€	€
Balance at 1 January		1,277,409	1,141,058
Transfer (to)/ from the Income and Expenditure Account			
Total grants applied towards purchase of Fixed Assets	92,138		
Amortisation in line with depreciation	(513,640)		
		(421,502)	132,593
Balance at 31 December		855,907	1,273,651
<b>3. Salary Costs</b>		<b>2009</b>	<b>2008</b>
		€	€
Gross Salaries		12,045,691	11,539,911
Employer PRSI		914,597	900,929
Total Salary Costs		12,960,288	12,440,840
<i>Numbers Employed</i>			
Professional/Technical		139	128
Administration		58	69
		197	197
<b>Chief Executive Officer - Salary</b>		<b>2009</b>	<b>2008</b>
		€	€
Salary		159,761	154,377
In January 2009 the Chief Executive received a further payment of €23,797 in respect of performance related pay for 2008.			



<b>Notes to the Financial Statements year ended 31 December 2009</b>			
<b>Total Members' Fees</b>	<b>NOTES</b>	<b>2009 €</b>	<b>2008 €</b>
Members' Fees*		84,000	90,000
Chairman's Fees		13,067	14,000
		97,067	104,000
<b>Expenses</b>		<b>2009 €</b>	<b>2008 €</b>
Chairman		6,740	6,137
<b>Board Members</b>			
Marian Byron		Nil	nil
Dermot Carey		1,086	nil
Esther Lynch		nil	nil
Eamon Devoy		nil	nil
Dessie Robinson		nil	nil
Francis Rochford		nil	nil
Rosie Sheerin		1,153	2,826
Pat Kearney		3,435	7,934
Christina McEleney		2,434	3,615
Anne-Marie Hayes		3,170	3,921
Chief Executive Officer		10,816	12,452
<b>4. Administration</b>		<b>2009 €</b>	<b>2008 €</b>
Accommodation		2,222,773	2,260,634
Communications Costs		425,388	504,014
Travel & Subsistence		959,106	1,289,384
Publications & Marketing		683,639	1,919,479
Legal Services		169,994	400,550
Research & Consultancy		824,756	1,474,490
Business Process Review		790,045	534,554
Staffing Costs		334,183	472,602
General Equipment Supplies		214,617	290,506
External Partnership		210,000	285,480
Investment in Learning		270,097	394,213
Technology Costs		578,170	332,610
Depreciation		513,640	663,294
Internal Audit Fees		34,226	70,766
External Audit Fee		16,500	16,500
Members Fees	Note 3	97,067	104,000
Other		137,471	213,348
		8,481,672	11,226,424

\* No fees were paid to Francis Rochford



## Notes to the Financial Statements year ended 31 December 2009

5. Fixed Assets	Fixtures & Fittings €	Furniture & Equipment €	Computer Equipment €	Scientific Equipment €	Software Development €	Total €
<b>Cost</b>	1,836,373	1,957,018	5,305,533	515,328	435,358	10,049,610
Balance at 1 January 2009						
Additions	22,003	23,309	46,826	-	-	92,138
Balance at 31 December 09	1,858,376	1,980,327	5,352,359	515,328	435,358	10,141,748
<b>Accumulated Depreciation</b>						
Balance at 1 January 2009	1,687,050	1,565,168	5,023,891	452,557	43,535	8,772,201
Charge for year	26,736	175,838	236,271	31,259	43,536	513,640
Balance at 31 December 09	1,713,786	1,741,006	5,260,162	483,816	87,072	9,285,841
NBV 31 December 2009	144,591	239,321	92,197	31,512	348,286	855,907
NBV 31 December 2008	149,323	391,850	281,642	62,771	391,822	1,277,409

6. Debtors and Prepayments	2009 €	2008 €
Prepayments	968,542	713,740
Other Debtors	31,665	23,452
	1,000,207	737,192
7. Creditors	2009 €	2008 €
<b>Amounts due in less than one year</b>		
Trade & Expense Creditors	96,812	164,328
Accrued expenses	263,946	653,579
Payroll Creditors	125,836	112,778
	486,594	930,686



<b>Notes to the Financial Statements year ended 31 December 2009</b>		
<b>8. Superannuation Scheme and Accounting Treatment for Retirement Benefits</b>	<b>2009</b> €	<b>2008</b> €
(a) Analysis of total pension costs charged to expenditure		
Current service cost	3,600,000	3,100,000
Interest on pension scheme liabilities	2,400,000	2,200,000
Employee contributions	(875,144)	(715,633)
	5,124,856	4,584,367
<b>(b) Movement in Net Pension Liability during the financial year</b>	<b>2009</b> €	<b>2008</b> €
Deficit at the beginning of the year	49,600,000	44,700,000
Current service cost	3,600,000	3,100,000
Benefits paid	(1,085,000)	(766,000)
Past service costs	0	0
Interest Costs	2,400,000	2,200,000
Actuarial loss/(gain)	(1,615,000)	366,000
Net Pension liability at 31 December	52,900,000	49,600,000
<b>(c) Deferred funding for pensions</b>		
<p>The Health and Safety Authority recognises these amounts as an asset corresponding to the unfunded deferred liability for pensions on the basis of the set of assumptions described above and a number of past events. These events include the statutory backing for the superannuation scheme and the policy and practice in relation to funding public service pensions, including contributions from employees and the annual estimates process. The Health and Safety Authority has no evidence that this funding policy will not continue to meet such sums in accordance with current practice. The deferred funding asset as at 31st December 2009 amounted to €52,900,000 (2008 €49,600,000). The quantification of the liability is based on the financial assumptions set out in this note. The financial assumptions used, which are based on professional actuarial advice, are advised to the Department of Enterprise, Trade and Employment but are not formally agreed with the Department.</p>		
<b>Net Deferred Funding</b>	<b>2009</b> €	<b>2008</b> €
Funding recoverable in respect of current pension year	6,000,000	5,300,000
Costs		
State grant applied to pay pensioners	(1,085,000)	(766,000)
	4,915,000	4,534,000
<b>(d) History of defined benefit obligations</b>	<b>2009</b> €	<b>2008</b> €
Experience (Gains)/losses on scheme liabilities Amount (€)	(720,000)	366,000
Percentage of the present value of scheme liabilities	(1.00%)	1.00%
<b>The cumulative actuarial loss recognised in the Statement of Total Recognised Gains and losses amounts to €</b>		6,825,000



## Notes to the Financial Statements year ended 31 December 2009

### (e) General description of the scheme

The Health and Safety Authority (HSA) operates unfunded defined benefit superannuation schemes for staff. Superannuation entitlements arising under the schemes are paid out of current income and are charged to the Income and Expenditure Account, net of employee superannuation contributions, in the year in which they become payable.

