



HEALTH AND SAFETY
AUTHORITY



Annual Report | 2008

'08



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 Tánaiste and Minister for Enterprise,
Trade and Employment
Mary Coughlan TD

We are pleased to present the Annual Report for 2008 of
the Health and Safety Authority.

The year was one of achievement and of sadness. There was achievement in the record numbers of inspections carried out, achievement in the implementation of REACH (Registration, Evaluation and Authorisation of Chemicals) in Ireland, achievement in the programme of legislative renewal and simplification, and the quality and quantity of guidance provided to both employers and employees.

These achievements were tempered, however, by the simple fact that 57 deaths in the workplace were reported to the Authority. Almost all were easily preventable and almost all were caused by failures of managers or workers to take personal responsibility for health and safety. While 10 fewer died at work in 2008 than died in 2007, yet again, high numbers of farmers and construction workers died at work.

The year was a turning point for Ireland and a turning point for the Authority. The Authority started a fundamental review of its strategy, taking account of the changing nature of work and employment and of the increasing importance of occupational health issues as causes of illness and absence. The Authority has successfully implemented REACH, the EU chemicals strategy, which continues the theme of increased focus on the health and environmental aspects of work.

As well as working to streamline and simplify health and safety regulation we introduced a new inspection management system which will help us to target more of our effort on the less compliant. We also worked hard to ensure that health and safety becomes an integrated part of the education system in Ireland.

We know that 2009 will be a challenging year for employers, employees and for the Authority, but we cannot lose sight of the dozens of deaths, tens of thousands of injuries and illnesses and the billions of euros lost to poor safety and health. We will continue our policy of assisting employers to provide safe and healthy workplaces and we will enforce the law wherever necessary to protect the safety, health and welfare of workers.



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, advice and research to all companies, organisations and individuals. The Authority is also the national Competent Authority for REACH and other chemicals legislation. The Authority deals with every size of workplace in every economic sector.

The aim of the Authority is to make workplace 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 primarily seeks 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 worker and chemical safety and health standards.

To achieve its aims, the Authority has committed to a three year strategy (2007–2009) with 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 on current, emerging and future high risk areas in workplace safety, health and welfare which will inform all our actions.
- 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 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 2008 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,
Health and Safety Manager, Bank of Ireland

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



Chairman



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

Employer Nominees



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Marian Byron
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Sean Corrigan
*Health and Safety
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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



Ann-Marie Hayes



Pat Kearney



Francis Rochford



Christina McEleney



Rosie Sheerin



Executive Management Team

The Authority currently 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 & Advice

Michael Henry



Assistant Chief Executive
Prevention Services

Mary Dorgan



Assistant Chief Executive
Chemical Policy & Services

Sharon McGuinness



Assistant Chief Executive
Corporate Services

Robert Roe



Key Achievements in 2008

- The Authority's inspectorate completed 16,009 inspections – the highest number of inspections in any year to date. This represents a 17% increase on inspections in 2007.
- Inspectors addressed workplace hazards through formal enforcement notices in 14% of inspections, including stopping dangerous work activity by issuing prohibition notices in 5% of inspections.
- The Authority took 27 prosecutions in 2008. Fines to the sum of €2,524,600 were imposed.
- The Chemicals Act 2008 (S.I. No. 13) was introduced, which identifies the Authority as a Competent Authority for REACH (Registration, Evaluation and Authorisation of Chemicals) and provides for national enforcement of the REACH regulation.
- There were 848 inspections to assess levels of awareness of the REACH regulation. The results of these inspections will inform the Authority's three-year REACH implementation strategy.
- The REACH Helpdesk provided support for employers who were required to pre-register chemicals by the deadline of 1 December 2008. The high number of queries received by the Helpdesk in advance of the deadline were addressed within a 14 day response time.
- The development of a bespoke inspection management system was a major project for the Authority with a critical deadline for implementation in 2009. The new system provides an integrated record of all inspections, enforcement actions, correspondence and reported incidents and customer contacts.
- A Workplace Health and Well-being Strategy was published, setting out national priorities in the area of workplace health. The report was compiled by an expert group and co-ordinated by the Authority.
- The Authority's Prevention Services approach involved a greater level than ever before of partnership and participation with a significant increase in joint initiatives. Key partnership organisations, including the Farm Safety Partnership Advisory Committee (FSPAC) and the Construction Safety Partnership (CSP), presented revised long-term plans.
- Significant progress was made in reaching the workers of the future through a series of targeted programmes and initiatives across primary and secondary levels in particular.
- A large volume of guidance, codes of practice and information materials was produced and disseminated through different media to assist businesses in complying with their responsibilities. A special tool kit, aimed at small businesses, addressed their needs in applying the General Application Regulations of 2007.
- Information and guidance products were extremely popular with customers, with downloads from our website, in particular, being higher than ever.
- All-island initiatives proved to be successful in promoting safety and health in several sectors, including agriculture and construction.
- Targeted seminars, delivered in venues across the country and across sectors including transport, construction, quarrying, agriculture and occupational health, were notable for high levels of attendance.
- A revised system for the management of first aid, including the training and accreditation of instructors and first aiders, was implemented. Progress was also made on the revision of the training standard and accreditation system for manual handling instructors.
- Significant preparatory work was done on the Authority's strategy for 2010–2012, taking account of the impact of changing economic circumstances on Irish workplaces.

Chapter 1: Workplace Compliance and Advice Activities

The objective of the Workplace Compliance and Advice Division is to work with employers and employees to ensure that there is a preventative approach to workplace health and safety through direct intervention in the workplace based on advice, guidance and, where necessary, enforcement action.

In 2008 the Workplace Compliance and Advice Division fulfilled its role by:

- Raising the level of awareness of occupational safety, health and welfare among employers and employees in key identified sectors through its inspection programme.
- Investigating complaints and accidents to ensure that identified hazards and associated risks were either eliminated or controlled.
- Ensuring the protection of employees through enforcement activity where employers failed to comply with duties imposed under occupational safety, health and welfare legislation.
- Using an evidence-based approach to direct our activity at employers in key sectors.

General Sector and Topic Inspection Programmes

The Authority achieved a significant increase in the level of inspection in 2008 with 16,009 workplace inspections completed. This represents a 17% increase in inspection activity over 2007. Up to 14% of these inspections were in response to complaints received or accidents notified to the Authority.

In the following key programmes 100% of the planned level of inspection was achieved: construction, agriculture, mines and quarries, manufacturing, financial services, workplace transport vehicle safety and manual handling,

Formal enforcement action was taken in 14% of inspections, with prohibition notices being issued during 5% of inspections, where inspectors identified activities which they considered to pose a serious risk to safety or health at the workplace.

Employers actively engaged in ensuring workplace safety and health were supported through the provision of written advice and guidance during 54% of workplace inspections.

Tables showing details of the number and type of inspections, and levels of compliance for each economic sector are presented in Appendix A. Key outcomes are described in the sections that follow.



Safety and Health Management

The assessment of safety and health management systems was completed on approximately 90% of 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 2008, the results of assessment of safety and health management systems indicated that:

- 75% of employers had a safety statement prepared.
- 53% of the assessed safety statements were in full or broad compliance. Only 3% were recorded as representing limited or nil compliance.
- 53% of employers were fully or broadly aware of their safety and health responsibilities.

Inspectors recorded that 6% of employers were not aware of their responsibilities. The figures indicate that levels of awareness of safety and health responsibilities have continued to increase since the Authority began measuring this indicator in its inspection programmes in 2006.

Construction

A total of 7,019 inspections were carried out in the construction sector in 2008, representing over 40% of all inspections. Of these, 462 were accident investigations and 734 were complaint investigations. The inspectorate investigated 15 fatal accidents in the construction sector. Seven construction sites were voluntarily closed because of the poor overall standards of safety and health observed at the sites.

The construction inspection programme focused on a range of issues, including the appointment of duty holders (79% of sites demonstrated full or broad compliance), controls for excavations (recorded as adequate in 61% of cases). The issue of edge protection and platform work continues to raise concern, with only 42% of sites having full or broad compliance and 20% recorded as having limited or no compliance. Welfare facilities met requirements in 59% of inspections. Specific inspection campaigns in the sector, focusing on cement dermatitis and health surveillance, indicated poor performance, with rates of limited or no compliance at 36% and 38% respectively.

Three week-long construction safety campaigns were held in March, June and September. Inspectors focused particularly on vehicle safety during these inspections.

Guidance issued by the Authority was continually promoted during the inspection process, particularly the Construction Code of Practice for employers with three or less employees.

Agriculture

The inspectorate completed 1,480 inspections in the agriculture sector in 2008. Of these, 65 were accident investigations and 30 were complaint investigations. Inspectors investigated 21 fatal accidents in the sector.



The inspection programme focused on a range of issues, including animal handling, child safety, machinery and tractor safety, and slurry handling. While inspectors observed generally high levels of compliance in relation to the presence of physical controls to minimise risks, concerns continue in relation to work practices and behaviours during farming activity.

It had been anticipated that inspectors would encounter considerable construction activity during farm inspections because of the funding available to farmers under the Waste Management Infrastructure Capital Grants scheme. However, such activity was only encountered in 14% of inspections. Where construction activity was taking place, the level of compliance with the applicable construction regulations was low, with 56% showing some compliance and 21% none.

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 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 and Farm Fest (Teagasc event). The issue of work practices particularly in the areas of animal handling and machinery use will receive increased focus in 2009.



Forestry

Forty-nine inspections were carried out in the forestry sector in 2008. The areas of primary focus were duty-

holder responsibilities, machinery safety, PPE provision, signage, worker training and chemical use. Good levels of compliance were observed in most areas. Areas with limited or no compliance included Forestry Works Manager duties (3%), signage (5%) and site-specific risk assessments (7%).



Mines and Quarries

The inspectorate completed 556 inspections in the mines and quarries sector in 2008. Of these, 28 were accident investigations and 18 were complaint investigations. The areas of primary focus were fixed-plant use and isolation, boundaries and edge protection, vehicle movement, blasting and pedestrian routes.

Overall, levels of full or broad compliance were 43%. Observed levels of limited or no compliance were low; however, a significant number of sites showed only some compliance in relation to edge protection and pedestrian safety.

Guidance and information relating to the new Safety, Health and Welfare (Quarries) Regulations 2008 were provided by the inspectorate, during the inspection programme, to assist quarry managers in meeting their obligations under this newly enacted legislation. A mines and quarries safety week was held in October, during which inspectors focused on increasing awareness of the new Quarry Regulations and, in particular, on the need to make the relevant appointments.

Manufacturing

There were 2,417 inspections in the manufacturing sector in 2008. Inspections focused particularly on



the issues of access to height, forklift use and pedestrian safety. There were also specific inspection campaigns on manual handling, vehicle transport safety and noise (see further details below).

Overall levels of full or broad compliance were 49%.



Accommodation and Food Services

This programme was a new initiative for the Authority in 2008, with 706 inspections. This proactive initiative aimed primarily to increase awareness of safety and health issues within the sector.

Inspectors assessed the safety and health management in each workplace. Inspections also focused on the provision of safety information in a format that could be understood by employees, and the preparation of manual-handling risk assessments. Levels of full or broad compliance were recorded at 43% and 48% respectively for these areas, with levels of limited or no compliance at 10% in both.

Financial Services

This programme was a new initiative for the Authority in 2008, with 233 inspections conducted in the financial services sector. The initiative generated a significant heightening of awareness within the sector. As well as assessments of general safety and health management, attention was given to procedures for dealing with stress issues and evidence of an anti-bullying policy.

Display screen equipment assessment was reviewed in 145 places of work. Only 45% of sites provided

evidence that individual workstation assessments were completed, but 70% of sites provided evidence that an eye and eyesight test were made available. Inspectors found that 48% of sites provided evidence that safety information and training was given to employees.

Local Authorities

There were 252 inspections of Local Authority places of work in 2008. Inspections revealed a high level of compliance in the appointment of duty holders (80%) and in awareness of the responsibilities of senior managers (80%).

The Authority also focused on chemical and biological agent exposure and controls, including vaccination (69% full or broad compliance), provision of appropriate PPE (77% full or broad compliance) and the provision of adequate welfare facilities.

Workplace Transport

The Authority undertook 227 inspections relating to workplace transport safety in 2008. Significant levels of limited and poor compliance were observed for pedestrian segregation, workplace layout for vehicle movement and the provision of information. In more than 50% of workplaces there were no risk assessments or documented procedures relating to loading, unloading, site rules or reversing vehicles.

A further 264 survey inspections were carried out to assess transport safety in terms of the driver, the vehicle and the place of work. The results from these surveys will provide the evidence base for future inspection programmes in this area.

Inspectors provided advice and Authority guidance documents to duty holders at the workplaces and also promoted the series of workplace transport safety seminars run by the Authority in 2008.

Health Services

There were 192 inspections in the health services sector in 2008. The specific issues addressed were clinical waste, infection control, security/violence, sharps and vaccination. The inspection programme identified the lowest level of compliance in the area



of security/violence with 33% of inspections finding only some compliance. In all other areas the levels observed of full or broad compliance were over 70%.

Waste Recycling

The Authority carried out 104 targeted inspections on the waste recycling operations of both local authorities and private organisations in 2008. The inspections, which followed on from the 2007 inspection programme in this sector, concentrated on safety and health management systems and the designation of traffic/pedestrian routes.

Noise

There were 411 noise inspections conducted across all sectors in 2008. These inspections assessed how employers were addressing the reduced noise action levels contained in the Safety, Health and Welfare (General Application Regulations) 2007, including noise measurement at the places of work. In 63% and 50% of workplaces, inspectors measured noise levels above 80 and 85 dBA respectively (these levels represent the lower and upper exposure action levels for noise where defined actions are required by employers). Of these, 31% had no noise measurements available, and noise reduction programmes were observed in only 36% of inspections. Evidence indicates the primary approach to this hazard is the provision of PPE (91% of cases) but with a lower rate of use (72%).

Manual Handling

Inspectors carried out 489 manual-handling inspections as part of the occupational health focus in the inspection programme for 2008. It was apparent from these inspections that there are still low levels of compliance with the requirement to have risk assessments taking account of the load, environment and task, and to implement controls where risks are identified (limited or no compliance levels of 26% and 21% respectively).

Specific manual-handling inspections were conducted in the construction, health, hospitality and transport sectors. Surveys completed in the course of these 176 targeted inspections formed the basis of the

Authority's report to the Senior Labour Inspector Commission (SLIC) in 2008.

Machinery

There were 179 machinery inspections carried out across different sectors in 2008. The inspections focused on specific machinery, and assessed its compliance with regard to CE marking, the presence of declarations of conformity, the presence of technical files and the presence of user information and instruction. The levels of limited or no compliance ranged from 11% (CE marking) to 22% (technical files).

The Authority's investigations into machinery accidents resulted in a range of actions, including a European-wide voluntary recall of a pressure vessel, the retro-fitting of key safety devices and the issuing of a safety alert relating to the maintenance of de-icing machinery.



