

Annual Report 2019



Healthy, safe and
productive lives
and enterprises



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Report of the Chief Executive Officer and the Chairperson of the Board to Damien English, Minister of State for Business, Employment and Retail

Minister,

We are pleased to submit our first annual report under the Authority's strategy for 2019 to 2021. In the year we celebrated 30 years of preventing work related injury and ill health, the 2019 programme of work focused on delivering a wide range of objectives and actions under our strategic priorities and legal mandates.

This annual report demonstrates clear progress in our commitment to meet our strategic goals. We are particularly pleased to have delivered this broad programme on foot of increasing demands outside the organisation such as full employment, changing business requirements and the threat of a hard Brexit.

Inspection and enforcement are core parts of the Authority's function. We completed 10,302 inspections and investigations under our occupational health and safety, and chemical mandates. Our focus on the construction and agriculture sectors remained high as both have been identified as key priority sectors under the present strategy. In addition, we made health and social care a priority sector. We took a targeted and focused approach to each sector under three strategic priorities – regulate, promote and influence. We also remained committed to sectors such as transport, mines, quarries, manufacturing, wholesale and retail. As a result of the high numbers of fatalities in docks, we completed a specific nationwide inspection blitz, coupled with increased efforts on stakeholder engagement and awareness raising.

We combined efforts on two of our most significant e-tools so that businesses would receive a more aligned offering. As a result, the number of BeSMART users reached 66,296 and 32,210 courses were taken through hsalearning.ie. In addition, 3,315 individual employee surveys using the Work Positive^{CI} stress risk assessment tool were completed. We continued to produce a range of guidance and information sheets and disseminated them through the website as well as during events held nationwide on topics such as manual handling, slips, trips and falls, work related vehicle safety and driving for work.

Workplace inspections paid particular attention to the role of the safety representative. Safety representatives promote and influence good health and safety in the workplace. They are supported by an extensive suite of materials on BeSMART and hsalearning.ie and we were delighted that these were accessed over 6,000 times in the course of the year. Our survey found that while there are areas for improvement, safety representatives reported high overall satisfaction levels.

Working closely with Department of Business, Enterprise and Innovation colleagues, we supported the publication of nine pieces of legislation and received the Minister's consent to publish three codes of practice. We were particularly pleased to publish the updated Diving Regulations and associated codes of practice and general guidance.

Brexit remained a priority in 2019 as we worked towards each deadline to ensure that Irish companies were informed about the implications in relation to accreditation, chemicals and industrial products. As we deliver this report, the United Kingdom has left the European Union and we have moved to the next stage of business supports and preparations.



Dr. Sharon McGuinness
Chief Executive Officer



Tom Coughlan
Chairperson

The Irish National Accreditation Board (INAB) continued to deliver accreditation services to a range of private and public enterprises. INAB saw increased requests for accreditation arising from the UK's exit from the EU and provided valuable inputs for clients at both Authority and Government of Ireland Brexit events. In addition, INAB set up new accreditation schemes for areas such as audiology and whole genome and next generation sequencing analysis, and worked with the Data Protection Commission for accredited schemes.

While we acknowledged our 30 years of influence on workplace health and safety in 2019, we also looked to the future of workers and work. A national summit of over 200 attendees heard from a range of speakers from national and international bodies, who gave their perspectives on the challenges to and opportunities for good health and safety management in the workplace. This summit was one element of our work to support Future Jobs Ireland and we will continue to address the challenges facing employers and employees over the course of our strategy.

The annual RedC poll again showed positive results, with 94% of those surveyed agreeing that the work of the Authority is important in reducing workplace accidents and fatalities, and the same number considering themselves well informed regarding health and safety risks in their workplace.

We would like to acknowledge and thank the staff of the Authority. Their dedication and effort have made this and indeed every programme of work since 1989 possible. The Authority is committed to ensuring that all staff continue to meet the expectations and demands placed on them. Like other public bodies, we have faced challenges in relation to recruitment and in ensuring staff have the proper systems and supports in place to enable them to work effectively and efficiently. We commenced steps for a major ICT transformation project during 2019, which will overhaul the ICT platform that supports our regulatory reporting systems and allows us to analyse our data. We look forward to having the platform in place for the next strategy.