The results set out below are based on an actuarial valuation of the pension liabilities in respect of serving and former staff of HSA as at 31st December 2009. This valuation was carried out by a qualified independent actuary for the purposes of the accounting standard, Financial Reporting Standard No. 17 – Retirement Benefits (FRS 17).

The financial assumptions used were:

	At 31/12/09	At 31/12/08	At 31/12/07
Discount Rate	5.5%	4.90%	4.90%
Rate of Increase in Salaries	4.0%	4.00%	4.00%
Rate of Increase in Pensions	4.0%	4.00%	4.00%
Inflation	2.0%	2.00%	2.00%

### (f) Average future life expectancy according to the mortality tables used to determine the pension liabilities

Male aged 65	Female aged 65
22	25

### 9. Commitments under operating leases

At December 2009 the Authority had annual commitments under non-cancellable operational leases as set out below.

	Land & Buildings
Operating Lease which expire:	€
Within one year	0
In the second to fifth years inclusive	73,268
Over five years	1,328,032

### 10. Board Members – Disclosure of Transactions

Each year in addition to our Exchequer Grant (Subhead T) the Authority is requested to administer a fund – Grant XO1 - to support a number of workplace safety initiatives approved by the Board to be undertaken by external organisations. Submissions were received from a number of organisations and strategic partnerships in respect of this fund.

In the course of distributing the Grant XO1 fund the Board may approve financial assistance to undertakings with which individual Board members are associated.

The following members disclosed an interest in organisations to which financial assistance was approved during the year.

Organisation	Amount	Associated Board Member
CIF/Construction Safety Partnership	€187,240	Dermot Carey

## Notes to the Financial Statements year ended 31 December 2009

### 11. Contingent liability

The Authority is involved in a legal proceeding where the no decision has yet been taken regarding the allocation of costs. All costs incurred by the Authority have been expensed in the year in which they occurred. The final costs are yet to be decided upon and therefore any additional liability cannot be reasonably determined at this stage.

The Authority is involved in a legal proceeding where the no decision has yet been taken regarding the allocation of costs. All costs incurred by the Authority have been expensed in the year in which they occurred. The final costs are yet to be decided upon and therefore any additional liability cannot be reasonably determined at this stage.

### 12. Approval of Financial Statements

The financial statements were approved by the Board on 26th February 2010.

# Appendices

Appendix A:  
Inspection and Enforcement Statistics

Appendix B:  
Outcomes of Prosecutions

Appendix C:  
Proposals for New Legislation and Codes of  
Practice in 2009

Appendix D:  
Other Guidance and Information Materials  
Published in 2009

Appendix E:  
Board Sub-Committees, Advisory Committees  
and Working Groups

'09



# Appendix A: Inspection and Enforcement Statistics

**Table A.1 Number of inspections and investigations 2003–2009**

Year	2003	2004	2005	2006	2007	2008	2009
Total Inspections/ Investigations	10,704	11,382	13,552	15,365	13,631	16,009	18,451

**Table A.2 Percentage employer compliance with safety and health requirements by sector 2009**

NACE	% Safety Statement prepared	% Safety Consultation System (where applicable)	% Safety Representatives appointed (where applicable)
A - Agriculture, forestry and fishing	61	66	15
B - Mining and quarrying	91	85	34
C – Manufacturing	84	65	43
D - Electricity, gas, steam and air-conditioning supply	84	75	62
F – Construction	76	78	40
G - Wholesale and retail trade; repair of motor vehicles and motorcycles	67	51	28
H - Transportation and storage	68	57	40
I - Accommodation and food service activities	63	48	23
K - Financial and insurance activities	82	62	31
O - Public administration and defence; compulsory social security	87	84	80
P – Education	89	51	63
Q - Human health and social work activities	82	62	58
S - Other service activities	50	34	12

**Table A.3 Number of inspections by economic sector and inspection type 2009**

NACE	Accident Complaint Investigation	Inspections	Total Per NACE
A - Agriculture, forestry and fishing	43	1558	1601
B - Mining and quarrying	22	530	552
C - Manufacturing	151	2563	2714
D - Electricity, gas, steam and air-conditioning supply	3	42	45
F - Construction	448	5930	6378
G - Wholesale and retail trade; repair of motor vehicles and motorcycles	75	2179	2254
H - Transportation and storage <sup>64</sup>	1532	1596	
I - Accommodation and food service activities	27	977	1004
K - Financial and insurance activities	6	241	247
O - Public administration and defence; compulsory social security	26	315	341
P - Education	19	250	269
Q - Human health and social work activities	51	320	371
S - Other service activities	18	215	233
Other	68	778	846
<b>Total</b>	<b>1021</b>	<b>17430</b>	<b>18451</b>



**Table A.4 Number of inspections by economic sector and enforcement action**

NACE	Inspections Investigations	Agreed Prohibitions	Improvement Notice	Payment in Lieu	Prohibition Notice	Written Advice	Total Actions	% Enforcement
A - Agriculture, forestry and fishing	1601	0	130	0	76	518	724	45
B - Mining and quarrying	552	0	34	1	17	206	258	47
C - Manufacturing	2714	0	277	7	39	1304	1627	60
D - Electricity, gas, steam and air-conditioning supply	45	0	4	0	0	17	21	47
F - Construction	6378	14	252	5	406	1848	2525	40
G - Wholesale and retail trade; repair of motor vehicles and motorcycles	2254	1	339	25	40	1059	1464	65
H - Transportation and storage	1596	0	62	62	17	346	487	31
I - Accommodation and food service activities	1004	0	97	0	17	544	658	66
K - Financial and insurance activities	247	1	14	0	0	135	150	61
O - Public administration and defence; compulsory social security	341	0	36	0	2	141	179	52
P - Education	269	0	3	0	2	177	182	68
Q - Human health and social work activities	371	0	30	0	0	185	215	58
S - Other service activities	233	0	46	1	1	106	154	66
Other	846	1	70	1	16	288	376	44
<b>Total</b>	<b>18451</b>	<b>17</b>	<b>1394</b>	<b>102</b>	<b>633</b>	<b>6874</b>	<b>9020</b>	<b>49</b>

# Appendix B: Outcomes of Prosecutions

**Table B.1 Summary of results of prosecutions taken 2009**

Type of proceeding	Total heard	% total of cases heard summarily or on indictment	Dismissals	Circuit Court Appeal	Suspended sentence	Probation Act	Fines €
Summary	15	40	1	0	0	0	31,850
Indictment	23	60	3	0	1	0	677,000
<b>Total</b>	<b>38</b>	<b>100</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>708,850</b>