Bullying

Inspections of anti-bullying policies were undertaken in 550 companies with more than 50 employees. A bullying prevention policy was present in 94% of cases. In addition, an assessment of prevention policies designed to fulfil the requirements of the Bullying Code of Practice was carried out as part of the new initiative in the Financial Services sector.

Occupational Hygiene and REACH Inspection Programme

The objective of the Occupational Hygiene and REACH (Registration, Evaluation and Authorisation 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 2008 included:

- **REACH Awareness:** The OH/REACH Unit completed 895 inspections during 2008, including 848 specific REACH inspections. The results of these REACH awareness inspections indicated that less than 40% of employers surveyed had determined their role under the REACH regulation and less than 20% had compiled an inventory of all substances subject to REACH.
- **Asbestos Inspections and Notifications:** The Unit also completed 212 asbestos-related site visits in 2008 and reviewed 278 asbestos notifications during this period. This was the first year of inspections carried out under the Chemicals Act 2008. An extensive information survey was also conducted on the safety and health standards being applied during asbestos work and the competence levels of those working in the sector. The survey revealed that standards are variable, and these issues will be followed up during asbestos inspections in 2009.
- **Specialist Monitoring:** The Unit also conducted 53 Hand-Arm-Vibration monitoring inspections and conducted air monitoring for exposure to total inhalable dust (flour) at nine separate sites in 2008. The Unit also followed up on the silica survey conducted in 2007 and advised relevant employers of the findings.

Process Industries Enforcement

The Authority acts as the National Competent Authority under the 2006 COMAH Regulations (Control of Major Accident Hazards) or the SEVESO II Regulations (aimed at improving the safety of sites containing large quantities of dangerous substances). The PIE Unit monitors compliance with the COMAH Regulations and other safety and health legislative requirements in workplaces that present a potential risk of major accident hazards.

Key outcomes and achievements for the Unit in 2008 included:

- **Inspections:** The Unit completed 363 inspections during 2008 and inspected all the sites that attract the requirements of the COMAH Regulations. The Unit investigated one fatality and two major incidents in COMAH sites and files are being prepared for the DPP.
- **Land Use Planning (LUP) Advices:** The Unit provides technical advice to local Planning Authorities and An Bord Pleanála on planning decisions for developments around major hazard sites and for new COMAH sites. A total of 450 requests for advice were processed by the Unit in 2008. Four An Bord Pleanála oral hearings were attended at which our advice was explained and challenged. The Authority commissioned UK LUP experts to prepare a report on future Authority LUP requirements with particular reference to the findings of the Buncefield Commission. This report was completed in December and will be used to develop updated Authority LUP Guidance in 2009. Generic LUP advice was prepared and presented to the Dublin Docklands Development Authority (DDDA) for future developments in the area. Emergency plans were in place for all top-tier sites.
- **External Emergency Plans:** In order to meet EU obligations, the Unit reviewed all external emergency plans for all upper-tier COMAH sites. Staff from the Unit attended the testing of these plans.
- **Safety Reports:** The Unit reviewed and signed off two pre-construction safety reports for top-tier COMAH sites. One other safety report received in 2008 is under assessment. A further ten safety reports, received in previous years, are at varying stages of the assessment process. Sign-off on these reports requires modifications by the upper-tier COMAH sites under assessment.
- **UN Chemical Weapons Convention:** The Unit made the necessary declarations to the UN as required by the Convention. These covered the sites in Ireland subjected to the Convention and the chemical substances involved. The Unit facilitated four inspections by the Organisation for the Prohibition of Chemical Weapons (OPCW) during 2008.



- Offshore Installations: Under the Offshore Installations Act, 1987 the Unit carried out five offshore inspections. It also carried out support work and inspections on behalf of the Department in relation to the Marathon Oil exemption request.

Transport and Storage of Dangerous Substances Enforcement

The Unit enforces legislation relating to the carriage of dangerous goods by road (called the ADR agreement) and the storage and retail of petroleum. In co-operation with the Gardaí, the Unit carries out roadside spot checks on vehicles transporting dangerous goods. Depots are inspected to ensure that a Dangerous Goods Safety Advisor has been appointed and that the employer is fulfilling their obligations. The Unit also inspects retail and private petroleum stores to ensure safety is being appropriately managed on site.

In 2008, the Unit carried out 1,212 inspections. These included inspections of 538 dangerous goods vehicles, 220 DGSA premises and 124 retail and private petroleum stores. We carried out 212 spot checks on unmarked vehicles to ensure they were not carrying dangerous goods.

The Unit issued 98 on-the-spot fines for non-compliance with the ADR Regulations. We issued a number of improvement notices to achieve improved compliance with legislation in DGSA premises and petrol stations. One prosecution file was prepared.

The Unit also facilitated a 'Review of the Regulation of petroleum handling and storage facilities', which was commissioned by the Department of Enterprise, Trade and Employment, and prepared by Arup Consulting Engineers in 2008. The Unit continues to liaise with the Department in relation to the appropriate follow-up on this study.

A report on the co-ordinated enforcement of spot checks during 2007 was submitted to the European Commission as required by Council Directive 95/50/EC.

Enforcement Actions

The Authority engaged in a range of enforcement activities in 68% of all inspections in 2008. Tables showing the number and type of enforcement actions for each economic sector are available in Appendix A. In summary, enforcement actions in 2008 included:

- Provision of specific written advice relating to individual places of work in 8,568 instances (54% of all inspected work places).
- Issue of 1,466 Improvement Notices in order to ensure compliance where contraventions of relevant statutory provisions were observed.
- Issue of 772 Prohibition Notices where activity likely to involve a risk of serious personal injury was observed.

The safety and health standards on seven construction sites were deemed to be so poor as to warrant a closure. In all instances the contractor engaged in the voluntary closure process to enable the safety and health standards to be brought to a standard where work could recommence on the site.

Inspectors investigated 151 serious accidents. A further 1,234 investigations were undertaken on the basis of complaints referred from the Authority's Workplace Contact Unit.

All work-related fatal accidents (57) were fully investigated.

A total of 27 prosecutions were taken by the Authority in 2008; 16 were heard summarily and 11 were on indictment. Fines in the sum of €2,524,600 were imposed for breaches of safety and health legislation throughout 2008.

To ensure that the powers of inspectors are upheld, the Authority takes prosecutions in cases where an inspector is obstructed in performing their duties by an employer. Two such prosecutions were successfully taken in 2008.



Inspector and Inspection Process Development Programmes

The objective of the Inspection Process Development Unit is to ensure the effectiveness and optimum standard of efficiency of the inspection, investigation and enforcement processes of the Authority.

The development of the new Inspection Recording System – ‘GeoSmart’ – was completed in 2008 and went live in January 2009. This large-scale project was completed on time and within budget, and achieved full functionality. Quality control of the old recording system was maintained throughout the development of the new system and a critical exercise to migrate existing data to GeoSmart was completed successfully at the end of 2008. The Unit arranged for all of the inspectorate staff to be trained in the GeoSmart application.

New inspection enforcement forms were introduced to facilitate a new inspection/investigation document management system. These forms can be added to the relevant record on Geosmart using scanning technology.

The Inspectors’ Enforcement Manual was updated, with particular reference to providing guidance for inspectors on the key inspection programmes in 2008.

An induction training programme was completed for all new inspector recruits and technical training was provided to established inspectors.

At EU level, inspectors from the Unit participated in various committees sponsored by the Senior Labour Inspectors Committee (SLIC). The Unit chaired and organised the peer review by SLIC of the Danish Labour Inspectorate (Working Environment Authority).

Regional Advisory Committees

The Authority’s regional inspection teams supported the work of the Regional Advisory Committees

through their involvement in a number of initiatives.

Inspectors in the southern region participated in four seminars organised by the Southern Regional Advisory Committee. Three of these seminars were jointly hosted with the ESB and Cork and Kerry Co. Councils, and addressed the issue of safety at roadworks. The fourth seminar was held during European Safety Week and focused on risk assessment.

Inspectors assisted the South Eastern Regional Advisory Committee with seminars on responsibility for safety and health at director, manager and supervisor level and a joint seminar with the Local Authorities on safety requirements for small to medium contractors. Inspectors also supported a seminar hosted by Bord Iascaigh Mhara (BIM) in Co. Waterford dealing with the issue of the stability of small vessels.

The Western Regional Advisory Committee ran three breakfast meetings in 2008 in Galway, Mayo and Clare. Inspectors provided information on the Safety at Roadworks legislation and on signing, lighting and guarding.

The North-Western Regional Advisory Committee ran two ‘Keep Safe’ initiatives and its work was supported by the regional inspectorate.

Memoranda of Understanding

The Authority recognises that ensuring compliance with safety and health legislation may sometimes involve interaction with other state agencies who also have a statutory role. To facilitate co-operation between agencies in such circumstances, the Authority has in 2008 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 2: Prevention Services Activities

The Prevention Services Division leads accident and ill health prevention strategy for all areas except Chemicals.

This Division's agenda is to ensure that:

- Employers and employees are aware of their respective duties and responsibilities.
- They act positively on that responsibility.

The overall aim is to make workplaces safer and healthier for everyone. This objective requires us to reach out widely and to ensure that our information and guidance products are easy to access.

The approach we use is to:

- Analyse data and plan priorities based on risk and impact.
- Assist in the development of necessary and proportionate legislation.
- Promote safety and health both at the level of general awareness and also at specific sector or hazard level.
- Provide information and guidance which is easily accessed.
- Educate and increase awareness of future workers.
- Implement workplace preventive initiatives.
- Manage national systems such as first aid.
- Develop and encourage partnerships to address key challenges.
- Represent the Authority as national Competent Authority in the areas of Carriage of Dangerous Good by Road Directive (ADR) and Transportable Pressure Equipment Directive (TPED).

Using these approaches the Prevention Services Division had significant achievements in 2008, which are set out below.

Agriculture, Forestry and Fishing Policy

There were 21 work-related deaths in the farming sector in 2008. This represents a significant reversal of the improving trend in this hazardous sector. There were 11 deaths in 2007 and 18 deaths in both 2005 and 2006. This high fatality rate will require the attention not only of the Authority but also of the many farmer representative bodies if we are to achieve long-term sustainable improvements.



The Authority participated in a number of working groups to achieve joint action, including the Farm Safety Partnership Advisory Committee (FSPAC) (sub-committee to the Board) and the Joint Prevention Initiative (JPI) (HSA and Teagasc). Specifically:

- The Farm Safety Partnership Advisory Committee (FSPAC) was re-constituted and strengthened. The previous action plan was reviewed and a new Farm Safety Action Plan was launched by Minister Kelleher in December. Seven sub-committees were established, one for each major goal of the Action Plan, and it is expected that this plan will achieve the required substantial involvement of representative organisations.
- The Joint Prevention Initiative (JPI) with Teagasc was extended for a further three year period. This initiative will oversee a range of activities, including the promotion of the Agriculture Code of Practice; safety training, particularly the half-day Code of Practice Training; the co-ordination of several research projects, including a Walsh Fellowship research project on Farmers Health, and the ongoing evaluation of effectiveness of the initiative. The JPI hosted an agri-wellness seminar in December to address the issues of farmer health and the positive management of stress.
- An All-Island Farm Safety Conference, hosted jointly by HSA and HSE NI (Health and Safety Executive Northern Ireland), was held in Monaghan in June and attracted over 200 delegates from north and south.
- The Authority, through its Farm Safety Partnership Advisory Committee (FSPAC), held major farm safety exhibitions at the National Ploughing Championships in Kilkenny, the Bantry Agricultural Show and the Teagasc Farm Fest 2008.

The age profile of the victims of fatal farm accidents in 2008 differed from previous years. The number of elderly victims reduced from 50% in the previous three years to 24% in 2008. Deaths in the 17 to 65 age group increased (13 deaths in 2008) as did fatal accidents involving children (three deaths in 2008). Safety of the elderly and children on farms received particular attention in 2008 during the Authority's inspection and promotional events. Specifically:

- We distributed a safety booklet, Stay Safe on the Farm with Jessy, to all national schools and libraries in the country, to raise awareness of the dangers for children on farms.
- We developed and updated guidance on child safety, safety for the elderly and the safe use of All Terrain Vehicles (ATVs).
- We ran a slogan competition for national school children on farm safety in the Kilkenny, Kildare and Carlow catchments.

The emphasis in the forestry sector in 2008 was on maintaining safety performance. A revised Code of Practice for the sector was finalised for public consultation. While safety performance in the forestry sector was good, three deaths associated with tree felling occurred in the agriculture sector.

Work in the fishing sector included further development of the Code of Practice for fishing vessels less than 15 metres long with 3 or less crew. Consultation on this Code of Practice and an exercise to pilot this code with the help of fishermen will proceed in 2009.

The Authority agreed terms of reference for an alliance with Bord Iascaigh Mhara (BIM) on sea-fishing safety.



Mines and Quarries Policy

Poor management of machinery safety, traffic management and control in the use of explosives continue to be the areas of concern in the mines and quarries sector.



Whilst the inspection campaign in this sector reported a general improvement, failures to address safety and health at site specific level were noted and were disappointing.

Specifically the following was achieved:

- The Safety, Health and Welfare at Work (Quarries) Regulations were signed into law in February with an effective date of 1st May 2008. Activities to support the introduction of these regulations included seminars hosted jointly by the Authority and the Irish Concrete Federation (ICF) in Kilkenny, Dublin, Sligo and Cork. Guidance to the Quarry Regulations was published by the Authority in May and was launched at our national Quarry Conference held in Athlone IT, which attracted over 240 delegates.
- The Quarries Safety Steering Committee (QSSC) held a number of meetings throughout the year and prepared draft guidance on electrical safety for Quarries for initial consultation in 2009.
- Tara Mines, Co. Meath, hosted the annual Mines Rescue Competition with teams competing from all active mines in Ireland along with some visiting teams from the UK.
- We collaborated with FÁS on the development of the new Quarries Skills Certification Scheme (QSCS).

- At European level, the Authority attended the fourteenth meeting of the Heads of Mine Safety in Slovenia and presented a paper on Mine Rescue systems.

Construction Policy

In 2008, the construction sector continued to receive priority focus, with significant progress made in the provision of support materials to assist employers, including codes of practice, guidance information, seminars and safety alerts. Considerable work was also done with key partners such as the Construction Safety Partnership (CSP); the Construction Advisory Committee (CAC) (which reports to the Board); the Construction Industry Group (CIG) (which reports to the FÁS Board); and the Local Government Management Services Board (LGMSB), representing the Local Authorities and the ESB.

The following Codes of Practice were published during 2008:

- Code of Practice for contractors with three or less employees.
- Code of Practice on access to and working on scaffolds.
- Code of Practice for avoiding danger from overhead electricity lines (ESB Code developed in consultation with and approved by the Authority).
- The Code of Practice on the design and installation of anchor bolts in concrete was drafted.

Guidance and information on the following topics were also published:

- The client in construction: best practice guidance.
- Working on roads.
- The use of mobile machinery on construction sites.
- Cementing safety – working with cement.