Finally, we thank those members of the Board of the Authority who have come to the end of their mandates. We acknowledge their work and commitment on behalf of the Authority and to its vision of realising healthy, safe and productive lives and enterprises.

Dr. Sharon McGuinness
Chief Executive Officer

Tom Coughlan
Chairperson

Glossary

ACSH – Advisory Committee on Safety and Health

ADR – Carriage of Dangerous Goods by Road

AEP – Automated Entry Processing

AIE – Access to Information on the Environment

BPS – Basic Payment Scheme

CA – Competent Authority

CARACAL – Competent Authority for REACH and CLP

CLH – Harmonised Classification and Labelling

CLP – Classification, Labelling and Packaging of Substances and Mixtures

COMAH – Control of Major Accident Hazards

CoP – Code of Practice

CSPAC – Construction Safety Partnership Advisory Committee

DAFM – Department of Agriculture, Food and the Marine

DBEI – Department of Business, Enterprise and Innovation

DIY – Do It Yourself (home decoration and repairs)

DNA – Designated National Authority

EA – European Co-operation for Accreditation

ECHA – European Chemicals Agency

ECOSOC – United Nations Economic and Social Council

EMAS – Eco-Audit and Management System

EPA – Environmental Protection Agency

ePIC – Prior Informed Consent IT System

ESRI – Economic and Social Research Institute

EU – European Union

EU-OSHA – European Agency for Safety and Health at Work

FAO – Food and Agricultural Organization of the United Nations

FOI – Freedom of Information

FSPAC – Farm Safety Partnership Advisory Committee

GLP – Good Laboratory Practice

HR – Human Resources

HSE – Health Service Executive

ICT – Information and Communications Technology

IE – Ireland

INAB – Irish National Accreditation Board

IOELV – Indicative Occupational Exposure Limit Value

ISO – International Organization for Standardization

IT – Information Technology

LUP – Land Use Planning

MoU – Memorandum of Understanding

NPIC – National Poisons Information Centre

OECD – Organisation for Economic Co-operation and Development

OPCW – Organisation for the Prohibition of Chemical Weapons

OSH – Occupational Health and Safety

PCN – Poison Centre Notification

PIC – Prior Informed Consent

POP – Persistent Organic Pollutant

PPE – Personal Protective Equipment

RAC – Committee for Risk Assessment

RAPEX – EU Rapid Alert System (facilitating exchange of information between EU Member States relating to products posing a serious risk to safety and health)

REACH – Registration, Evaluation, Authorisation and Restriction of Chemicals

REF – REACH Enforcement Forum

RiME+ – Risk Management and Evaluation Platform

RIN – Reference Identification Number

SACURIMA – Safety Culture and Risk Management in Agriculture

SDS – Safety Data Sheet

SEAC – Committee for Socio-Economic Analysis

SLIC – Senior Labour Inspectors Committee

SOLAS – Further Education and Training Authority

STF – Slips, Trips and Falls on the Same Level

SUA – Small Unmanned Aircraft

THOR – The Health and Occupation Research Network

TPE – Transportable Pressure Equipment

UK – United Kingdom

UNECE – United Nations Economic Commission for Europe

Summary and Highlights

Enforcement indicators

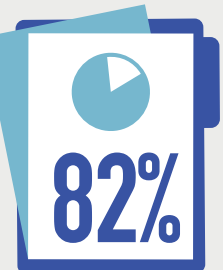
Strategic Priority Regulate


9,270
Inspections
completed

1,032
Investigations
completed


68%
Percentage inspections
and investigations
where enforcement
was taken

337 
Number of market
surveillance
interventions of
chemical products


82%
Percentage safety
statements with
safety risk assessment
included

21 
Number of prosecutions
summarily and
indictable


87 
Number of
market
surveillance
interventions
of industrial
products

11 Fines imposed (€938,000)

Legislative development indicators

Strategic Priority Influence

**Over
300**
Responses to
parliamentary
questions and
information
provided to
DBEI/Minister



4 Public
consultations
concluded by
Authority

9 Inputs to
legislative
proposals sent
to DBEI

4 Codes of
Practice
sent to DBEI




Number EU / International Committee/
Working Group meetings attended

128 servicing **44** committees *(See appendix 3)*

Business support indicators

Strategic Priority Promote

17,500



Number of customer centre inbound contacts (phone/email/letter/drop-in)