## **Winthrop Engineering Limited**

## **On Indictment**

On the 20 February 2009 Winthrop Engineering Ltd pleaded guilty in Clonmel Circuit Court to two charges. This case arose when an employee on the 27 June 2005 in the process of carrying out some welding works to facilitate floor repair works in the plant of Clonmel General Hospital came in contact with an electrical current.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 6(2)(d) Contrary to Section 48(1)(a) Engineering Limited	Safety, Health and Welfare at Work Act 1989	Guilty Plea	€2,500	n/a	Winthrop
Regulations 35 and 36 Contrary to Section 48(1)(c) of Safety, Health and Welfare at Work Act 1989	Safety, Health & Welfare at Work (General Applications) Regulations 1993	Guilty Plea	€2,500	n/a	Winthrop Engineering Limited

## **Gleeson Quarries Limited**

## **On Indictment**

The above case was heard in Clonmel Circuit Criminal Court on the 20 February 2009. On the 7 June 2005 a fatality occurred at Gleesons Quarry, Laffansbridge in Co. Tipperary. This case arose when the deceased was working an automatic block-making machine. He got entangled in moving parts of the machine, receiving fatal injuries. Gleeson Quarries Limited pleaded guilty to two charges.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 6(1) related to Section 6(2)(d) Contrary to Section 48(17)	Safety Health and Welfare at Work Act 1989	Guilty Plea	€1,500	n/a	Gleeson Quarries Limited
Section 6(1) related to Section 6(2)(e) Contrary to Section 48(17)	Safety Health and Welfare at Work Act 1989	Guilty Plea	€1,500	n/a	Gleeson Quarries Limited



**J R Perry Limited****On Indictment**

JR Perry Limited pleaded guilty on 18 of November 2008 and was sentenced on 5 March 2009 in Naas Circuit Court. This case arose as the result of an accident when a 17 year old was assisting a mechanic to assemble a corn drill for sale. The cultivator of the corn drill fell on the injured party, causing severe spinal injuries. two charges.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2)(a) Contrary to Section 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€35,000	n/a	J R Perry Limited
Section 8(2)(g) Contrary to Section 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€25,000	n/a	J R Perry Limited
Regulation 3(a)(i) Contrary to Section 77(2)(c)	Safety Health and Welfare at Work (Children and Young Persons) Regulations 1998	Guilty Plea	€10,000	n/a	J R Perry Limited

**G & T Crampton Limited****On Indictment**

This case was heard on the 24 of April 2007 in Dublin Circuit Court. G & T Crampton Limited pleaded guilty to one charge. This case arose when an employee of Valleyside Construction Limited was killed when a number of precast concrete stairs and precast landings collapsed on him. Two other employees of Valleyside Construction Limited standing on the landing that collapsed were also injured.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 7(1) Contrary to Section 48 and Section 49	Safety, Health and Welfare at Work Act, 1989	Guilty Plea	n/a	€50,000	G & T Crampton Limited

See also Reade Engineering Service Limited



### Reade Engineering Services Limited

#### On Indictment

This case was heard on the 10 of October 2007 in Dublin Circuit Court. Reade Engineering Services Limited pleaded guilty to one charge. This case arose when an employee of Valleyside Construction Limited was killed when a number of precast concrete stairs and precast landings collapsed on him. Two other employees of Valleyside Construction Limited standing on the landing that collapsed were also injured.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 7(1) Contrary to Section 48 and Section 49	Safety, Health and Welfare at Work Act, 1989	Guilty Plea	€15,000	n/a	Reade Engineering Services Limited

See also G & T Crampton Limited

### Roadstone Provinces Limited

#### Summary

This case was heard at Waterford District Court on the 3 of April 2009. Roadstone Provinces Limited pleaded guilty to two charges. This case arose as a result of an accident occurring on the 11 of September 2007. While carrying out electrical installation work in the electrical plant room of the bitumen plant a flashover occurred at a live open electrical panel resulting in burns injuries to the plant operator and resident electrician.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 19(1) Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€1,500	n/a	Roadstone Provinces Limited
Section 8(2)(c)(iii) Contrary to Section 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€1,500	n/a	Roadstone Provinces Limited



**Mr. Edward Phelan (t/a EJP Concrete Structures)****Summary**

This case was heard on 17 April 2009 in Portlaoise District Court. Mr. Phelan pleaded guilty to three charges. On the 27 November 2007, Mr. Phelan was operating a telescopic handler and was in the process of loading slates during a re-roofing project of a single storey bungalow. While reversing back up the drive, he drove onto the injured party causing serious injuries.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 19(1) Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€700	n/a	Edward Phelan
Regulation 25(1)(b) Contrary to Section 77(2)(c)	Safety Health and Welfare at Work(Construction) Regulations 2006	Guilty Plea	€700	n/a	Edward Phelan
Regulation 25(1)(c) Contrary to Section 77(2)(c)	Safety Health and Welfare at Work (Construction) Regulations 2006	Guilty Plea	€700	n/a	Edward Phelan

**JRD Developments Limited****On Indictment**

The final date of hearing was 21 of April 2009 in Portlaoise Circuit Court, Laois. JRD Developments Limited pleaded guilty to one charge. This case arose as a result of the fatal electrocution of an employee of Booth Precast Products Limited. Booth Precast Products Limited were installing precast concrete floor slabs on a construction site at Cluaininn, Portlaoise Rd., Mountrath, Co. Laois when it appears that electricity 'arced' from a 3 phase 10kVA which was in the vicinity of where the crane was lifting the concrete slabs into place. JRD Developments Limited was the Project Supervisor Construction Stage on site and had subcontracted in Booth Precast Products Limited to supply and install the precast concrete floor slabs.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 12 Contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€25,000	n/a	JRD Developments Ltd



### Laurence McLoughlin Limited

### Summary

The final date of hearing was 22 April 2009 in Navan District Court, Meath. Laurence McLoughlin Limited pleaded guilty. This case arose from contraventions observed on two sites in Mullaghboy Industrial Estate, Navan, Co. Meath on 29 January 2008 and 5 February 2008. Laurence McLoughlin Limited was the Project Supervisor Construction Stage on both sites and Liam McLoughlin (Managing Director of Laurence McLoughlin Limited) and Conaty Steel Buildings Limited were the Clients on both sites.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Regulation 17(1)(g) Contrary to Section 77(2)(c)	Safety Health and Welfare at Work (Construction) Regulations 2006	Guilty Plea	€500	n/a	Laurence McLoughlin Limited
Regulation 17(1)(h) Contrary to Section 77(2)(c)	Safety Health and Welfare at Work (Construction) Regulations 2006	Guilty Plea	€500	n/a	Laurence McLoughlin Limited
Regulation 30(2)(c) Contrary to Section 77(2)(c)	Safety Health and Welfare at Work (Construction) Regulations 2006	Guilty Plea	€500	n/a	Laurence McLoughlin Limited
Regulation 41(b) Contrary to Section 77(2)(c)	Safety Health and Welfare at Work (Construction) Regulations 2006	Guilty Plea	€500	n/a	Laurence McLoughlin Limited