There were two amendments to the Construction Regulations 2006 (S.I. 504 of 2006):

- S.I. 130 of 2008 came into force on 2 May 2008. This amendment moved out the effective date for four new Construction Skills Certification Schemes



(CSCS): mobile tower scaffolds; signing, lighting and guarding on roads; locating under-ground services and shotfiring.

- S.I. 423 of 2008, signed by Minister Kelleher on the 30 October 2008. This amendment is a revision of Regulation 97 of the 2006 Regulations. It is intended to make that Regulation more pragmatic. It does so by clarifying those provisions to ensure that in respect of construction roadworks adequate guarding and lighting is provided and traffic signs are placed and maintained, and where necessary operated as reasonably required, for the safe guidance or direction of persons, having regard, in particular, to the needs of people with disabilities.

The Authority continued its participation in the Construction Safety Partnership (CSP). A three year plan (2008–2010) was launched, and significant progress has already been made in addressing health and safety concerns which continue to exist despite the downturn in activity in this sector.

In partnership with the Local Authorities a new Safe System of Work Plan (SSWP) – Working on Roads – was published. An updated version of the SSWP training DVD was produced with new chapters dealing with Work on Roads and on the application of the Code of Practice for contractors with three or less employees. Work started on the further development of the SSWP for House Maintenance Work, Waste Management (Landfill Litter Recycling) and Environmental Works and Parks.

The Authority continues to work with and support the Local Authorities on a range of initiatives, including:

- The development and implementation of Safe System of Work Plans applicable to Local Authority workplaces.
- Collaboration with the Local Authorities and FÁS in the development of the Signing Guarding and Lighting and Health and Safety at Roadworks CSCS programmes.
- Working with the Local Government Management Services Boards (LGMSB), as part of the

Construction Safety Partnership Plan, to implement procurement procedures that encourage safety and health performance, in particular for smaller construction projects.

The Authority also continues to contribute to the work of FÁS through the Construction Industry Group (CIG) on CSCS and Safe Pass.

There was also collaboration with the HSE NI to address construction safety. Two formal meetings were held with the Construction Group of the HSE NI and a joint construction seminar was held in Derry in October. The seminar focused on common construction issues, including training, scaffold, safe use of plant and improving safety standards amongst small contractors.



The Construction Advisory Committee (CAC) continues to meet every quarter to discuss and review the work of the Authority in relation to the current needs of the industry. A sub-committee on third level education commenced work in 2008 (see the Education Programme section of this report).

Transport and Storage Policy

Incidents involving vehicles have significantly increased across all sectors over recent years and have emerged as the single biggest contributor to work-related deaths. The Authority has developed both a cross-sector (driving in the course of work) and a sector specific approach (transport sector) to achieve improvements in workplace vehicle safety standards.



In 2008, the Authority published Information Sheets on:

- Workplace Transport Safety Management.
- Workplace Transport Safety – Safe Driver.
- Workplace Transport Safety – Safe Vehicle.
- Workplace Transport Safety – Safe Workplace.
- Workplace Transport Safety – Checklist.

The Authority collaborated with the Road Safety Authority (RSA) on the development of a combined Driving for Work Guidance, Checklist and DVD which is aimed at employers and will be published in 2009.

We hosted a series of nationwide seminars on Workplace Transport Safety to raise awareness of the risk associated with vehicle transport (excluding construction, mines and quarries).

The development of a five year plan for the sector commenced. This will set out the Authority's objectives and actions for transport safety and will be published in 2009.

Carriage of Dangerous Goods and Transportable Pressure Equipment

The Authority fulfilled its Competent Authority functions in respect of the ADR Framework Directive, ADR Checks, Safety Advisers and Transportable Pressure Equipment (TPED) Directive.

The Authority developed draft legislative proposals for the implementation of the 2009 ADR Agreement, including the examination of dangerous goods drivers and safety advisers.

The Authority assisted the Department of Enterprise Trade and Employment in the review of the Dangerous Substances Act 1972 and associated Regulations.

At European level, the Authority represented Irish national interests at two European Commission

Transport of Dangerous Goods Committees relating to Competent Authority functions for ADR and TPED.

The Authority continued to manage the ADR Driver Examination Scheme (1,621 drivers examined) and Dangerous Goods Advisers Scheme (151 candidates examined under the Dangerous Goods Advisers (DGSA) for Road Examination Scheme) in 2008. Two Approved Trainer Audits were carried out on two of the existing five approved trainer providers during 2008.



Other Policy and Technical Actions

The Policy and Technical Units of the Prevention Services Division made progress in relation to a wide range of sectors and hazards. Some of the key outcomes are listed below:

- Developed guidance for those involved in specifying floor surfaces and coverings to address the slip, trip and fall hazards which continue to cause a high proportion of all reported workplace injuries.
- Provided assistance in drafting regulations to implement the Machinery Directive [2006/42/EC].
- Contributed to the work of the National Standards Agency of Ireland (NSAI) on the development of national standards for cranes including self-erecting cranes and the inspection and testing of lifting equipment.
- Prepared 'Guidance on Noise in the Entertainment Industry' to be published in early 2009.
- Developed draft legislative proposals relating to in-



service inspection of pressure systems in workplaces to be amended to the General Applications Regulations 2007.

- Signed a Memorandum of Understanding with the Commission for Energy Regulation, which covers co-operation between the two organisations in the area of gas safety.
- Contributed to the work of the Gas Standard Technical Committee of the NSAI on the revision of regulations relating to bulk storage of liquefied petroleum gas (LPG).
- Drafted legislative proposals and developed associated draft Codes of Practice for the diving industry. Public consultation took place in 2008 with a view to further development in 2009.
- Published a Toolkit incorporating checklists to assist small businesses to comply with the General Applications Regulations 2007.
- Contributed to guidance produced by the Vintners Federation of Ireland, Licensed Vintners Association, Restaurant Association of Ireland and the Irish Hotels Federation.

Agricultural Science (Senior Cycle Syllabus) and development work on a Transition Unit (Senior Cycle).

- The Authority set out, in conjunction with a sub-committee of the Construction Advisory Committee, its programme to raise awareness of risk education in construction-related courses amongst key academic staff.
- The Authority entered its second year of the 'Choose Safety' programme for senior cycle post-primary students. By the end of 2008 more than 7,500 students in 265 class groups had participated in the programme which develops understanding of safety and health at work. Highly positive evaluations by teachers and students have been recorded for this initiative.
- The Authority published A Short Guide for Teachers on Sending Students on Work Experience.
- The Authority produced a case study for the Spirit of Enterprise resource which is aimed at teachers and students of enterprise and business. The resource is delivered to all post-primary schools in the state. A second case study was prepared on safety in the laboratory for the Science and Technology in Action resource pack. This is aimed at Science teachers in post-primary schools.
- The Authority designed and delivered a pilot training programme for teachers and principals involved in managing safety and health in schools. Courses have been delivered to approximately 250 teachers in 12 Education Centres to date. The Authority is in its third year of involvement with the Junior Achievement programme. This will reach 30,000 students aged 10–18 years from schools throughout Ireland who will have been inducted into health and safety training through structured modules, the 'Our Nation' programme (primary) and the 'Our Company' programme (post-primary).
- In partnership with ESB Networks, the Authority co-ordinated a pilot project in Donegal in May of this year, entitled 'Keep Safe'. Two events brought 12 state agencies along with primary school children from 8 schools together in central venues

Education Programme

The multi-strand approach adopted by the Education Strategy Unit has yielded strong results in 2008. Work continues to prioritise risk education amongst the workers and managers of the future within the education system, and to increase safety awareness among those working in the education sector. Specifically in 2008 the following was achieved:

- The Authority piloted its safety and health management system for post-primary schools with seven schools.
- The Authority delivered the key recommendations of the National Council for Curriculum and Assessment (NCCA) report Mapping Health and Safety in the Curriculum, which was aimed at mainstreaming health and safety in the national curriculum at primary and post-primary levels. Completed reviews and submissions to the NCCA include: Art, Craft and Design (Junior Cycle Syllabus), Home Economics (Junior Cycle Syllabus),



in the community for a morning of interactive scenarios for the purpose of promoting safety in the school, home, community and workplace.

Two special initiatives got underway in 2008:

- E-Learning Project: Work is proceeding to develop free of charge health and safety e-learning courseware for several target groups in the education sector.
- Development of Educational Software Games: Work is on-going to develop a computer game based on a series of workplace scenarios. This initiative is aimed at the 15–18 age group, particularly those preparing for work experience for the first time.

Occupational Health Programme

2008 has been a particularly successful year for the Occupational Health Unit. Considerable effort has been made to raise general awareness of the importance of health alongside safety, and many specific initiatives have encouraged employers to participate and to address the protection of worker health from existing and emerging hazards.

Specifically in 2008:

- The Authority published the *Workplace Health and Well Being Strategy*. This strategy was co-ordinated by the Authority and incorporates the views of key interests in the occupational health area at national level.
- The Authority introduced a new national system for the management of occupational first aid, the training and accreditation of instructors and first aiders, and the registration of providers and instructors. This system will enable better quality and standards in this area.
- Research and preparatory work was carried out to explore options for the Authority in relation to intoxicants in workplaces. A project plan was established to introduce guidance on the management of intoxicants and testing Guidance

and training for inspectors on occupational health issues were implemented, providing increased competence in management of compliance at workplace level. Five well attended seminars on work-related stress risk assessment were presented and the first phase of the Work Positive Stress Prevention project was completed across five economic sectors. The Unit contributed to a large-scale research project examining differences between Irish and non-Irish national workers in the construction industry.

The Unit made good progress in the area of manual handling. Achievements include:

- Development of two manual handling standards and submission to FETAC for approval (manual handling; patient handling).
- Research on manual handling in construction commenced and is due for completion and publication in 2009.
- Eight additional manual-handling case studies were developed and published for guidance on the Authority's website.
- Two brochures on manual handling in the retail (Lighten the Load for the Retail Sector) and construction sectors (Lighten the Load for the Construction Sector) were published.

Work was done on guidance addressing a range of occupational health issues during the year:

- Guidance on the management of safety and health for people with disabilities was prepared for publication in early 2009.
- The Guidelines on Occupational Asthma were revised and published.
- Revised dermatitis guidance was drafted.

Presentations were made at a number of national and international conferences at which the Authority promoted the management of occupational health and the recent Workplace Health and Well-Being Strategy.



Communications and Customer Contact Programme

The primary objective of the communications and customer contact programme in 2008 has been to raise awareness and understanding of key safety, health and welfare messages and initiatives, and to make information easily available to employers and others.

Important communications activities and initiatives included:

- A major national conference for the safety representative community attended by almost 300 delegates.
- Design, production and distribution of over 40 new publications, including new codes of practice, guidelines publications and general safety publications.
- A number of important launches managed, including the launch of key publications such as the *Farm Safety Partnership (FSP) Action Plan*, *Construction Safety Partnership (CSP) Action Plan* and the *Authority's Annual Report and Statistics Summary*.
- Advertising campaigns, including REACH (Registration, Evaluation and Authorisation of Chemicals) and farm safety.
- A range of regional and national events and seminars on various topics including workplace health, workplace transport, quarry safety and farming safety. The Communications Unit also supported our presence at major national events, including the Young Scientist Exhibition and the National Ploughing Championships.
- Management of the corporate website, which received a total of over 2.5 million page views from 225,000 unique visitors and over 380,000 downloads of Authority publications.
- Co-ordination of the EU Focal Point network, which culminated in a range of activities throughout EU Safety Week.

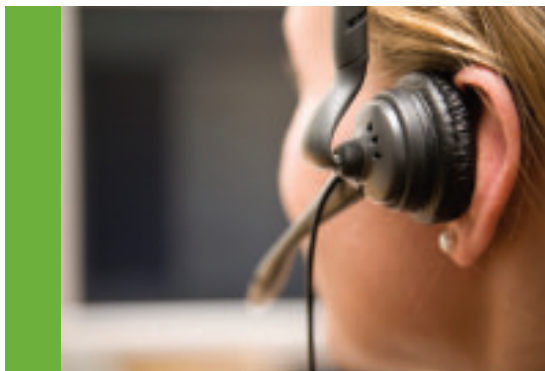
- Issue of 25 press releases with key safety and health messages to raise awareness and to call for action.

The Authority's **Workplace Contact Unit (WCU)** dealt with a large number of contacts from the public in 2008. Key statistics include:

- Almost 32,000 calls handled by the Unit. These included reports of serious accidents, requests for information and submission of complaints in relation to workplace activity.
- The 'dropped call' rate for the year, which was less than 3%.
- Over 8,000 Incident Report forms processed.
- Retention of the Customer Contact Association (CCA) standard, following a formal audit of the Unit by the British Standards Institute (BSI).

Throughout 2008, customer satisfaction research was continued, using an independent market research agency. Key findings include:

- 91% of customers felt their call was answered as fast as or faster than expected.
- 73% of customers felt the Unit staff member did everything they could to assist.
- 81% of customers were mostly or completely satisfied with overall staff professionalism.



Chapter 3: Chemicals Policy and Services Activities

The Chemicals Policy and Services Division acts as the national Competent Authority (CA) or administration lead for a range of European and national chemical legislation on health, safety and the environment: REACH Regulation; Detergents Regulation; Classification, Packaging and Labelling of Dangerous Substances and Preparations; Marketing and Use Directive; Export and Import of Dangerous Chemicals Regulation as well as asbestos, carcinogens, chemical agents and biological agents.

In 2008, the Division fulfilled this function in three ways:

- Fulfilled CA and administration roles.
- Developed legislative proposals, guidelines and guidance to support the chemicals legislative and policy programme.
- Informed, promoted awareness and monitored trends to support all our customers.

The key outcomes and achievements for each of these three areas in 2008 are as follows.

Conclusion of Competent Authority Role

In 2008, the Authority concluded its CA role on Notification of New Substances (NONS) and Existing Substances Regulation (ESR) on the 31 May. However, this did not mean the end of the work area as there were a range of handover and transitional activities to be completed by 1 December.

With respect to NONS, the Division saw a significant increase in the number of dossiers evaluated and processed in the first five months of the year compared to figures from 2007 – 22 notifications in 2008 compared with 17 for the 12 months of 2007. In addition, we processed 10 PORO/PORO extensions and 26 Level 1 testing proposals as well as the 42 dossier updates (including 9 level 1 updates). The total figures from Ireland represented 3.8% of the European dossiers in 2008. In the second half of 2008, the division also managed the handover of all notification dossiers received by the Authority since 1993 to ensure that all those who previously notified substances in Ireland qualified under the provisions of the REACH Regulation. Staff from the Division were actively engaged with Irish notifiers, updating over 250 files, answering queries and ensuring that notifiers were aware of the procedures for claiming registration numbers; staff also presented at the European Notifiers Convention, which was held in Ireland in April 2008.