See also Liam McLoughlin (Managing Director) and Conaty Steel Buildings Limited

### Mr. Liam McLoughlin (Managing Director)

### Summary

The final date of hearing was 22 April 2009 in Navan District Court, Meath. Mr. Liam McLoughlin pleaded guilty. This case arose from contraventions observed on two sites in Mullaghboy Industrial Estate, Navan, Co. Meath on 29 January 2008 and 5 February 2008. Laurence McLoughlin Limited was the Project Supervisor Construction Stage on both sites and Mr. Liam McLoughlin (Managing Director of Laurence McLoughlin Limited) and Conaty Steel Buildings Ltd were the Clients on both sites.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 10 Contrary to Section 77(2)(c)	Safety, Health and Welfare at Work Act, 2006	Guilty Plea	€500	n/a	Liam

See also Laurence McLoughlin Limited and Conaty Steel Buildings Limited





**Conaty Steel Buildings Limited**

**Summary**

The final date of hearing was 22 April 2009 in Navan District Court, Meath. Conaty Steel Buildings Limited pleaded guilty. This case arose from contraventions observed on two sites in Mullaghboy Industrial Estate, Navan, Co. Meath on 29 January 2008 and 5 February 2008. Laurence McLoughlin Limited was the Project Supervisor Construction Stage on both sites and Liam McLoughlin (Managing Director of Laurence McLoughlin Limited) and Conaty Steel Buildings Limited were the Clients on both sites.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Regulation 10 Contrary to Section 77(2)(c)	Safety, Health and Welfare at (Construction) Regulations 2006	Guilty Plea	€500	n/a	Conaty Steel Buildings Limited

See also Laurence McLoughlin Limited and Liam McLoughlin (Managing Director)

**Pierse Contracting Limited**

**On Indictment**

The case in relation to Pierse Contracting Limited was heard on 27 April 2009. Pierse Contracting Limited pleaded guilty to three charges. This case arose as the result of Pierse Contracting Limited constructing a new development off Charlotte Quay, Dublin. On 14 March 2005 a fatal accident occurred owing to a falling object.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 7(1) Contrary to Section 48(1)(a)	Safety Health and Welfare at Work Act 1989	Guilty Plea	€25,000	n/a	Pierse Contracting Limited
Regulation 16(1)(a) Contrary to Section 48(1)(c)	Safety Health and Welfare at Work(Construction) Regulations 2001	Guilty Plea	€25,000	n/a	Pierse Contracting Limited
Regulation 6(1) Contrary to Section 48(1)(c)	Safety Health and Welfare at Work (Construction) Regulations 2001	Guilty Plea	€25,000	n/a	Pierse Contracting Limited



### Mr. Barry Walsh

### Summary

This case was heard in Clonmel District Court, Tipperary on the 23 June 2009. Mr. Barry Walsh pleaded guilty to two charges. This case arose as a result of an accident on February 12 2008 when the injured party's clothing became entangled in the PTO shaft at the point it connected to the machine, drawing the arm onto the shaft. There was no 'O' guard fitted on the machine. The injured party sustained injuries to his right arm which necessitated the amputation of the arm above the elbow.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 12 Contrary to Section 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€2,000	n/a	Mr. Barry Walsh
Section 12 Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	Nil	n/a	Mr. Barry Walsh

### Glennon Bros (Cork) Limited

### Summary

The case was heard on the 26 June 2009 at the District Court, Fermoy, Co. Cork. Glennon Bros (Cork) Limited were found guilty on two counts. This case arose as the result of an accident to an employee of Glennon Bros (Cork) Limited who received three lacerations to his right foot when a chain conveyor on which he stood started up unexpectedly. Initially the employee stopped the chain conveyor using the normal controls available. He then walked onto the chain conveyor through a gate that was not interlocked. A short time later the chain conveyor started up and caught his right foot, resulting in three deep lacerations.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2)(e) Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€3,000	n/a	Glennon Bros Limited
Section 8(2)(c)(iii), Contrary to 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	Taken into account	n/a	Glennon Bros Limited



**Iarnrod Éireann – Irish Rail****Summary**

This case was heard on 8 July 2009 in Court 49, Dolphin House, Essex Street, Dublin. Iarnrod Éireann – Irish Rail pleaded guilty to three charges. This case arose as a result of an accident on the 10 March 2008. An employee suffered partial amputation of two fingers when they got caught in a shelving unit whilst trying to bring a moving locomotive to a halt in a maintenance shed at Inchicore.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2)(a) Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€1,500	n/a	Iarnrod Éireann – Irish Rail
Section 8(2)(e) Contrary to 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€1,500	n/a	Iarnrod Éireann – Irish Rail
Section 8(2)(g) Contrary to Section 77(9) (a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€1,500	n/a	Iarnrod Éireann – Irish Rail

**Albion Drilling Services Limited****Summary**

On the 10 September 2009 in Cashel District Court, Co. Tipperary, Albion Drilling Services Limited pleaded guilty to one charge. This case arose out of a dangerous occurrence on 15 June 2007, in which surplus explosives that were being burnt exploded after the all clear was given and personnel had returned to the working area.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2)(a) Contrary to Section 77(2)(c)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€500	n/a	Albion Drilling Services Limited

See also Mr. Pat Carroll

**Mr. Pat Carroll****Summary**

On the 10 September 2009 in Cashel District Court, Co. Tipperary, Mr. Pat Carroll pleaded guilty to one charge.