In completing its Existing Substances (Regulation 793/93) CA role, the Division also concluded the three human health risk assessments reports for the three substances – TCPP, TDCP and V6 – by 31 May. We also succeeded in completing Annex XV dossiers for a) classification and labelling proposals for the three substances and b) limiting risks for two of the substances (TCPP and TDCP) before the close of the transitional arrangements under REACH on 1 December. A significant amount of work went into both of these efforts; particularly consultation with the industry stakeholders in order to arrive at the final dossiers.

The Authority and its staff have played an important role for Ireland and Irish industry over the past 15 years in relation to both NONS and ESR and although our role as CA is completed, we will continue to have a role in 2009 and beyond as both of these elements fall within the remit of REACH.

Existing and New Competent Authority Roles

The Authority continued to play a very active role in the EU negotiations and developments regarding proposals to amend the Marketing and Use Directive in 2008. Amendments agreed at the EU Council included restrictions for six substances (DEGME, DEGBE, Ammonium Nitrate, MDI, cyclohexane and dichloromethane). In addition, contributions were made to decisions to restrict a number of organostannic (organotin) compounds as well as to amend current restrictions on lamp oils and grill lighters. In providing input into all of these discussions and negotiations, the Authority worked closely with the Department of Enterprise, Trade and Employment (DETE) and industry stakeholders with particular interests in the substances.

As Designated National Authority for the Export-Import Regulation (EC 689/2008) for industrial chemicals, the Authority introduced procedures and working arrangements with other Irish CAs to meet our role. We contributed, along with our European colleagues, to the development of the corresponding guidance document for the new regulation.

With respect to the Division's administration role in relation to asbestos, carcinogens and chemical agents, we reviewed and had input into the proposed European third list of Indicative Occupational Exposure Limit Values, which was under discussion by the European Advisory Committee on Health and safety at Work. We also commenced the review for the update of the 2007 Code of Practice for the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 (S.I. No. 619 of 2001) which is due for completion in 2009.



In 2008, the Division concluded its three year implementation strategy for REACH on the scheduled date of 1 June, when the REACH regulation came into operation and the Authority assumed its CA functions. All of the strategy objectives – internal Authority preparations (staff in situ and trained, and associated procedures established); stakeholder support and awareness, and tripartite efforts with the UK and Northern Ireland REACH CA – were met and achieved.

As the lead REACH CA in Ireland, the Division assumed responsibility for participation and input into the committees and working groups of the European Commission and the European Chemicals Agency (ECHA) established to support the successful operation and implementation of REACH. Staff of the Authority were nominated as Irish representatives on the Member State Committee (MSC); the Risk Assessment Committee (RAC); the Socio-Economic Analysis Committee (SEAC); and the Forum on Enforcement in 2007, and all involved assumed full and active participation in these groups in 2008. As members of these committees, some of their tasks included:

- Being a member of the drafting group regarding inclusion of substances in Annex XIV (MSC).
- Acting as rapporteur for one substance for harmonised classification and labelling (RAC).
- Being a member of the working group on developing the REACH enforcement report (Forum).

We also actively participated in other ECHA working groups such as REHCORN (REACH Helpdesk Correspondents' Network) and the Risk Communication Network. In addition to the work contributed by the individual members of these committees, the Division, as REACH CA, also contributed to discussions emanating from these groups.

The Authority was also active in the Security Officers Network tasked with the introduction of the REACH-IT system for Member States. Unfortunately, because of ECHA's reprioritisation on REACH-IT, the Authority

was not in a position to introduce the system itself. However, staff continued to follow developments and become familiar with the system by providing the necessary advice and IT support to industry via the REACH helpdesk.

At the European level, the Division participated in all discussions held by the REACH-CAs, including subgroups established to handle the REACH Annex reviews and nanotechnology. As the lead CA for REACH in Ireland, the Division provided technical and scientific input into the Annex reviews held in 2008 (Annexes I, IV, V, XI, XIII and XVII) and at the same time ensured regular consultation and updates were provided to Irish stakeholders.

Tripartite efforts with the UK and Northern Ireland REACH-CA, which is based in the Health and Safety Executive, continued in 2008 through meetings and collaborations. For example, staff from the division presented at a REACH event organised by HSE NI during the year.



National and European Legislative Development

In addition to the legislative development areas mentioned above, the Division contributed to the introduction of several other items of legislation at national and EU level.

At the national level, the Division, together with the DETE, introduced the Chemicals Act 2008 (S.I. No. 13), which both identifies the Authority as a Competent Authority for REACH and provides for national enforcement of the REACH regulation. In addition to REACH, the Act also identifies the Authority as Competent Authority for the Detergents Regulation and the Export-Import Regulation for industrial chemicals. As a result of the Act, the Authority has assumed a new responsibility for the Detergents Regulation. The Act also identified the Environmental Protection Agency (EPA) and the Department of Agriculture (Pesticides Control Service) as REACH Competent Authorities for environmental protection and pesticides respectively. The Division commenced discussions with both organisations in 2008 with a view to introducing Memorandums of Understanding for the future operation and enforcement of REACH in Ireland.

At the European level, one of the more significant contributions made by the Division was in the EU negotiations on the new Classification, Labelling and Packaging (CLP) Regulation which introduced the Globally Harmonised System (GHS) for Classification and Labelling into Europe. In conjunction with the DETE, staff of the Division provided technical and scientific input throughout the negotiations in 2007 and 2008 with the result that the Regulation was agreed at first reading and published in December. Also in conjunction with DETE, the Division participated in a number of the REACH Article 133 committee proceedings, where voting took place on a number of amendments to REACH as well as associated regulations – the Test Methods Regulation, the Fees Regulation, the Revision of Annexes IV and V, and the Board of Appeal.

The Division provided support for the DETE through reviewing the implications of new environmental legislation and represented the Authority at the 2008 OECD environment review in Ireland.

Guidance and Policy Development

The division continued development of the Authority's strategy on the safe use of nano-particles in the workplace. A working group established under the Technical and Scientific Advisory Committee (TSAC), comprised of members from a range of stakeholder groups, worked closely with the Authority in 2008. Input from the Division was also made to guidance and policy development on nano-materials in relation to REACH, through participation in the REACH CA Subgroup noted above.

The Division concluded its input into the REACH Implementation Projects (RIPs) in 2008 with the entry into operation of REACH on 1 June. The guidance documents developed in this project work, which went on for a number of years, are available on the ECHA website. Already, there have been a number of revisions and reviews of the guidance produced and the Division has contributed as the REACH-CA.

In relation to guidance development for the new CLP Regulation, the Division has been active here as well with staff participating in a range of groups tasked with developing the modules and guidance required by industry for the new legislation. It is hoped that





the associated guidance for the CLP Regulation will be published and available to all by mid 2009. The Division, together with colleagues in the Compliance Division, also prepared a National REACH Enforcement Strategy. This strategy, which takes account of requirements under the Chemicals Act as well as developments in the Forum, and its associated programme of activity, will be rolled out in 2009.

Guidelines for biological agents regulations have not been completed in 2008. Instead, the Authority commenced an internal review of its biological agents programme as a first step in determining how it can best meet the needs in this area.

Customer Support and Awareness

2008 continued the high level of customer support and awareness maintained by the Division in 2007.

In relation to REACH, the Division provided significant technical and implementation advice to some 1,400 customers through its REACH Helpdesk. Activity levels in the helpdesk were particularly high during the six month pre-registration period of 1 June to 1 December, reaching a peak of 300 queries in November. All queries were addressed and responded to within our agreed 14 day response time. In addition to support through the helpdesk, REACH web pages (www.reachright.ie) were continuously updated and modified to keep Irish stakeholders informed and up to date on the ever changing requirements as REACH came into operation. A REACH and CLP E-bulletin, which presently is sent to over 800 customers, was introduced in 2008 to keep customers further updated.

Our national helpdesk contributed very actively to the European Network of Helpdesks (REHCORN) during the year by reviewing and contributing to several updates of the ECHA FAQs and addressing queries raised by other Member States. As a result of queries received from Irish customers through the helpdesk, three specific FAQs were introduced by the Division and are now published by ECHA.

Customer needs were also addressed through our REACH Stakeholders Network, which met twice in 2008 and received numerous and frequent updates on REACH developments and progress throughout the year. In 2009, this network will be expanded to include the new CLP Regulation.

With regard to awareness raising on REACH, the Authority completed one national media campaign in May 2008 and also a direct mail campaign to some 35,000 Irish SME companies. During the pre-registration period, the Division sent three different reminders out to Irish stakeholders, reminding them of their obligations and the approaching deadline.

In April, the Authority held two intensive REACH seminars followed by workshop sessions with inspectors where companies could come and discuss their own particular issues. These were held in Cork and Dublin and attracted over 150 participants, including representatives from the Pharmaceutical, ICT and SME sectors.

Division staff also presented at numerous REACH events organised by industry, professional and academic bodies: for example, IBEC, Institute of Occupational Safety and Health, Occupational Hygiene Society of Ireland, Construction Industry Federation, Irish Concrete Federation, Pharmaceutical Ireland, ICT Ireland, NUI Maynooth, Dublin City University, EPA National Conference, Plastics Ireland and University of Limerick. Presentations were also given at international conference events on REACH during 2008.

The Authority provided significant support and advice to customers not only in relation to REACH but also in the development of a second lesson plan in the Science and Technology Fourth Action Programme for secondary schools. We also presented to the OHSI on the legislation and standards in relation to personal protective equipment (PPE) and provided advice and training on the Chemical Agents, Carcinogens and Biological Agents Regulations to university laboratory technicians. Input was also provided by the Division to the Health Protection Surveillance Centre Draft Guidance on Legionnaires Disease before it was released for public consultation in 2008.



The Division undertook a Chemicals Usage Survey in 2008. This survey looked at how SME companies in a range of sectors managed chemicals in the workplace and also established data on levels of REACH awareness. Results from the survey were very informative, with many companies having few or no chemical inventory systems in place (inventory systems ranged from having a list of chemicals used on the site to more complex lists with detailed data on the chemical, tonnage and hazards). Some 40% of companies indicated they were aware of REACH with over 78% of the respondents indicating they received their knowledge from Authority lead activities (media, seminars, websites, etc). Only 3% of respondents indicated they were made aware by a trade association. Results from the survey have been used to inform and direct the Division's programme of work for 2009.



Chapter 4: Corporate Services Activities

The Corporate Services Division provides a range of services to the Board and the staff dealing with customers of the Authority to enable them to do their job better.

The services provided include:

- Corporate Governance.
- Human Resources, Training and Development.
- Information and Communication Systems.
- Finance.
- Facilities Management.
- Legislative Development.
- Regulatory Impact Assessment.
- Statistics and Research.

Human Resources and Training Programme

In 2008, the Authority's Human Resource and Staff Development Unit worked to attract, retain and develop our staff. The Unit sought to develop continuously improving systems and processes in line with best practice and value for money.

Achievements during 2008 include:

- Development of a new HR strategy for 2008 to 2009 in consultation with staff:
 - Further work on the draft HR strategy was deferred, pending completion of the Corporate Strategy Review. Work will continue on this once the Authority's new corporate strategy is finalised.
- Management of the overall recruitment programme to ensure delivery of competent staff:
 - During 2008 the Authority recruited 30 staff to fill a range of vacancies, including the staff for Phase 2 of the REACH programme, in accordance with project timelines.
 - The Authority submitted the Hay report on Authority staffing and the Claritas report on the staffing requirements for REACH to the Department of Enterprise Trade and Employment.
- Contribution to the change management process:
 - Communication and consultation with staff through our industrial relations council and our partnership forum was productive and effective during 2008.



- Continued development of the decentralisation implementation plan:
 - Following a review by Government, the decentralisation programme for the Authority has been put on hold, pending a review in 2011. During 2008 the new interim office in Kilkenny City was established with a staff complement of 33.
- Management of staff occupational health services:
 - A range of initiatives, including health promotion and a comprehensive vaccination programme for our inspectors, were delivered.

In respect of the training programme, activities included:

- Management of the application process for renewal of the Excellence through People Award:
 - The Authority achieved the 'Gold Standard' Excellence through People Award. The audit was carried out in June 2008.
- Implementation of the organisational learning strategy:
 - Learning and Development Strategy milestones were achieved, and the training aspects of the HR system upgrade were implemented, and are working effectively.
- Roll-out of technical and developmental training programmes:
 - All technical and developmental training was delivered as per the Learning and Development Programme 2008. There was substantial team and individual technical training delivered and the New Inspector Development Programme was successfully delivered to all newly recruited inspectors.
- Review of the operation of the performance management and development system (PMDS) integrated model:
 - The operation of the PMDS within the Authority was reviewed. Guidelines were developed to assist managers and staff in setting appropriate objectives. Training on the integrated PMDS system was delivered to all new staff and promoted staff.
- Assistance with developing training material/courses for REACH staff:
 - Training delivered was a combination of internal and external courses, and included briefings by internal subject-matter experts.
- Continued roll-out of the leadership development programme for senior managers:
 - The senior management team received training as per their identified needs. They also undertook a coaching programme. A panel of internal coaches has been developed with representatives from all divisions.



Information and Communications Technology Programme

The ICT Unit made significant enhancements to the Authority's information and communications technology (ICT) systems in 2008. The following outcomes contributed to more efficient work processes for Authority staff:

- ICT support for a new enforcement database, including the development of the necessary ICT infrastructure.
- Successful deployment of a remote helpdesk environment.
- Technical fit out of a cost effective ICT disaster recovery site at the Kilkenny office to be implemented in 2010.
- Deployment of latest Microsoft Office suite for enhanced user productivity.
- Upgrade of our email systems to offer more flexibility in organising calendars and remote access to email.
- Ongoing engagement with the European Chemical Agency on the development and deployment of REACH-IT systems.
- Redesign and development of the Authority's Intranet system.
- Achievement of reduction in tariffs for mobile phones under the Government Framework.
- Piloting of a more cost-effective model for our in-house printing needs.
- Development of a new publications Web store for enhanced customer experience.

Regional offices of the Authority particularly benefited from the work of the ICT Unit:

- Implemented a new Video Conferencing Server to allow regional offices to host multi-site conferences with improved connectivity and bandwidth utilisation.

- Installed compression units for faster access to file servers and email, and to improve overall user experience in the regional offices.
- Upgraded all regional offices for improved data links and enhanced failover capability.
- Enabled the on-schedule move to the new Kilkenny office and provided improved video conferencing facilities and faster network links for users there.
- Implemented ICT fit out for expansion of the Athlone office.

Legislation and Guidance Programme

Good progress was achieved in 2008 in the development of legislative proposals and guidance material, including chemicals safety, under the guidance and direction of the Legislation and Guidance Sub-Committee of the Board, as detailed in Appendices B and C.

A new system for 'Planning and Managing the Legislative Process' was implemented during the year to streamline and clarify the development process.

The Authority assisted the DETE in identifying and assessing opportunities for reducing regulatory burdens on employers while maintaining necessary safety and health provisions on the submission of information or notifications to the Authority. This process will continue in 2009.

Major Legislative Developments

The Chemicals Bill 2008 was signed by the President on 9 July 2008 and was thereby enacted as the Chemicals Act 2008 (S.I. No. 13 of 2008), having been piloted through the Oireachtas by Billy Kelleher, Minister for Labour Affairs. The Act was brought into operation on 15 July 2008 through the Chemicals Act 2008 (Commencement) Order 2008 (S.I. No. 273 of 2008), which was signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on that date.



The purpose of the Chemicals Act 2008 is to give further effect to EU chemicals-related legislation, including –

- (i) Regulation (EC) No. 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) and establishing a European Chemicals Agency, as amended by Council Regulation (EC) No. 1354/2007 of 15 November 2007 (the REACH Regulation),
- (ii) Regulation (EC) No. 304/2003 of the European Parliament and of the Council of 28 January 2003 concerning the export and import of dangerous chemicals (as amended) (the Rotterdam Regulation), and
- (iii) Regulation (EC) No. 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents, as amended by Commission Regulation (EC) No. 907/2006 of 20 June 2006 (the Detergents Regulation).

The Act also provides for the making of supplementary regulations as well as regulations to retranspose the 'Seveso' Directives on the Control of Major Accident Hazards involving Dangerous Substances, to replace the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2006 (S.I. No. 74 of 2006).

The following EC Regulations will also be brought within the ambit of the Chemicals Act –

- (i) Regulation (EC) No. 689/2008 of the European Parliament and of the Council of 17 June 2008 concerning the export and import of dangerous chemicals,
- (ii) Regulation (EC) No. 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and

amending Regulation (EC) No. 1907/2006,

- (iii) Regulation (EC) No. 1336/2008 of the European Parliament and of the Council of 16 December 2008 amending Regulation (EC) No. 648/2004 in order to adapt it to Regulation (EC) No. 1272/2008 on classification, labelling and packaging of substances and mixtures.

Statistics and Research Programme

The Statistics and Research Unit sought to provide a reliable evidence base to inform Authority decisions in 2008, drawn from the Authority's own databases, data sources in other organisations and commissioned research projects. The Unit also fulfilled responsibilities in the areas of records management and administrative support to the Board of the Authority.

Significant improvements in data quality and analysis were achieved by the Unit in 2008:

- The Authority's data collection system was made more compliant with Eurostat (European Statistical Agency) methodologies. Significant resources from the Unit were allocated to the development of the Authority's new database application throughout 2009 to guarantee continued and improved compliance with Eurostat data collection requirements. The Unit oversaw the development of a revised response scale for questionnaires on the data collection system – these questionnaires are completed by inspectors on specific topics, for example manual handling, vehicle safety etc, and provide valuable data for policy formulation.
- The Unit fulfilled requirements at European level, including the provision of an annual incident datafile to Eurostat and servicing relevant working groups and technical groups. The Authority was also represented on the European Scoreboard Working Group, which aims to assess Member States' progress in implementing the European Occupational Health and Safety Strategy 2007–2012. The design of the Scoreboard questionnaire



was finalised in 2008, with Ireland taking the lead on the Chemicals questions.

- Statistical information was provided to support the activities of Advisory and Regional Committees; the production of guidance documents; the compilation of press releases; and the answering of questions in the Dáil' and queries from the public. A comprehensive *Summary of Injury, Illness and Fatality Statistics 2006–2007* was published.
- The following research projects were commissioned or completed in 2008:
 - Analysis of differences between Irish national and non-Irish national workers in the construction sector.
 - The Health and Occupation Reporting (THOR) Network in Ireland.
 - Survey of chemicals usage in Irish workplaces.
 - Evaluation of 'Choose Safety' secondary education module.
 - Manual handling in the construction sector.
 - Survey of work-related vehicle safety.
- The Unit was assigned responsibility for regulatory impact analysis (a mandatory process to support the introduction of proportionate legislation) in late 2008 and this function will be developed through 2009.

Finance Programme

The Authority's accounting systems are continually reviewed to ensure adherence with best practice. During 2008 significant progress was made in relation to the provision of improved financial information to budget holders. Budget reports can now be accessed online.

The Authority's Internal Auditors completed seven internal audit reports, with satisfactory outcomes.

Our expenditure for 2008 was within budget and we also adhered to the requirements governing procurement and prompt payment of accounts.

During 2008 the Authority moved to new office accommodation in Kilkenny and secured additional office accommodation in Athlone.



Financial Reports

'08

Financial Statement 2008

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 promptly detected.

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 of risk 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.



The Authority has put in place an internal audit function which operates in accordance with the Framework Code of Best Practice, 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 Internal Audit Committee and approved by the Authority. 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 Internal 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/her 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.

Government guidelines on the payment of Directors' fees and expenses are being complied with. The fees and expenses paid to Board members during 2008 are detailed in a note to the Financial Statements.

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 Internal 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 financial controls during 2008.

Board Fees and Expenses

Board members received total fees of €104,000 in 2008 and expenses of €25,655.30.

On behalf of the Board.

Jim Lyons
Chairman
February 2009

Draft Financial Statements

The draft financial statements set out below have been submitted to the Comptroller and Auditor General for audit. The audit fieldwork has been completed and the financial statements are currently being finalised. After receipt of the audit report, a copy of the financial statements together with the report of the Comptroller and Auditor General will be submitted to the Minister for Labour Affairs.

Draft Income and Expenditure Account for Year ended 31st December 2008		
INCOME	2008 €	2007 €
Oireachtas Grants	24,235,450	22,962,167
Net deferred funding for pensions	4,534,000	3,924,000
Employee deductions refundable to DETE	(715,633)	(602,150)
Other Income	578,615	699,010
Sub total	28,632,432	26,983,027
Transfer from / (to) Capital Account	259,230	101,464
	28,891,662	27,084,491
EXPENDITURE		
Salaries Costs	12,440,840	10,628,324
Pension Costs	4,584,367	4,297,850
Other Administration Costs	11,618,247	12,249,726
	28,643,454	27,175,900
(Deficit)/Surplus for the Year	248,208	(91,409)
Accumulated Surplus/(Deficit) at 1 January	(381,575)	(290,166)
Accumulated (Deficit)/Surplus at 31 December	(133,367)	(381,575)

The results for the year relate to continuing operations.



Draft Cash Flow Statement as at 31 December 2008		
RECONCILIATION OF OPERATING SURPLUS/(DEFICIT) TO NET CASH INFLOW FROM OPERATION ACTIVITIES	2008	2007
	€	€
(Deficit)/Surplus for year	248,208	(91,409)
Movement on Capital Account	(259,230)	(101,464)
Depreciation	619,759	753,512
(Increase)/decrease in Debtors	(121,182)	107,107
Increase/(decrease) in Creditors	(131,270)	(107,985)
Net Cash Inflow from Operating Activities	356,285	559,761
Cash Flow Statement		
Net Cash Inflow from Operating Activities	356,285	559,761
Capital Expenditure		
Payments to acquire fixed assets	(360,529)	(652,048)
(Decrease)/Increase in Cash	(4,244)	(92,288)
Reconciliation of net cash flow to movement in Net Funds		
(Decrease)/Increase in cash in year	(4,244)	(92,288)
Net funds at 1 January	60,613	152,901
Net funds at 31 December	56,369	60,613
Analysis of Change in net funds		
	Cash at Bank and in hand	Total
	€	€
At start of year	60,613	60,613
Cash Flow	(4,244)	(4,244)
At end of year	56,369	56,369



Draft Balance Sheet as at 31 December 2008				
	2008	2008	2007	2007
	€	€	€	€
FIXED ASSETS		885,586		1,144,816
CURRENT ASSETS				
Debtors and Prepayments	737,192		616,010	
Bank and cash Balances	56,369		60,613	
	793,561		676,623	
CREDITORS (due in less than one year)				
Creditors	930,686		1,061,956	
	930,686		1,061,956	
Net Current (Liabilities)/Assets		(137,125)		(385,333)
NET ASSETS BEFORE PENSIONS		748,461		759,483
Deferred pension funding		49,600,000		44,700,000
Pension Liabilities		(49,600,000)		(44,700,000)
NET ASSETS		748,462		759,483
REPRESENTED BY:				
Capital Account		881,828		1,141,058
Accumulated Surplus/(Deficit) on Income and Expenditure Account		(133,367)		(381,575)
		748,461		759,483



Appendices

Appendix A:
Inspection and Enforcement Statistics

Appendix B:
Outcomes of Prosecutions

Appendix C:
New Legislation made in 2008

Appendix D:
Board Sub-Committees

Appendix E:
Advisory Committees and Working Groups

'08

Appendix A: Inspection and Enforcement Statistics

Table A.1 Number of inspections 2002–2008

Year	2002	2003	2004	2005	2006	2007	2008
Number of inspections	12,896	10,704	11,382	13,552	15,365	13,631	16,009

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

NACE	Safety statement prepared	Safety consultation in place	Safety representatives appointed
A	40	49	6
B	91	82	26
C	84	71	40
D	57	51	32
E	84	76	52
F	82	62	21
G	62	55	17
H	49	42	17
I	81	72	19
J	92	81	52
K	75	77	29
L	48	44	12
M	66	54	23
N	73	62	31
O	82	78	69
P	71	60	35
Q	89	71	60
R	77	69	22
S	56	54	23
T	–	–	–
U	–	–	–
Average for all sectors	72	63	31

Key to NACE codes:

A – Agriculture, forestry and fishing, B – Mining and quarrying, C – Manufacturing, D – Electricity, gas, steam and air-conditioning supply, E – Water supply sewerage, waste management and remediation activities, F – Construction, G – Wholesale and retail trade, repair of motor vehicles, H – Transportation and storage, I – Accommodation and food service activities, J – Information and communication, K – Financial and insurance activities, L – Real estate activities, M – Professional, scientific and technical activities, N – Administrative and social support activities, O – Public administration and defence compulsory social security, P – Education, Q – Human health and social work activities, R – Arts, entertainment and recreation, S – Other service activities, T – Activities of households as employers, U – Extra-territorial organisations



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

NACE	Accident investigation	Complaint investigation	Inspections	Total
A	65	30	1385	1480
B	28	18	510	556
C	260	74	2083	2417
D	37	10	25	72
E	18	12	190	220
F	462	734	5823	7019
G	55	63	1188	1306
H	70	42	810	922
I	8	17	681	706
J	3	3	58	64
K	3	10	220	233
L	3	3	19	25
M	15	10	78	103
N	12	6	66	84
O	36	29	148	213
P	3	11	21	35
Q	28	24	274	326
R	12	11	84	107
S	12	10	95	117
T	0	1	0	1
U	0	0	3	3
	1130	1108	13671	16009



NACE	Number of inspections	Prohibition notices	Improvement notices	Improvement directions	Written advice	% enforcement action
A	1480	78	133	-	447	45%
B	556	11	51	-	195	46%
C	2417	55	342	-	1751	88%
D	72	-	4	-	64	94%
E	220	6	45	-	120	78%
F	7019	544	398	1	3456	63%
G	1306	32	203	-	806	80%
H	922	14	52	-	453	56%
I	706	15	124	-	407	77%
J	65	-	3	-	62	100%
K	233	-	7	-	111	51%
L	25	-	1	-	11	48%
M	103	-	4	-	74	76%
N	84	4	12	-	62	93%
O	213	3	17	1	109	61%
P	35	-	8	-	27	100%
Q	326	2	27	-	195	69%
R	107	8	13	-	44	61%
S	117	-	22	-	109	100%
T	1	-	-	-	-0	0%
U	3	-	-	-	2	67%
	16009	772	1466	2	8568	68%

Note: There may be more than one enforcement action per inspection



Table A.5 Summary of results of prosecutions taken 2008								
Type of proceedings	Total heard	% total of cases heard summarily or on indictment	Dismissals	Circuit Court Appeal	Court of Criminal Appeal	Suspended sentence	Probation Act	Fines €
Summary	16	60	1	1	0	0	1	22,100.00
Indictment	11	40	0	0	1	0	0	2,502,500.00
Total	27	100	1	1	1	0	1	2,524,600.00

Appendix B: Outcomes of Prosecutions

Domtex Limited t/a Roscrea Express Delivery Services

On Indictment

Domtex Limited t/a Roscrea Express Delivery Services of Roscrea, Co. Tipperary was fined a total of €25,000.00 in Nenagh Circuit Criminal Court on 3 May 2007 having pleaded guilty to the following charges:

Section 7(1) contrary to Section 48 (1)(a) of the Safety, Health and Welfare at Work Act 1989, Regulation 10(a) of the Safety, Health and Welfare at Work (General Application) Regulations 1993 contrary to Section 48 (1)(c) of the Safety, Health and Welfare at Work Act 1989, Section 8(2) of the Safety, Health and Welfare at Work Act 1989 contrary to Section 48 (1)(a) of the Safety, Health and Welfare at Work Act 1989.

This case arose as a result of a fatal accident at the premises of Roscrea Express Delivery Services, Dublin Road, Roscrea, Co. Tipperary on 20 October 2004. Two employees of Michael (Jackie) Shanahan were lifted to a height by means of a cage resting on the blades of a forklift truck by an employee of Roscrea Express Delivery Services. The cage fell off the blades. One employee was fatally injured and the other employee was seriously injured.

Also see Michael (Jackie) Shanahan

Michael (Jackie) Shanahan

On Indictment

Michael (Jackie) Shanahan of Limerick Road, Roscrea, County Tipperary was fined a total of €22,500.00 in Nenagh Circuit Criminal Court on 3 May 2007 having been found guilty of the following charges:

Section 6(2)(d) contrary to Section 48 (1)(a) of the Safety, Health and Welfare at Work Act 1989, Section 6(2)(e) contrary to Section 48 (1)(a) of the Safety, Health and Welfare at Work Act, 1989, Regulation 10(a) of the Safety, Health and Welfare at Work Act (General Application) Regulations 1993 contrary to Section 48 (1)(c) of the Safety, Health and Welfare at Work Act 1989.

This case arose as a result of a fatal accident at the premises of Roscrea Express Delivery Services, Dublin Road, Roscrea, Co. Tipperary on the 20 October 2004. Two employees of Michael (Jackie) Shanahan were lifted to a height by means of a cage resting on the blades of a forklift truck by an employee of Roscrea Express Delivery Services. The cage fell off the blades. One employee was fatally injured and the other employee was seriously injured.

Also see Domtex Limited t/a Roscrea Express Delivery Services

Tinal Electrical Limited t/a Atlantic Developments

On Indictment

Tinal Electrical Limited t/a Atlantic Developments of The Atlantic Bar, The Square, Kenmare, Co. Kerry was fined a total of €40,000.00 in Tralee Circuit Court on 13 November 2007, having pleaded guilty to the following charges:

Section 15(3) of the Safety, Health and Welfare at Work Act 2005 contrary to Section 77 (2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 15(3) of the Safety, Health and Welfare at Work Act 2005 contrary to Section 77 (9)(a) of the Safety, Health and Welfare at Work Act 2005,



Regulation 22(1) Safety, Health and Welfare at Work (Construction) Regulations 2001 contrary to Section 77 (2)(c) of the Safety, Health and Welfare at Work Act 2005, Regulation 21(1)(a) Construction Regulations 2001 contrary to Section 77 (2)(c) of the Safety, Health and Welfare at Work Act 2005, Regulation 15(1) Safety, Health and Welfare at Work (Construction) Regulations 2001 contrary to Section 77 (2)(c) of the Safety, Health and Welfare at Work Act 2005. The case arose as a result of fatal injuries to an employee of Tony O Sullivan T/A Tony O' Sullivan Plant Hire following a trench collapse on a construction site at Dromnevene, Kenmare, Co. Kerry on the 26 October 2005. The principal contractor for the site was Tinal Electrical Limited t/a Atlantic Developments.