This case arose out of a dangerous occurrence on 15 June 2007, in which surplus explosives that were being burnt exploded after the all clear was given and personnel had returned to the working area.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 13(1)(a) Contrary to Section 77(2)(c)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€750	n/a	Mr. Pat Carroll

See also Albion Drilling Services Limited



### Albion Drilling Services Limited

### Summary

On the 10 September 2009 in Cashel District Court, Co. Tipperary, Albion Drilling Services Limited pleaded guilty to one charge. This case arose out of a blast taken at Ballytarsna, Cashel on the 17 August 2007 when a resident near the blast site was allowed to stay in the house when the house was within the danger zone specified and some rock scatter resulted within the danger zone impinging on the property.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 12 Contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€1,000	n/a	Albion Drilling Services Limited

### Grade Developments Limited

### Summary

On the 17 September 2009 in Mullingar District Court, Grade Developments Limited pleaded guilty to four charges. This case arose when four children entered the building site (10 houses) of Grade Developments Limited at Dublin Road, Mullingar, Co. Westmeath on the 20 April 2008. Major construction activity at the site ceased in November 2007 and the children entered the site on a Sunday evening at an unfenced section of the perimeter. One of the children climbed the scaffold of one of the unfinished houses and fell receiving a closed head injury.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 12 Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€2,000	n/a	Grade Developments Limited
Section 12 Contrary to Section 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	Taken into consideration	n/a	Grade Developments Limited
Section 19(5) Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	Taken into consideration	n/a	Grade Developments
Regulation 30(2)(c) Contrary to Section 77(2)(c)	Safety Health and Welfare at Work (Construction) Regulations 2006	Guilty Plea	Taken into consideration	n/a	Grade Developments Limited



**Corden Pharma Limited (1)****Summary**

On the 16 September 2009 in Cork District Court, Corden Pharma Limited pleaded guilty to one charge. This case arose on the morning of 2 March 2008. The dangerous occurrence happened when a 200 litre steel drum containing both magnesium metal catalyst and tetrahydrofuran solvent, underwent a catastrophic failure as a result of extensive pressure build-up within the drum. The drum was stored on the upper level of racking in a warehouse at the time of the over-pressurisation event. As a result there was significant damage to the roof of the warehouse and the racking, as well as damage to other drums of material classified as toxic and flammable.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2)(e) Contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€2,000	n/a	Corden Pharma Limited

**Corden Pharma Limited (2)****Summary**

On the 16 September 2009 at Cork District Court, Corden Pharma Limited pleaded guilty to two charges. This case arose on 7 March 2008. The dangerous occurrence happened when a process vessel containing toxic aqueous cyanide waste was involved in an explosion at Corden Pharma Limited, Little Island, Co. Cork. Corden Pharma Limited were neutralising the waste when a flammable vapour atmosphere was created above the liquid level in the vessel, which subsequently ignited. The damage arising from the incident included damage to the vessel glass lining, agitator motor, temperature and level transmitters and disintegration of the vessel vent line. Aqueous cyanide liquid was leaking from the damaged flange around the bottom outlet valve into the bund underneath.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 19(1) Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€2,500	n/a	Corden Pharma Limited
Section 8(2)(c)(iii), Contrary to 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€2,500	n/a	Corden Pharma Limited



### Denis Tarrant & Sons Limited

### On Indictment

On the 6 November 2009 at Clonmel Circuit Court, Tipperary, Denis Tarrant & Sons Limited pleaded guilty to one charge. This case arose as a result of a flyrock incident on the 10 January 2006 at the quarry of Denis Tarrant & Sons Limited, Kilfeacle, Co. Tipperary. The rock travelled over 300m and caused widespread damage to quarry plant, private cars and buildings within the quarry complex. Three people were also injured. Denis Tarrant & Sons Ltd failed to make shotfiring rules.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 19 Contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€1,000	n/a	Denis Tarrant & Sons Limited

See also Mr. William Tarrant, Irish Industrial Explosives Limited and Mr. Manus Carroll

### Mr. William Tarrant

### On Indictment

On the 6 November 2009 at Clonmel Circuit Court, Tipperary, William Tarrant pleaded guilty to one charge.

This case arose as a result of a flyrock incident on the 10 January 2006 at the quarry of Denis Tarrant & Sons Limited, Kilfeacle, Co. Tipperary. The rock travelled over 300m and caused widespread damage to quarry plant, private cars and buildings within the quarry complex. Three people were also injured. William Tarrant failed to make shotfiring rules.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Regulation 21(1) Contrary to Section 77(2)(c)	Quarries (Explosives) Regulations 1971 S.I. No. 237 of 1971	Guilty Plea	€250	n/a	Mr. William Tarrant

See also Denis Tarrant & Sons Limited, Irish Industrial Explosives Limited and Mr. Manus Carroll



**Irish Industrial Explosives Limited**

**On Indictment**

On the 19 May 2009 at Tipperary District Court, Tipperary, Irish Industrial Explosives Limited was dealt with summarily on a plea of guilty to one charge. This case arose as a result of a flyrock incident on the 10 January 2006 at the quarry of Denis Tarrant & Sons Limited, Kilfeacle, Co. Tipperary. The rock travelled over 300m and caused widespread damage to quarry plant, private cars and buildings within the quarry complex. Three people were also injured. Irish Industrial Explosives Limited did not have adequate risk assessment carried out in relation to the prevention of fly rock.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 20 Contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€3,000	n/a	Irish Industrial Explosives Limited

See also Denis Tarrant & Sons Limited, Mr. William Tarrant and Mr. Manus Carroll

**Mr. Manus Carroll**

**On Indictment**

The final date of hearing was on the 6 November 2009 at Clonmel Circuit Court, Tipperary. Mr. Manus Carroll pleaded guilty to one charge. This case arose as a result of a flyrock incident on the 10 January 2006 at the quarry of Denis Tarrant & Sons Limited, Kilfeacle, Co. Tipperary. The rock travelled over 300m and caused widespread damage to quarry plant, private cars and buildings within the quarry complex. Three people were also injured. Mr. Manus Carroll did not take reasonable care to protect persons in the danger area.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 13(1)(a) Contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€1,250	n/a	Mr. Manus Carroll

See also Denis Tarrant & Sons Limited, Mr. William Tarrant and Irish Industrial Explosives Limited



### Keating & Doyle Limited

### On Indictment

On the 29 October 2009 at Wexford Circuit Court, Wexford Town, Keating & Doyle Limited pleaded guilty to three charges. This case arose when a Polish construction worker suffered fatal injuries when the metal handle of a bullfloat he was using to level concrete came in contact with a 10kVA overhead power line on a construction site. The incident occurred on the premises of Murray Waste Recycling Limited., Coolatore, Ferns, Co. Wexford on Monday 23 April 2007. The employee was employed by Keating & Doyle Ltd., Donard, Clonroche, Co. Wexford as a general labourer/concrete finisher. Keating & Doyle Limited were contracted by Murray Waste Recycling Limited to lay down a concrete entrance and driveway, at their Waste Recycling facility at Coolatore, Ferns, Co. Wexford.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2)(a) as it relates to Section 77(9)(a) Contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€5,000	n/a	Keating & Doyle Limited
Section 8(2)(e) Contrary to 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€5,000	n/a	Keating & Doyle Limited
Regulation 41(e) Contrary to Section 77(2) (c)	Safety Health and Welfare at Work (Construction) Regulations 2006	Guilty Plea	€5,000	n/a	Keating & Doyle Limited