Also see Tony O'Sullivan

Tony O'Sullivan

On Indictment

Tony O'Sullivan of Killaha West, Kenmare, Co Kerry was fined a total of €15,000.00 in Tralee Circuit Court on the 13 November 2007 having pleaded guilty to the following charges; Section 8 (1) contrary to Section 77 (9) (a) of the Safety, Health and Welfare at Work Act 2005, Section 8(1) contrary to Section 77 (2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 8 (2)(e) contrary to Section 77 (9) (a) of the Safety, Health and Welfare at Work Act 2005, Section 8 (2)(e) contrary to Section 77 (2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 19 (1) contrary to Section 77 (2)(a) of the Safety, Health and Welfare at Work Act 2005, Regulation 21 (1)(a) of the Safety, Health and Welfare at Work (Construction) Regulations 2001 contrary to Section 77 (2)(c) of the Safety, Health and Welfare at Work Act 2005.

The case arose as a result of fatal injuries to an employee of Tony O Sullivan t/a Tony O' Sullivan Plant Hire following a trench collapse on a construction site at Dromnevene, Kenmare, Co. Kerry on 26 October 2005. The principal contractor for the site was Tinal Electrical Limited t/a Atlantic Developments.

Also see Tinal Electrical t/a Atlantic Developments

Abbey Farm Equipment Limited

On Indictment

Abbey Farm Equipment Limited of Martyr's Road, Nenagh, Co. Tipperary was fined a total of €140,000.00 in Nenagh Circuit Court on 28 January 2008, having been found guilty of the following charges:

Section 8(1) and 8(2)(a) and 77(2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 8(1) and 8(2)(a) and 77(9) (a) of the Safety, Health and Welfare at Work Act 2005, Section 8(1) and 8(2)(e) and 77(2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 8(1) and 8(2)(e) and 77(9) (a) of the Safety, Health and Welfare at Work Act 2005, Section 8(1) and 8(2)(g) and 77(2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 8(1) and 8(2)(g) and 77(9) (a) of the Safety, Health and Welfare at Work Act 2005.

The case arose out of a fatal accident to an employee of Abbey Farm Equipment Limited when loading a slurry tanker onto a trailer at the premises of Abbey Machinery Limited at Clerihan, Clonmel, Co. Tipperary on 20 September 2005.



Anglo American Lisheen Mining Limited

Summarily

Anglo American Lisheen Mining Limited of Lisheen Mine, Killoran, Moyne, Thurles, Co. Tipperary was fined a total of €2,500.00 in Thurles District Court on 21 January 2008, having pleaded guilty to the following charges:

Section 8(1) related to Section 8(2)(c)(iii) contrary to Section 77 (2)(a) of the Safety, Health and Welfare at Work Act 2005.

The case arose as a result of a dangerous occurrence at Lisheen Mine, Killoran, Moyne, Thurles, Co. Tipperary on 27 June 2006, when a backfill barricade failed, releasing liquefied fill into the surrounding tunnels. There were no injuries.

Arch Chemicals BV

Summarily

Arch Chemicals BV of Watery Lane, Swords, Co. Dublin was fined a total of €1,000.00 in Dolphin House District Court, East Essex Street, Dublin 2 on 10 November 2008, having pleaded guilty to the following charges:

Section 8(2)(a) contrary to Section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005 and Section 8 (2)(e) contrary to Section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005

The case arose out of a dangerous occurrence at Arch Chemicals BV of Watery Lane, Swords, Co. Dublin on 31 May 2007, when a solution of Sodium Hydrogen Sulphide was transferred from tank to production area, causing an explosion. No injuries were sustained.

Barbary Construction Limited

Summarily

Barbary Construction Limited of Gortbrachmoor, Ahascragh, Ballinasloe, Co. Galway was fined a total of €1,000.00 in Court 49 Dolphin House District Court, East Essex Street, Dublin 2 on 22 October 2008, having pleaded guilty to the following charges:

Section 8(2)(a) contrary to section 77(9)(a) of the Safety, Health and Welfare at Work Act 2005 and Section 8(2)(g) contrary to section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of an accident to an employee of Barbary Construction Limited at Unit 36 Cherry Orchard Industrial Estate, Dublin 10 on 18 June 2007, when the forklift he was driving overturned and trapped his ankle under the roof section of the forklift causing him to suffer injuries.

Bus Éireann

On Indictment

Bus Éireann of Broadstone, Dublin 7 was fined a total of €2,000,000.00 in Dublin Circuit Court on 21 May 2008, having pleaded guilty to the following charges:

Section 6(2)(b) Safety, Health and Welfare at Work Act 1989 and Section 6(2)(e) Safety, Health and Welfare at Work Act 1989.

The case arose as a result of an accident on the R153 Navan – Kentstown Road, which had roadworks on 23 May 2005. Bus Éireann were returning approximately 56 post-primary children from school. Five school children suffered fatal injuries.

Also see Keltank and Meath County Council,



Colm O' Rourke Limited

On Indictment

Colm O' Rourke Limited of Ballyea, Inagh, Co. Clare was fined a total of €17,500 in Ennis Circuit Court on 14 January 2008, having pleaded guilty to the following charges:

Section 6(2)(d) of the Safety, Health and Welfare at Work Act 1989, Regulation 9(1)(a) Safety, Health and Welfare at Work (Construction) Regulations 2001, Section 6(2)(d) of the Safety, Health and Welfare at Work Act 1989, Regulation 9(1)(a) Safety, Health and Welfare at Work (Construction) Regulations 2001.

This case arose as a result of an accident at a site at Doonbeg, Co. Clare on 21 March 2005. An employee of Colm O'Rourke Limited was directed by Colm O'Rourke (Managing Director) to work from a platform; this platform had not been inspected to ensure it was fit for the purpose. The employee fell from the platform a distance of 7 metres and sustained serious injuries.

Conneely Construction Limited

Summarily

Conneely Construction Limited of 107 Cloniffe Road, Drumcondra, Dublin 3 was fined a total of €2,000.00 in Court 49 District Court, Essex Street, Dublin on 25 February 2008, having pleaded guilty to the following charge:

Section 12 as it relates to Section 77(9)(a) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of serious injuries on a Construction site at Clongriffin Town Square, Donaghmede, Dublin on 11 September 2006. An employee of Conneely Construction Limited stood on a precast slab which broke under his weight, causing him to fall and sustain serious injury.

FKM Engineering Limited

Summarily

FKM Engineering Limited of 14 Riverwalk, Citywest Business Campus, Dublin 24 was fined a total of €500.00 in District Court, Dolphin House, East Essex Street, Dublin 2 on 10 July 2008, having pleaded guilty to the following charge: Section 12 contrary to Section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of an accident on 30 May 2007 to an employee of a subcontractor to FKM Engineering Limited. The employee fell through a false floor in a mechanical riser as he attempted to clean it.

Ger Dempsey

Summarily

Ger Dempsey of Ashgrove Lodge, Clonard, Wexford was not fined but pleaded guilty in Wexford District Court, Wexford on 1 April 2008 to the following charge:

Section 77(2)(d) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of an incident which occurred on 12 February 2007 in which an inspector was in the process of carrying out an inspection at a place of work at Ashgrove Fitted Kitchens Limited, Clonard, Co. Wexford.

Henry McGinley and Sons Limited

On Indictment

Henry McGinley and Sons Limited of Loughnakey, Milford, Letterkenny, Co. Donegal was fined a total of €25,000.00 in Letterkenny Circuit Court on 13 February 2008, having pleaded guilty to the following charges:

Section 8(2)(e) related to section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 8(2)(e) related to section 77(9)(a) of the Safety, Health and Welfare at Work Act 2005, Regulation 9(1)(a) as it relates to Regulation 15(2) of the Safety, Health and Welfare at Work (Construction) Regulations 2001 contrary to



Section 77 (2)(c) of the Safety, Health and Welfare at Work Act 2005, Regulation 9(1)(a) as it relates to Regulation 74(2) of the Safety, Health and Welfare at Work (Construction) Regulations 2001 Section 77 (2)(c) of the Safety, Health and Welfare at Work Act 2005, Regulation 9(1)(a) as it relates to Regulation 79(1) of the Safety, Health and Welfare at Work (Construction) Regulations 2001 Section 77 (2)(c) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of serious injuries being sustained by an employee of Henry McGinley and Sons Limited on 1 of September 2005 at Loughnakey, Milford, Letterkenny, Co. Donegal, when he fell from a partially complete roof while engaged in sheeting the roof.

John O'Donovan

Summarily

John O'Donovan of Ballyhandle, Upton, Innishannon, Co. Cork was fined a total of €2,000.00 in Cork District Court, Cork City on 25 September 2008, having been found guilty of the following charge: Section 13(1)(a) contrary to Section 77 (2) (a) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of serious injuries being sustained by an employee at Cork Airport on 11 August 2006, when he fell from the top of motorised passenger steps at the door of an aircraft owing to the steps.

John Phelan t/a Westlink Construction

Summarily

John Phelan t/a Westlink Construction of 11 The Drive, Rochford Abbey, Kill, Co. Kildare was fined a total of €1,000.00 in District Court Dublin on 8 December 2008, having pleaded guilty to the following charge:

Section 12 contrary Section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of an incident on 8 October 2007 at 19 Oaklands Drive, Terenure, Dublin 6W. An employee who worked for a roofing subcontractor fell from a roof and rolled through the scaffolding, which had no toeboard or handrail, and sustained injuries.

John Ronan and Company Limited

Summarily

John Ronan and Company Limited of Ballycosgry, Charleville, Co. Cork was fined a total of €2,000.00 in Bruff District court, Co. Limerick on 4 April 2008, having pleaded guilty to the following charges:

Section 15 contrary to Section 77(9)(a) of the Safety, Health and Welfare at Work Act 2005, Section 15 contrary to Section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of an accident at Charleville, Co. Cork on 19 December 2006, in which a supporting lintel collapsed causing two men to sustain injuries.

Keltank

On Indictment

Keltank of 6 Railway Street, Balbriggan, Co. Dublin was fined a total of €100,000.00 in Dublin Circuit Court on 21 May 2008, having pleaded guilty to the following charge:

Section 7(1) Safety, Health and Welfare at Work Act 1989.

The case arose as a result of an accident on the R153 Navan – Kentstown Road, which had roadworks on 23 May 2005. Bus Éireann were returning approximately 56 post-primary children from school. Five school children suffered fatal injuries.



Also see Meath County Council and Bus Éireann

Kilkenny Limestone Limited

Summarily

Kilkenny Limestone Limited of Greatmeadow, Boyle, Co. Roscommon was fined a total of €4,000.00 in Thomastown District Court, Kilkenny on 4 February 2008, having pleaded guilty to the following charges:

Section 8(2)(a) contrary to Section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 8(2)(a) contrary to Section 77(9)(a) of the Safety, Health and Welfare at Work Act 2005.

This case arose out of an accident to an employee of Kilkenny Limestone Limited, at a quarry at Paulstown, Co. Kilkenny on 14 August 2006. A diamond tip from a steel rope used for cutting dimensional stone blocks broke and a portion of the rope flew, striking the employee in the back.

Largo Food Exports Limited

Summarily

Largo Food Exports Limited of Kilbrew, Ashbourne, Co. Meath was fined a total of €1,500.00 in Dunshaughlin District Court, Co. Meath on 14 October 2008, having pleaded guilty to the following charges:

Section 8(1) as related to 8(2)(c)(i) as provided by section 77 (9)(a), of the Safety, Health and Welfare at Work Act 2005, Section 19(1) as provided by 77(2)(a) of the Safety, Health and Welfare at Work Act 2005, Regulation 53 Safety, Health and Welfare at Work (Work at Heights) Regulations 2006 contrary to Section 77(2)(c) of the Safety, Health and Welfare at Work Act 2005.

This case arose out of an accident to an employee of Largo Foods Exports Limited at Kilbrew, Ashbourne, Co. Meath on 20 July 2007. The employee was employed as a cleaner and went to a gantry level to clean up and remove debris. An existing handrail, positioned on the gantry, had been removed earlier that day by maintenance department staff. The employee fell from the gantry level to ground level 3.95 metres below and suffered injuries.

Meath County Council

On Indictment

Meath County Council of County Hall, Navan, Co. Meath was fined a total of €100,000.00 in Dublin Circuit Court on 21 May 2008, having pleaded guilty to the following charges: "Regulation 3(1) of the Safety, Health and Welfare at Work (Construction) Regulations 2001 and Regulation 4(1)(b) of the Safety, Health and Welfare at Work (Construction) Regulations 2001".

The case arose as a result of an accident on the R153 Navan – Kentstown Road, which had roadworks on 23 May 2005. Bus Éireann were returning approximately 56 post-primary children from school. Five school children suffered fatal injuries.

Also see Bus Éireann and Keltank

O'Grady Tile and Bathrooms Limited

Summarily

O'Grady Tile and Bathrooms Limited of Clonmel Business Park, Cashel Road, Clonmel, Co. Tipperary was fined a total of €600.00 in Clonmel District Court, Tipperary on 22 April 2008, having pleaded guilty to the following charges:

Section 12 contrary to Section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005, Section 12 contrary to Section 77(9) of the Safety, Health and Welfare at Work Act 2005.



This case arose as a result of an accident on 25 September 2006 at O'Grady Tile and Bathrooms Limited, Clonmel Business Park, Cashel Road, Clonmel, Co. Tipperary to a self-employed tiler. The self-employed tiler was asked by Mr Pat O'Grady (Director) to assist him in removing a sign from an unprotected storage area in the warehouse. Mr O'Grady lifted the self-employed tiler on the forks of the forklift to the storage area, where he retrieved the sign and as he stepped back onto the forks of the forklift he missed his footing and fell 2.45 metres to the ground. He suffered serious injuries.

Also see Pat O'Grady (Director)

Pat O'Grady (Director)

Summarily

Pat O'Grady (Director) of O'Grady Tile and Bathrooms Limited of Clonmel Business Park, Cashel Road, Clonmel, Co. Tipperary was fined a total of €200.00 in Clonmel District Court, Tipperary on 22 April 2008, having pleaded guilty to the following charge:

Section 80 contrary to Section 12 and Section 77 (9)(a) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of an accident on 25 September 2006 at O'Grady Tile and Bathrooms Limited, Clonmel Business Park, Cashel Road, Clonmel, Co. Tipperary to a self-employed tiler. The self-employed tiler was asked by Mr Pat O'Grady (Director) to assist him in removing a sign from an unprotected storage area in the warehouse. Mr O'Grady lifted the self-employed tiler on the forks of the forklift to the storage area, where he retrieved the sign and as he stepped back onto the forks of the forklift he missed his footing and fell 2.45 metres to the ground. He suffered serious injuries.

Also see O'Grady Tile and Bathrooms Limited

Roadstone Dublin Limited

On Indictment

Roadstone Dublin Limited of Fortunestown, Tallaght, Dublin 24 was fined a total of €17,500.00 in Dublin Circuit Court on 23 January 2008, having been found guilty of the following charges:

Section 6(2)(a) in relation to Section 6(1) of the Safety, Health and Welfare at Work Act 1989, Section 6(2)(e) in relation to Section 6(1) of the Safety, Health and Welfare at Work Act 1989.

This case arose as a result of an accident on 16 July 2001 at Roadstone Dublin Limited, Belgard Quarry, Fortunestown, Tallaght, Dublin 24 to two employees who received severe burns after coming into contact with a live busbar on a 380 volt item of electrical equipment.



Patrick McDermott

Summarily

Patrick McDermott of 2 Long Avenue, Dundalk, Co. Louth was fined a total of €200.00 in Dundalk District Court on 3 July 2008, having pleaded guilty to the following charges:

Section 8(2)(e) contrary to Section 77(2)(a) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of an accident involving a fire which resulted from a torch-on-felt repair of a roof at the Williamson Mall, Dundalk, Co. Louth on 7 September 2007. Roof timbers caught fire, resulting in a partial collapse of ceiling materials into a restaurant below causing several patrons to suffer minor injuries.

Samuel Harron

Summarily

Samuel Harron of Breaghy, Castlefin, Co. Donegal was fined a total of €600.00 in Letterkenny District Court, Co. Donegal on 24 July 2008 having pleaded guilty to the following charge:

Section 77 (2) (d) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of an incident while Health and Safety Authority Inspectors were in the course of carrying out inspections at a place of work at Killygordon, Co. Donegal on 24 and 25 August 2006.

Wheelmount Limited

Summarily

Wheelmount Limited of Corrib Hostel, Camp Street, Oughterard, Co. Galway was fined a total of €3,000.00 in Dunmore District Court, Co. Galway on 22 January 2008, having pleaded guilty to the following charges:

Section 8(2)(c)(iii) contrary to Section 77 (2) (a) of the Safety, Health and Welfare at Work Act 2005, Regulation 9 (1)(a) as it relates to Regulation 69(1) of the Safety, Health and Welfare at Work (Construction Regulation) 2001 contrary to Section 77 (2)(c) of the Safety, Health and Welfare at Work Act 2005.

This case arose as a result of a fatal accident at a building site under the control of Wheelmount Limited, at Knock Na Corra, Williamstown, Co. Galway on 23 November 2007. The deceased was found at the base of scaffolding at lunchtime on 23 November 2007. There were no witnesses to the accident.

Appendix C: New Legislation and Guidance made in 2008

Legislation made by the Authority in 2008

1 Safety, Health and Welfare at Work (Quarries) Regulations 2008 (S.I. No. 28 of 2008)

These Regulations were signed by Billy Kelleher, Minister of State at the Department of Enterprise, Trade and Employment, on 14 February 2008 and came into operation on 1 May 2008, other than Regulations 13(c), 16(b) and Schedule 1, which come into operation on 1 November 2009.

The Regulations set out requirements with respect to safety, health and welfare in quarries as defined in Regulation 3 and replace a range of provisions formerly applied in the Mines and Quarries Act 1965 and in various Regulations made under that Act.

The Regulations also retranspose, in relation to quarries, the relevant provisions of Council Directive 92/104/EEC of 3 December 1992 on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral extracting industries (OJ L404, 31.12.1992, p. 10).

The Regulations apply to all quarries where persons work, and set out duties resting on the owner, operator, manager and employees at a quarry with respect to persons at or in the area immediately surrounding a quarry.

A separate Order — the Safety, Health and Welfare at Work Act 2005 (Quarries) (Repeals and Revocations) (Commencement) Order 2008 — from 1 May 2008 activated the repeal or revocation of certain provisions of the Mines and Quarries Act 1965 and Statutory Instruments made under that Act, as provided for in sections 1(2) and 4(2) of the Safety, Health and Welfare at Work Act 2005 (S.I. No. 10 of 2005), so as to avoid the overlapping or duplication of those provisions and provisions of these Regulations.

2 Safety, Health and Welfare at Work Act 2005 (Quarries)(Repeals and Revocations) (Commencement) Order 2008 (S.I. No. 29 of 2008)

This Order was signed by Billy Kelleher, Minister of State at the Department of Enterprise, Trade and Employment, on 14 February 2008 and came into operation on 1 May 2008.

The purpose of the Order (as provided for in sections 1(2) and 4(2) of the Safety, Health and Welfare at Work Act 2005 (S.I. No. 10 of 2005)) is to activate the repeal of the Mines and Quarries Act 1965 (No. 7 of 1965) in so far as that Act relates to quarries (including sections 23 to 29, 91 to 97 and 133(2) and (3)) and to revoke all Regulations, Orders and Rules made under that Act as they relate to quarries.

The instruments in the latter category comprise –

- (i) Mines and Quarries (Reference) Rules 1970 (S.I. No. 75 of 1970),
- (ii) Mines and Quarries Act 1965 (Birth Certificates) Regulations, 1970 (S.I. No. 110 of 1970),
- (iii) Mines and Quarries (Notification of Diseases) Order, 1971 (S.I. No. 61 of 1971),
- (iv) Mines and Quarries Inquiries (Draft Regulations) Rules, 1971 (S.I. No. 219 of 1971),



- (v) Quarries (Explosives) Regulations, 1971 (S.I. No. 237 of 1971), the whole Regulations not previously revoked,
- (vi) In the Mines and Quarries (General Register) Regulations, 1974 (S.I. No. 97 of 1974) –
 - (a) the words 'and quarries' wherever they appear,
 - (b) in Regulation 4 the words 'and quarry', and
 - (c) in Regulations 5, 6, 7, 8 and 9, and the Schedule the words 'or quarry' 'wherever they appear,
- (vii) Quarries (General) Regulations, 1974 (S.I. No. 146 of 1974), the whole Regulations, not previously revoked, and
- (viii) Quarries (Explosives) (Amendment) Regulations, 1976 (S.I. No. 1 of 1976).

3 Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2008 (S.I. No. 130 of 2008)

These Regulations were signed by Billy Kelleher, Minister of State at the Department of Enterprise, Trade and Employment, on 2 May 2008 and came into operation partly from that date with the remaining provisions coming into operation on 6 July 2009.

The purpose of these Regulations is to amend the Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006) as regards the operational date for Regulations 19(1)(b), 25(1)(b), 29(1)(g), 74(e) and 97(b) and (c), which is changed from 6 May 2008 to 6 July 2009, in respect of the possession of a Construction Skills Registration Card under the Construction Skills Certification Scheme as it applies to the following tasks –

- (i) Mobile tower scaffold (where the employee has not been trained in basic or advanced scaffolding),
- (ii) Signing, lighting and guarding on roads,
- (iii) Locating underground services, and
- (iv) Shotfiring.

which are listed at paragraphs 1(1)(c), (r), (s) and (t) of Schedule 4 to the 2006 Regulations.

The Regulations also rectify a typographical error in paragraph 1(1)(n) of Schedule 4 to the 2006 Regulations.

4 Chemicals Act 2008 (No. 13 of 2008)

The Chemicals Bill 2008 was signed by the President on 9 July 2008 and was thereby enacted as the Chemicals Act 2008 (No. 13 of 2008), having been piloted through the Oireachtas by Billy Kelleher, Minister of State at the Department of Enterprise, Trade and Employment. The Act was brought into operation on 15 July 2008 through the Chemicals Act 2008 (Commencement) Order 2008 (S.I. No. 273 of 2008), which was signed by Mary Coughlan, Minister for Enterprise, Trade and Employment on that date.

The purpose of the Chemicals Act 2008 is to give further effect to EU chemicals-related legislation, including –



- (i) Regulation (EC) No. **1907/2006** of the European Parliament and of the Council of **18 December 2006** concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) and establishing a European Chemicals Agency, as amended by Council Regulation (EC) No. **1354/2007** of **15 November 2007 (the REACH Regulation)**,
- (ii) Regulation (EC) No. **304/2003** of the European Parliament and of the Council of **28 January 2003** concerning the export and import of dangerous chemicals (as amended) (**the Rotterdam Regulation**), and
- (iii) Regulation (EC) No. **648/2004** of the European Parliament and of the Council of **31 March 2004** on detergents, as amended by Commission Regulation (EC) No. **907/2006** of **20 June 2006 (the Detergents Regulation)**.

The following EC Regulations will also be brought within the ambit of the Chemicals Act –

- (i) Regulation (EC) No. **689/2008** of the European Parliament and of the Council of **17 June 2008** concerning the export and import of dangerous chemicals,
- (ii) Regulation (EC) No. **1272/2008** of the European Parliament and of the Council of **16 December 2008** on classification, labelling and packaging of substances and mixtures, amending and repealing Directives **67/548/EEC** and **1999/45/EC**, and amending Regulation (EC) No. **1907/2006**, and
- (iii) Regulation (EC) No. **1336/2008** of the European Parliament and of the Council of **16 December 2008** amending Regulation (EC) No. **648/2004** in order to adapt it to Regulation (EC) No. **1272/2008** on classification, labelling and packaging of substances and mixtures.

The Act also provides for the making of Regulations to retranspose the 'Seveso' Directives on the Control of Major Accident Hazards involving Dangerous Substances, to replace the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2006 (S.I. No. 74 of 2006).

The Act sets out the national authorities that will enforce the EU Regulations and provides for co-operation between national authorities and between national authorities and authorities of other EU member states.

5 Chemicals Act 2008 (Commencement) Order 2008 (S.I. No. 273 of 2008)

This Order was signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on 15 July 2008 and it came into effect and brought the Chemicals Act 2008 into operation from that date.

6 European Communities (Export and Import of Certain Dangerous Chemicals)(Industrial Chemicals)(Enforcement)(Revocation) Regulations 2008 (S.I. No. 269 of 2008)

These Regulations were signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on 15 July 2008 and revoked the European Communities (Export and Import of Certain Dangerous Chemicals) (Industrial Chemicals) (Enforcement) Regulations 2002 (S.I. No. 395 of 2002) on that date.

7 European Communities (Detergents)(Revocation) Regulations 2008 (S.I. No. 270 of 2008)

These Regulations were signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on 15 July 2008 and revoked the European Communities (Detergents) Regulations 2005 (S.I. No. 844 of 2005) on that date.

8 European Communities (Classification, Packaging and Labelling of Dangerous Preparations)(Amendment) Regulations 2008 (S.I. No. 271 of 2008)

These Regulations were signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on 15 July



2008 and came into effect on that date.

The Regulations make technical amendments to the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I. No. 62 of 2004) as amended by the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2007 (S.I. No. 76 of 2007) by revoking various provisions.

The matters covered by the revoked provisions are now provided for directly in the REACH Regulation (EC) No. 1907/2006.

9 European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) (Amendment) Regulations 2008 (S.I. No. 272 of 2008)

These Regulations were signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on 15 July 2008 and came into effect on that date. The Regulations amended the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) Regulations 2003 (S.I. No. 116 of 2003) as last previously amended by the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances)(Amendment) Regulations 2006 (S.I. No. 25 of 2006).

The Regulations transpose Directive 2006/121/EC of the European Parliament and of the Council of 18 December 2006, amending Council Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances in order to adapt it to Regulation (EC) No. 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) and establishing a European Chemicals Agency.

10 European Communities (Dangerous Substances and Preparations) (Marketing and Use) (Amendment) Regulations 2008 (S.I. No. 371 of 2008)

These Regulations were signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on 16 September 2008 and they come into operation on 3 April 2009.

The Regulations amend Schedule 1 to the European Communities (Dangerous Substances and Preparations) (Marketing and Use) Regulations, 2003 (S.I. No. 220 of 2003) as last previously amended by the European Communities (Dangerous Substances and Preparations)(Marketing and Use)(Amendment) Regulations 2007 (S.I. No. 746 of 2007).

The Regulations transpose Directive 2007/51/EC of the European Parliament and of the Council of 25 September 2007, amending Council Directive 76/769/EEC relating to restrictions on the marketing of certain measuring devices containing mercury.

11 European Communities (Lifts) (Amendment) Regulations 2008 (S.I. No. 406 of 2008)

These Regulations were signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on 17 October 2008 and they come into operation on 29 December 2009.

The Regulations transpose Article 24 of Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery and amend Directive 95/16/EC of 29 June 1995. (The other provisions of that Directive are transposed into Irish law by the European Communities (Machinery) Regulations 2008 (S.I. No. 407 of 2008)).



The Regulations amend the European Communities (Lifts) Regulations 1998 by amending the definitions of 'Authority' and 'lift', and insert a new definition for 'carrier'. The reference to 'Directive 95/16/EC' is updated to include a reference 'as amended by Article 24 of Directive 2006/42/EC'.

12 European Communities (Machinery) Regulations 2008 (S.I. No. 407 of 2008)

These Regulations were signed by Mary Coughlan, Minister for Enterprise, Trade and Employment, on 17 October 2008. They come into operation on 29 December 2009, except that as regards portable cartridge-operated fixing and other impact machinery which are in conformity with existing provisions in force at 17 May 2006, the Regulations come into operation on 29 June 2011. Subject to this, the Regulations revoke and replace the European Communities (Machinery) Regulations 2001 (S.I. No. 518 of 2001) from 29 December 2009.

The Regulations transpose into Irish law Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery (other than Article 24) and amend Directive 95/16/EC of 29 June 1995. Article 24 of Directive 2006/42/EC is transposed into Irish law through the European Communities (Lifts) (Amendment) Regulations 2008 (S.I. No. 406 of 2008).

13 Safety, Health and Welfare at Work (Construction) (Amendment) (No. 2) Regulations 2008 (S.I. No. 423 of 2008)

These Regulations were signed by Billy Kelleher, Minister of State at the Department of Enterprise, Trade and Employment, on 30 October 2008 and come into operation on 6 July 2009.

The purpose of the Regulations is to amend the Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006), as previously amended by the Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2008 (S.I. No. 130 of 2008), by substituting revised provisions for Regulation 97, relating to guarding, lighting and signage in connection with construction works on roads, footpaths and cycle tracks.

14 Dangerous Substances (Retail and Private Petroleum Stores)(Amendment) Regulations 2008 (S.I. No. 593 of 2008)

These Regulations were signed by Billy Kelleher, Minister of State at the Department of Enterprise, Trade and Employment, on 24 December 2008 and came into operation on 1 January 2009.