See also Murray Waste Recycling Limited

### Murray Waste Recycling Limited

### On Indictment

On the 4 November 2009 at Wexford Circuit Court, Wexford Town, Murray Waste Recycling Limited pleaded guilty to one charge. This case arose when a Polish construction worker suffered fatal injuries while the metal handle of a bullfloat he was using to level concrete came in contact with a 10kVA overhead power line on a construction site. The incident occurred on the premises of Murray Waste Recycling Limited., Coolatore, Ferns, Co. Wexford on Monday 23 April 2007. The employee was employed by Keating & Doyle Limited, Donard, Clonroche, Co. Wexford as a general labourer/concrete finisher and had worked for the company since April 2005. Keating & Doyle Limited were contracted by Murray Waste Recycling Limited to lay down a concrete entrance and driveway, at their Waste Recycling facility at Coolatore, Ferns, Co. Wexford.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 15 Contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€40,000	n/a	Murray Waste Recycling Limited

See also Keating & Doyle Limited





**Mr. Daniel Lynch**

**On Indictment**

On the 10 –13 November 2009 at Portlaoise Circuit Court, Co. Laois, Mr. Daniel Lynch pleaded guilty to one charge and the judge gave a sentence of a three month custodial sentence suspended for two years. This case arose as a result of a construction worker suffering fatal injuries while at work, when the bucket of an excavator became detached and fell on him. The employee was part of a four man team who were pouring concrete in the foundations. The excavator was being driven by Mr. Daniel Lynch.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 13(1) (g) Contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	n/a	3 month custodial sentence (suspended for 2 years)	Daniel Lynch

**Walls Construction Limited**

**On Indictment**

On the 4 December 2009 at Naas Circuit Court, Co. Kildare, Walls Construction Limited pleaded guilty to one charge. This case arose on the 5 March 2007 when an employee was in the process of placing 2.5 tonne Counterweight Ballast onto a flatback truck for transportation to a construction site. The employee was using a forklift truck to lift the weights. He received a foot amputation and following complications he received a below the knee amputation.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 19(1) Contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act, 2005	Guilty Plea	€5,000	n/a	Walls Construction Limited



### Mr. Sean Doyle (Director)

### On Indictment

On the 9 December 2009 at Circuit Court, Roscommon, Sean Doyle as director of Owencrest Properties Limited pleaded guilty to two charges. On the 14 of April 2006 a Polish national was cleaning the façade of two buildings on Main Street, Roscommon when he fell from a work platform which was operating at a height between 6 to 10 feet. He hit his head off the roadside kerb and incurred serious head injuries which resulted in his death. He was completing this work from a man-cage work platform which was resting on the forks of a 535/140 series Teleporter machine. The teleporter was being operated by and under the control of a Mr. Sean Doyle.

Owencrest Properties Limited was the employer of the employee. The man-cage work platform was owned by Roscommon Building Company Limited. The man-cage work platform was manufactured by an employee of Sean Doyle and Sons (Roscommon) Limited.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2)(c) (iii) as provided for by Section 77(2)(a), Contrary to Section 80	Safety Health and Welfare at Work Act 2005	Guilty Plea	€50,000	n/a	Mr. Sean Doyle Director of Owencrest Properties Limited
Section 19(1) as provided for by Section 77(2)(a), Contrary to Section 80	Safety Health and Welfare at Work Act 2005	Guilty Plea	Taken into consideration	n/a	Mr. Sean Doyle Director of Owencrest Properties Limited

See also Roscommon Building Company Limited and Owencrest Properties Limited



**Roscommon Building Company Limited**

**On Indictment**

On the 9 December 2009 at Circuit Court, Roscommon, Roscommon Building Company Limited pleaded guilty to two charges. On the 14 of April 2006 a Polish national was cleaning the façade of two buildings on Main Street, Roscommon when he fell from a work platform which was operating at a height between 6 to 10 feet. He hit his head off the roadside kerb and incurred serious head injuries which resulted in his death. He was completing this work from a man-cage work platform which was resting on the forks of a 535/140 series Teleporter machine. The teleporter was being operated by and under the control of a Mr. Sean Doyle.

Owencrest Properties Limited was the employer of the employee. The man-cage work platform was owned by Roscommon Building Company Limited. The man-cage work platform was manufactured by an employee of Sean Doyle and Sons (Roscommon) Limited.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 12 as provided for by Section 77(2)(a),	Safety Health and Welfare at Work Act 2005	Guilty Plea	€200,000	n/a	Roscommon Building Company Limited
Section 15(3) as provided for by Section 77(9)(a),	Safety Health and Welfare at Work Act 2005	Guilty Plea	Taken into consideration	n/a	Roscommon Building Company Limited

See also Mr. Sean Doyle (Director) and Owencrest Properties Limited



### Owncrest Properties Limited

### On Indictment

On the 9 December 2009 at Circuit Court, Roscommon, Owncrest Properties Limited pleaded guilty to two charges. On the 14 April 2006 a Polish national was cleaning the façade of two buildings on Main Street, Roscommon when he fell from a work platform which was operating at a height between 6 to 10 feet. He hit his head off the roadside kerb and incurred serious head injuries which resulted in his death. He was completing this work from a man-cage work platform which was resting on the forks of a 535/140 series Teleporter machine. The teleporter was being operated by and under the control of a Mr. Sean Doyle.

Owncrest Properties Limited was the employer of the employee. The man-cage work platform was owned by Roscommon Building Company Limited. The man-cage work platform was manufactured by an employee of Sean Doyle and Sons (Roscommon) Limited.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2)(c)(iii) as provided for by Section 77(2)(a),	Safety Health and Welfare at Work Act 2005	Guilty Plea	€100,000	n/a	Owncrest Properties Limited
Section 19(1) as provided for by Section 77(2)(a),	Safety Health and Welfare at Work Act 2005	Guilty Plea	Taken into consideration	n/a	Owncrest Properties Limited

See also Mr. Sean Doyle (Director) and Roscommon Building Company Limited

### Mr. Gerard Flynn

### On Indictment

On the 3 May 2007 Mr. Gerard Flynn pleaded guilty to one charge. This case arose on the 17 June 2004. A truck driver employed by Mr. Gerard Flynn was fatally injured when a reversing cement delivery truck struck him. The accident occurred on the N4/N6 motorway project under construction. Westroute JV – a joint venture between SIAC Construction Limited and Ferrovia Agroman Limited operated this construction project.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 12(1) Contrary to Section 48(1)(b)	Safety, Health and Welfare at Work Act, 1989	Guilty Plea	€1,000	n/a	Mr. Gerard Flynn

See also Ferrovia Agroman Limited



**Ferrovial Agroman Limited**

**On Indictment**

On the 4 of December 2009, Ferrovia Agroman Limited pleaded guilty to one charge. This case arose on the 17 of June 2004. A truck driver employed by Mr. Gerard Flynn was fatally injured when a reversing cement delivery truck struck him. The accident occurred on the N4/N6 motorway project under construction. Westroute JV – a joint venture between SIAC Construction Limited and Ferrovia Agroman Limited operated this construction project.

Contravention	Legislation	Verdict	Fine	Sentence	Defendant
Section 8(2) Contrary to Section 48(1)(a)	Safety, Health and Welfare at Work Act, 1989	Guilty Plea	€7,500	n/a	Ferrovia Agroman Limited

See also Mr. Gerard Flynn

# Appendix C: Proposals for New Legislation and Codes of Practice in 2009

## Legislative Proposals Development

- Draft Safety, Health and Welfare at Work (General Application)(Amendment) Regulations 2009 relating to Artificial Optical Radiation transmitted to Minister for consideration with a view to legal settlement.
- Draft European Communities (Dangerous Substances and Preparations)(Marketing and Use)(Revocation) Regulations 2009 transmitted to Minister for consideration with a view to legal settlement.
- Draft Safety, Health and Welfare at Work (Mines) Regulations cleared for public consultation in 2010.
- Draft Safety, Health and Welfare at Work (Biological Agents) Regulations and Code of Practice and Guidelines cleared for public consultation in 2010.
- Proposals developed to implement the road transport provisions of Directive 2008/68/EC on the inland transport of dangerous goods.
- Review of the Docks (Safety, Health and Welfare) Regulations undertaken for public consultation in 2010.

## Codes of Practice Development

- Code of Practice for Avoiding Danger from Underground Services – Minister’s consent to publication obtained.
- Code of Practice for Managing Health and Safety in Forestry Operations – Minister’s consent to publication obtained.
- Draft Code of Practice for Working in Confined Spaces submitted to Minister for consent to publication.
- Draft Code of Practice for the Design and Installation of Anchors in Concrete submitted to Minister for consent to publication.
- Updated Code of Practice for Chemical Agents submitted to Minister for consent to publication.
- Draft Code of Practice on Preventing Accidents to Children and Young Persons in Agriculture – cleared for submission to Minister for consent to publication.
- SSWP on ‘Working on Roads’ for addition to 2008 Code of Practice for Contractors with Three or Less Employees cleared for submission to Minister for consent to publication.
- Draft Code of Practice on Safe Operation of Vehicles delivering quarry products issued for public consultation.
- Draft Codes of Practice on Roofwork cleared for public consultation in 2010.



# Appendix D: Other Guidance and Information Materials Published in 2009

- Annual Report 2008
- Clients in Construction: Best Practice Guidance
- Code of Practice for Managing Safety and Health in Forestry Operations
- Driving for Work: A Guide for Employers [in conjunction with RSA]
- Employees with Disabilities: An Employer's Guide
- Export and Import of Dangerous Chemicals
- Guidance on Manual Handling Risk Assessment in the Hospitality Sector
- Guidance on the New Manual Handling Training System
- Guidelines on Occupational Dermatitis
- Health and Safety Training for Hospitality Students: Multimedia Training Package
- HSA Five Year Plan for the Healthcare Sector 2010-2014
- Information Sheet: Emergency Response Plans for Petrol Stations
- Information Sheet: Health and Safety for Swine Workers
- Information Sheet: Safe use of Explosives in Construction
- Information Sheet: Work Safely with Dispense Gas in Cellars
- Irish Translations of Corporate Strategy Publications
- Programme of Work 2009
- Research Report on Manual Handling in the Construction Industry
- Resource pack for teachers of technology subjects
- Review of Farm Safety Plan 2003-2007
- Spirit of Enterprise Series – Safety in the World of Work
- Spirit of Enterprise Series – Safety at Work Accident Report
- Spirit of Enterprise Series – Spotting Health and Safety Hazards
- Summary of Workplace Injury, Illness and Fatality Statistics 2007-08
- The Noise of Music – Sound Advice for the Music and Entertainment Sectors
- Working on Roads Guidelines
- Workplace Health Toolkit for Small Businesses
- Workplace Transport Safety – Reversing Vehicles
- Workplace Transport Safety – Risk Assessment
- Workplace Transport Safety – Safe Vehicle

# Appendix E: Board Sub-Committees, Advisory Committees and Working Groups

## Legislation and Guidance Sub-Committee of the Board

### Members in 2009:

- Rosie Sheerin (Chairperson)
- Marian Byron
- Dermot Carey
- Esther Lynch

## Finance Sub-Committee of the Board

### Members in 2009:

- Sean Corrigan (Chair)
- Anne Marie Hayes
- Pat Kearney
- Dessie Robinson

## Audit Sub-Committee of the Board

### Members in 2009:

- Sean Corrigan (Chair)
- Dermot Carey (appointed during 2009)
- Anne Marie Hayes
- Pat Kearney
- Dessie Robinson





## Strategic Review and Implementation Sub-Committee of the Board

### Members in 2009:

- Jim Lyons (Chair)
- Eamon Devoy
- Francis Rochford
- Christina McEleney
- Marian Byron

## Construction Advisory Committee (CAC)

### Members in 2009:

Dessie Robinson (Chair)	Health and Safety Authority Board member and IMPACT
Denis Farrell	Building and Allied Trades' Union
John Graby	Royal Institute of the Architects of Ireland
Joe Miller	Royal Institute of the Architects of Ireland
John Ryan	Construction Industry Federation
Robert Butler	Construction Industry Federation
Kevin Enright	Irish Business and Employers Confederation
Kevin Geraghty	Irish Concrete Federation
Eoin Kennedy	Irish Concrete Federation
Nevin Mulrooney	Society of Chartered Surveyors
Nicholas O'Loughlin	Department of Finance
Robert Byrne	FÁS
Jim Jenkinson	FÁS
Maurice Walsh	FÁS
Martin O'Dea	Health and Safety Authority
Paraig Earley	Health and Safety Authority
Michael McDonagh	Health and Safety Authority
Lloyd Scott	Dublin Institute of Technology
James Coughlan	INPDTU/SIPTU
Kevin Rudden	TGP – Thomas Garland & Partners
Elaine Walsh (Secretary)	Health and Safety Authority