These Regulations replace the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2006 (S.I. No. 630 of 2006) and provide for the amendment of the Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 [as last previously amended by the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2006 (S.I. No. 630 of 2006)].

Codes of Practice Published by the Authority in 2008

(i) Code of Practice for Contractors with Three or Less Employees

This Code of Practice provides practical guidance on the observance of the Safety, Health and Welfare at Work Act 2005, including in particular the provisions of sections 19 and 20 of the Act, and the provisions of the Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006). It came into operation on 2 April 2008.



(ii) Code of Practice for Access and Working Scaffolds

This Code of Practice came into operation on 1 January 2009. The aim of the Code of Practice is to provide practical guidance to scaffold erectors, contractors and users on the requirements and prohibitions set out in the relevant statutory provisions. In particular, but not exclusively, the Code of Practice provides practical guidance on the observance of the provisions of -

- (i) Chapter 1 of Part 2 (sections 8 to 12 in relation to the general duties of employers) and Chapter 2 of Part 2 (sections 13 to 14 in relation to the general duties of employees etc) of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005);
- (ii) Part 2 (Regulations 6 to 23 in relation to design and management), Part 3 (Regulations 24 to 29 in relation to the general duties of contractors and others) and Part 4 (Regulation 30 in relation to site safety and access to construction sites; Regulation 35 in relation to protection from falling material and protective safety helmets; Regulation 40 in relation to lighting of work places; Regulation 42 in relation to projecting nails and loose material; Regulation 43 in relation to construction of temporary structures; and Regulation 44 in relation to avoidance of danger from collapse of structures) of the Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006); and
- (iii) Chapter 2 of Part 2 (Regulations 27 to 59 in relation to the use of work equipment), Chapter 3 of Part 2 (Regulations 62 to 67 in relation to personal protective equipment), Part 3 (Regulations 74 to 93 in relation to electricity) and Part 4 (Regulations 94 to 119 in relation to work at height) of the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) as amended by the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2007 (S.I. No. 732 of 2007).

This Code of Practice replaces the Code of Practice entitled 'Code of Practice for Access and Working Scaffolds' issued by the Authority in 1999 in accordance with the Safety, Health and Welfare at Work Act 1989.

Code of Practice Approved by the Authority in 2008

ESB Networks Code of Practice for Avoiding Danger from Overhead Electricity Lines

The Health and Safety Authority, in accordance with Section 60(1)(b) of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005) with the consent of the Minister of State at the Department of Enterprise, Trade and Employment, Mr Billy Kelleher, and following public consultation, approved a Code of Practice entitled 'ESB Networks Code of Practice for Avoiding Danger from Overhead Electricity Lines'.

This Code of Practice was prepared by ESB Networks with the assistance of the Health and Safety Authority. The aim of the Code is to improve the level of safety of work near overhead electricity lines and, in doing so, to assist those who are working in the vicinity of overhead electricity lines to avoid the inherent dangers.

The Code of Practice is intended to provide practical guidance to Clients, Designers, Planners, Project Supervisors (Design Process and Construction Stage), Contractors, Safety Representatives and any personnel who are involved in carrying out work where they are at risk from overhead electricity lines.

The Code of Practice came into operation on 14 October 2008.

Appendix D: Board Sub-Committees

Legislation and Guidance Sub-Committee of the Board (L&GSC)

Members in 2008:

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

The L&GSC held eight meetings during 2008. It reviewed various aspects of the relevant statutory provisions and developed proposals for draft regulations, codes of practice and guidelines for consideration by the Board and submission to the Minister for Enterprise, Trade and Employment and the Minister for Labour Affairs. Details of the Regulations made by the Ministers and codes of practice published by the Authority in 2008 are listed in Appendix C.

Detailed preparatory work was undertaken in relation to the development of other legislative proposals scheduled for completion in 2009 –

- Draft Safety, Health and Welfare at Work (Diving at Work) Regulations and associated draft codes of practice
- Draft Safety, Health and Welfare at Work (General Application)(Amendment) Regulations

The L&GSC have also completed preparatory work on proposals for the following codes of practice which are scheduled for completion in 2009 –

- Draft Code of Practice for the Design and Installation of Anchors in Concrete
- Draft Code of Practice for Managing Safety and Health in Forestry Operations
- Draft Code of Practice for Working in Confined Spaces
- Draft Code of Practice for Avoiding Danger from Underground Services
- Draft Code of Practice on Safety and Health on Fishing Vessels less than 15 metres in length and with crews of less than three people.

Other guidance documents which were reviewed by the L&GSC and published by the Authority in 2008 include:

- Guidance on noise in the music and entertainment sectors
- 'Child Safety on the Farm' Information Sheet,
- Best Practice Guide for Clients in Construction



Internal Audit and Finance Sub-Committees of the Board

The Internal Audit and Finance Sub-Committees of the Board direct the internal audit function of the Authority and ensure that the Authority maintains the highest standards of financial probity.

Members in 2008:

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

The Committee met seven times in 2008 to review the finance items for consideration by the Board. Items included monthly financial reports, annual financial statements and expenditure proposals requiring formal Board approval, and any new/revised policy related to the financial affairs of the Authority.

The Internal Audit Committee has the same membership as the Finance Committee. The Committee met four times during 2008. These meetings were also attended by the Authority's Internal Auditors. Recent audit reports considered by the Committee included Finance, Legislation, Education and Training, Payroll, HR, ICT and Occupational Health/Education Strategy Units. The Internal Audit Committee also considered the Statement of Internal Control prepared by the Internal Auditors.

Strategic Review and Implementation Sub-Committee of the Board

The Strategic Review Committee of the Board meets to review the overall strategy and governance of the Authority.

Members in 2008:

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

This committee met on two occasions in 2008. The key issues dealt with included: Statement of Strategy of the Authority; Programme of Work of the Authority; recruitment and selection of ACE Workplace Compliance and Advice; and remuneration of the CEO.

Appendix E: Advisory Committees and Working Groups

Construction Advisory Committee (CAC)

The CAC met five times during 2008 and continued its partnership approach to addressing safety issues in the construction industry. The main items it dealt with in 2008 were: Construction Safety Code of Practice for Contractors with Three or Less Employees – launched March 2008; Code of Practice for Access and Working Scaffolds, in September 2008; production of information sheets on Use of Mobile Machinery on Construction Sites and Cementing Safely; Best Practice Guidance for Clients in Construction; Roofwork Code of Practice – the developmental approach to be taken; Code of Practice for the Design and Installation of Anchors in Concrete (drafted to public consultation stage); Construction Skills Certification – the recognition of equivalent qualifications from other EU Member States and the Competent Authority; The Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2008 and the revised implementation date for CSCS training for Signing, Lighting & Guarding, Mobile Tower Scaffold, Locating Underground Services and Shotfiring to the 6 July 2009; and The Safety, Health and Welfare at Work (Construction)(Amendment)(No. 2) Regulations 2008 and the revision of Regulation 97. The Third Level Initiative Work Group, a sub-group of CAC, met on three occasions and continued its work to determine the scope of a framework syllabus for third level education under a new Chairman and with new Terms of Reference.

Members in 2008:

Dessie Robinson (Chairperson)	Board Member, Health and Safety Authority and Impact
Dermot Carey (Deputy Chair)	Board Member, Health and Safety Authority and Construction Industry Federation
Denis Farrell	Building and Allied Trades' Union
John Graby	Royal Institute of the Architects of Ireland
John Ryan	Construction Industry Federation
Kevin Enright	Irish Business and Employers Confederation
Kevin Geraghty	Irish Concrete Federation
Michael Moriarty	Association of Consulting Engineers of Ireland
Nevin Mulrooney	Society of Chartered Surveyors
Nicholas O'Loughlin	Department of Finance
Paddy Coughlan	SIPTU
Robert Byrne	FÁS
Jim Jenkinson	FÁS
Tom Gorman	Institution of Engineers of Ireland
Martin O'Dea	Health and Safety Authority
Paraig Earley	Health and Safety Authority
Eoin Kennedy	Irish Concrete Federation
Lloyd Scott	Dublin Institute of Technology
Robert Butler	Construction Industry Federation
Elaine Walsh(Secretary)	Health and Safety Authority



Technical Scientific Advisory Committee (TSAC)

The TSAC met three times in 2008. The Committee welcomed a new Chair in February and developed new Terms of Reference for its operation and agreed the nomination of a new member for 2009. In addition, it assisted in the development of recommendations to the Board in relation to the Transport of Dangerous Goods Regulations and Land Use Planning applications around Seveso Sites. The Committee also considered a range of topics, including the REACH Regulation, the Chemicals Act 2008, Classification, Labelling and Packaging (CLP) Regulation, Nanotechnology, the Export and Import Regulations and amendments to the Marketing and Use Directive. The three ad-hoc working groups on ADR-Transport, CLP-GHS and nanotechnology also held regular meetings and provided input to the TSAC.

Members in 2008:

Marian Byron (Chairperson)	Board Member, Health and Safety Authority
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
Keith Armstrong	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)
Roseleen Murphy (Secretary)	Health and Safety Authority



Farm Safety Partnership Advisory Committee (FSPAC)

The FSPAC met six times during 2008. The main items it dealt with in 2008 were: re-establishing and strengthening the Committee with additional members, including members from the ICA, Irish Rural Link, Agricultural Consultants Association and the HSE; agreeing the final review of the Farm Safety Action Plan 2003–2007; supporting the All Island (HSA/HSE NI) Farm Safety Conference, held on 18 June in Monaghan; assisting at a major Health and Safety stand at the Teagasc Agricultural Show Farmfest in Athenry on 20 June; targeting elderly-farmer safety issues at the Health and Safety Stand provided at the Bantry Agricultural Show on 7 September; supporting and manning a stand at the National Ploughing Championships 2008 in Kilkenny; proposing a new FSPAC Action Plan 2009–2012, which was given Board approval and was launched by Minister Kelleher in December; supporting an Agri-wellness Conference dealing with health and well-being, held in December.

Members in 2008:

Pat Kearney (Chairperson)	Board Member, Health and Safety Authority
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
Michael Moroney	Farm Tractor Machinery Trade Association
Tom Murphy	Professional Agricultural Contractors Association (PAC Ireland)
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)

The SRAC held four meetings during 2008 as well as sub-group meetings. Three seminars were organised in the Region, aimed at small contractors and those involved in the planning, design, maintenance or construction of roadworks projects. The seminars dealt with the most recent issues in Roadworks Safety, including overhead power lines, risk assessment and signage. A further seminar on Risk Assessment, aimed at small businesses, was organised during European Safety Week in October. Presentations were made to the Committee throughout the year on the ESB Networks Code of Practice on Safety at Overhead Powerlines, the General Application Regulations Toolkit and the HSA's Workplace Health and Wellbeing Strategy.

Members in 2008:

Sylvester Cronin (Chairperson)	Health and Safety Adviser, SIPTU
Anne Keohane	IFA
Anne Marie Hayes	Board Member, Health & Safety Authority
Conor O'Connell	CIF
Dan McSweeney	IBEC
David Neal	IFO
Donal Tobin	SIPTU
Maria O'Brien	Health Service Executive
Eddie Ronayne	Cork Co. Council
Enda McWeeney	FÁS
Ger Buckley	ESB
John Dromey	Cork City Council
Kate Dervan	IOSH
Mary Keane	NISO
Maurice O'Riordan	ICMSA
Pat O'Flynn	SIPTU
Robert Stuart	Kerry Co. Council
Sean Hyde	Health and Safety Authority
Patricia Truscott (Secretary)	Health and Safety Authority



Western Regional Advisory Committee (WRAC)

A new WRAC was formed with its inaugural meeting on 23 May 2008. The new committee consists of both reappointed and new members, and includes good representation from industry in the region. The WRAC met four times during 2008. A sub-committee of the WRAC was set up to review actions/initiatives in the region and held three meetings. The sub-committee organised three breakfast-briefings meetings on the safety at roadworks legislation, signing, lighting and guarding. The sessions were held in Galway, Mayo and Clare during November and December 2008. Over 150 delegates from the construction sector attended. WRAC members participated in a Farm Safety Walk in Co. Galway during the Macra na Feirme annual conference. Forty young farmers attended and feedback was positive.

Members in 2008:

Dermot Carey (Chairperson)	Board Member, Health and Safety Authority
Pat Kearney	Board Member, Health and Safety Authority
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
Deirdre O'Shea	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
PJ Murphy	Health and Safety Authority
Orla Cahalan (Secretary)	Health and Safety Authority



South-East Regional Advisory Committee (SERAC)

The SERAC met four times in 2008. Presentations were made to the committee on the following topics: Safety Toolkit and Short Guide to General Application Regulations 2007 – Small Business Edition; Bullying and the Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work; and Amendments to the Construction Regulations regarding Signing Lighting and Guarding. The SERAC was represented at a Bord Iascaigh Mhara seminar on 'Stability of Small Vessels' in Dunmore East, Co. Waterford in March. The SERAC Committee organised two very successful seminars: the 'Workplace Safety – Who is Responsible' seminar held in Kilkenny in April, which was very well supported with 80 in attendance; and the 'Health and Safety Requirements for Small-Medium Contractors' seminar held in conjunction with SERAC and the South-Eastern Local Authorities, which was held in Carlow in September with 160 in attendance. The main objectives of the seminars were to promote health and safety awareness and to assist the Authority in delivering national initiatives at regional level. The seminars were successful in delivering the message on the two specific topics with the usual high demand for places and a strong input from committee members. The Occupational Health sub-committee of SERAC completed the final version of the Managing Occupational Health Guidelines in June 2008.

Members in 2008:

Rosie Sheerin (Chairperson)	Board Member, Health and Safety Authority
John Cassidy	FÁS
John Cooney	Kilkenny County Council
Ruairi Connor	Institute of Occupational Health and Safety
Sinead 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)

The NWRAC met four times during 2008. The farm safety days for transition-year students continued in four second-level schools in the Innishowen Peninsula. This involved groups of students visiting a farm and completing the Authority's Code of Practice for Agriculture based upon the hazards identified. Prizes were awarded to the winners at the end of each day. An information evening was arranged for contractors employed by Cavan Co. Council. An Authority inspector gave information to the attendees on construction legislation. Promotion work on the Keep Safe project (aimed at national school children) continued during 2008. Donegal Co. Council has adopted the Keep Safe project for 2009.

Members 2008:

Christina McEleney (Chairperson)	Board Member, Health and Safety Authority
Martin Shields, Secretary	NISO (National Irish Safety Organisation) North-West Branch
Anthony McCormac	Assistant Branch Secretary, SIPTU, Sligo
Art McGrath	Education Officer, Teagasc, Co. Donegal
Lynn McLaughlin	IBEC, North-West Branch
Tony Kelly	IMPACT, Sligo
David Mullarkey	Lecturer, I.T, Sligo
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
Annemarie Luby	Donegal VEC
James McHugh	ESB
Bernadette McLoughlin	ICA
PJ Murphy	Health and Safety Authority
Orla Cahalan (Secretary)	Health and Safety Authority



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