## Technical Scientific Advisory Committee (TSAC)

### Members in 2009:

Marian Byron (Chair)	Health and Safety Authority Board member
Frank Barry (Deputy Chair)	ICTU
Anne-Marie Finlay	Department of Enterprise, Trade and Employment
Michael Gillen	IBEC
Carl Anders	IBEC
Eddie Mullins	ICTU
Darren Byrne	Department of the Environment and Local Government
John Harrison	Pesticide Control Service
Conor Clenaghan	Environmental Protection Agency
Sharon McGuinness	Health and Safety Authority
Majella Cosgrave	Health and Safety Authority (Deputy to Dr Sharon McGuinness)
PJ Claffey	Health and Safety Authority
Roseleen Murphy (Secretary)	Health and Safety Authority

## Farm Safety Partnership Advisory Committee (FSPAC)

### Members in 2009:

Pat Kearney (Chair)	Health and Safety Authority Board member
Brian Carroll	Agricultural Consultants Association
Jim Dockery	Farm Relief Network
Jenny Kiely	Irish Country Women's Association
Michael Larkin	Macra na Feirme
John McNamara	Teagasc
Oliver McEvoy	Department of Agriculture, Fisheries and Food
Gary Ryan	Farm Tractor Machinery Trade Association
Tom Murphy	Professional Agricultural Contractors Association
Vincent Nally	Irish Rural Link
John O'Donnell	Irish Creamery Milk Suppliers Association
Biddy O'Neill	Health Services Executive
Ciarán Roche	FBD Insurance
Mary Sherry	Irish Farmers Association
Pat Griffin	Health and Safety Authority
Anthony Morahan	Health and Safety Authority
Maura Kavanagh (Secretary)	Health and Safety Authority



## Southern Regional Advisory Committee (SRAC)

### Members in 2009:

Sylvester Cronin (Chair)	Safety and Health Adviser, SIPTU
Sean Hyde	Senior Inspector, Health and Safety Authority
Anne Keohane	IFA
Anne Marie Hayes	Health and Safety Authority Board member
Austin Noonan	Limerick Institute of Technology
Clive Kelly	Irish Concrete Federation
Con Casey	SIPTU, Killarney
Conor O'Connell	CIF
David Neal	IFO
Donal Harte	ICMSA
Eddie Ronayne	Cork Co. Council
Martina Burke	FÁS
Ger Buckley	ESB
John Dromey	Cork City Council
John McEntee	Limerick City Council
Caroline Neville	IOSH
Maria O'Brien	Health Service Executive
Mary Keane	NISO
Michael Reidy	Limerick Co. Council
Pat O'Flynn	SIPTU
Robert Stuart	Kerry Co. Council
Tony Briscoe	IBEC
Patricia Truscott (Secretary)	Health and Safety Authority



## Western Regional Advisory Committee (WRAC)

### Members in 2009:

Dermot Carey (Chair)	Health and Safety Authority Board member and Construction Industry Federation
Pat Kearney	Health and Safety Authority Board member
Louise Galvin	Galway/Mayo Institute of Technology
Justin Molloy	CIF
Shane MacLoughlin	IBEC
John McGovern	Coillte
Gerry Finnerty	Gort Livestock Mart
Sgt Pat Fitzmaurice	An Garda Síochána
Dr Shelly Hegarty	Clare Co. Council
Martin Cleary	ESB Networks
Caitriona Gannon	Baxter Healthcare
Tom O'Connor	NISO Western Branch
James Glennon	FÁS
Joe Kelly	Mayo County Council
Noel Kilfeather	SIPTU
Michael Dolly	Galway Co. Council
Maura Canning	IFA
Adrian Maye	Irish Concrete Federation
PJ Murphy	Health and Safety Authority
Orla Cahalan (Secretary)	Health and Safety Authority



## South-East Regional Advisory Committee (SERAC)

### Members in 2009:

Rosie Sheerin (Chair)	Health and Safety Authority Board member
John Cassidy	FÁS
John Cooney	Kilkenny Co. Council
Ita Leyden	Institute of Occupational Health and Safety
Sínead Corcoran	Small Firms Association (SFA)
Patrick Cummins	Irish Water Safety Association (IWSA)
James Curran	Construction Industry Federation (CIF)
Caroline Foley	SIPTU
Philip Gavin	Irish Hotels Federation
John Hickey	Bord Iascaigh Mhara
John Hogan	Teagasc
Sean Kavanagh	Wexford County Council
Michael Keating	Roadstone Provinces
Eoin Kennedy	Irish Concrete Federation
JJ Killian	Irish Small and Medium Enterprises Association
Kieran Leahy	Garda Representative Association
Ray Murray	Bord Iascaigh Mhara
Darryl McCabe	Safety Consultant, Construction
Ray Murray	Bord Iascaigh Mhara
Mary O'Doherty	Waterford Institute of Technology
Rosaleen O'Keeffe	Irish Business and Employers Confederation
Tony Power	National Irish Safety Organisation
Bill Rafter	Waterford City Enterprise Board
Lisa Russell	Kilkenny Co. Council
Aileen Scott	Health Service Executive (HSE) South
Brian Sheerin	South Eastern Regional Fisheries Board
Mark Cullen	Health and Safety Authority
Maura Kavanagh (Secretary)	Health and Safety Authority



## North-West Regional Advisory Committee (NWRAC)

### Members in 2009:

PChristina McEleney (Chair)	Health and Safety Authority Board member
Martin Shields	Secretary NISO (National Irish Safety Organisation) North-West Branch
Anthony McCormack	Assistant Branch Secretary, SIPTU, Sligo
Art McGrath	Education Officer, Teagasc, Co. Donegal
Tony Kelly	IMPACT, Sligo
David Mullarkey	Lecturer, Sligo Institute of Technology
Gerald Mawn	Chief Safety Officer, Coillte Teo, Donegal Town
Louis Cabena	Senior Training Adviser, FÁS, Sligo
Mary McGreal	Chairperson, National Farm Family and Social Policy Committee, IFA
Sonya Maguire	LASAG representative, Cavan Co. Council
Ted Breslin	Deputy Chief Executive Officer, Killybegs Fishermen's Organisation
Tom Currid	Chairman, CIF, North-West Branch
Vincent Turley	President, Monaghan Chamber of Commerce
James McHugh	ESB
Bernadette McLoughlin	ICA
PJ Murphy	Health and Safety Authority
Orla Cahalan (Secretary)	Health and Safety Authority





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