2,808,368



Number of HSA website visits

15



Codes of Practice, Guidance and Information Sheets

32,210



Number of online courses taken on hsalearning.ie

27,913

Number of students taking Choose Safety education programmes

246 REACH information requests processed

80 CLP information requests processed

323 land use planning requests received/processed

335 asbestos notifications processed



Public awareness:



94% Agree HSA important in reducing accidents and deaths

86% Agree health and safety of employees is taken seriously in my workplace

89% Agree effective management of health and safety contributes to business success

94% Agree workers very/fairly well informed about health and safety

INAB indicators

Strategic Priority Accreditation

29

Accreditations awarded by INAB Board



451

Assessment events completed



19



New applications for accreditation received



194

Accreditations maintained by INAB Manager

26

International meetings attended by INAB



Corporate governance indicators

Strategic Priority How We Work

201 

Number of FOI requests processed

5 

Number of FOI appeals processed

9 

Number of Data Protection requests processed

4 

Number of AiE requests processed

181 

Staff numbers

97% 

Percentage invoices paid within 15 days



Role of the Health and Safety Authority

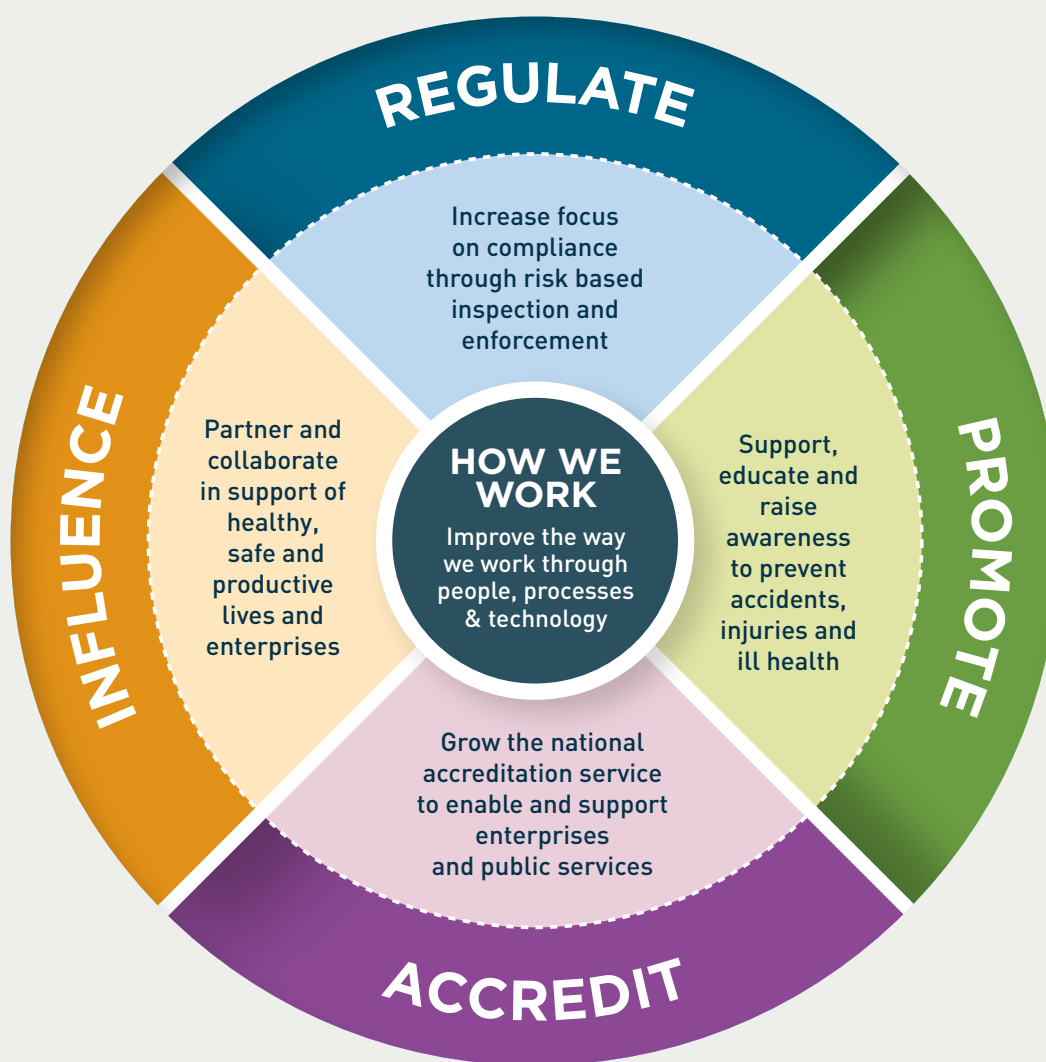
The mandate of the Health and Safety Authority includes the following areas:

- To regulate and promote the safety, health and welfare of people at work and those affected by work activities.
.....
- To regulate and promote the safe manufacture, use, placing on the market, trade and transport of chemicals.
.....
- To act as a surveillance authority in relation to relevant single European market legislation.
.....
- To act as the national accreditation body for Ireland.



Strategy of the Health and Safety Authority 2019-2021

The Authority's strategy for the period 2019 to 2021 sets out five strategic priorities which are set out below:



Board and Executive of the Health and Safety Authority

The Board determines the Authority's operational policy. It comprises twelve members: a chairperson and eleven members appointed by the Minister. The Minister appoints members nominated by organisations that are representative of the interests associated with occupational safety and health and chemicals regulation, including employees, employers and other bodies. Appointments are for a term of three years in a part-time capacity. Members may be invited to serve two terms.

The most recent Board of the Authority was appointed between December 2016 and September 2017 by the Minister for Trade, Employment, Business, EU Digital Single Market and Data Protection at the Department of Business, Enterprise and Innovation (DBEI), Pat Breen. Five of these Board members completed their second term in December 2019. Where vacancies arise, Board members are either nominated from representative bodies or recruited using the Public Appointments Service.

Board member	Position	Board meetings attended in 2019
Chairperson		
Tom Coughlan (<i>appointed with effect from 12/04/17</i>)	Former Chief Executive, Clare County Council (2009–2016)	6 of 8
Employer nominees		
Michael Gillen, Deputy Chairperson	Senior Executive, BioPharmaChem Ireland	8 of 8
Andrew Bowers	Director Operational Excellence, Enterprise Management System at Baxter Healthcare Corporation	7 of 8
Dermot Carey	Head of Safety and Manpower Services, Construction Industry Federation	4 of 8
Employee nominees		
Pat Kenny	Staff-Side Secretary, An Post, Communications Workers' Union	7 of 8
Frank Vaughan	Director of Education, Irish Congress of Trade Unions	8 of 8
Christine Rowland	Independent Consultant, retired SIPTU official	8 of 8
Ministerial nominees		
Stephen Curran	Principal Officer, Safety, Health and Chemicals Policy Unit, DBEI	7 of 8
Deirdre Cullivan	HR Consultant	8 of 8
James Phelan	Former Dean of Agriculture and Head of the Department of Agribusiness, Extension and Rural Development, University College Dublin	7 of 8
John McCartney	Director of Research at Chartered Surveyors, Savills Ireland	6 of 8
Carol Bolger	Former Head of Business Management, Ulster Bank	6 of 8

The Chief Executive Officer, together with three assistant chief executives, manages the implementation of strategy in line with the Authority's statutory responsibilities and policies as set out by the Board.

At the end of 2019, the Authority (including INAB) employed 181 staff, including inspectors, professional and technical specialists, administrators and clerical staff.

Board of the Authority

Chairperson



Tom Coughlan

Employer nominees



Michael Gillen



Andrew Bowers



Dermot Carey

Employee nominees



Pat Kenny



Frank Vaughan



Christine Rowland

Ministerial Nominees



Stephen Curran



Deirdre Cullivan



James Phelan



John McCartney



Carol Bolger

Executive of the Authority

CEO



Dr. Sharon
McGuinness

Assistant Chief Executives



Mark Cullen
*Operational
Compliance and
Prevention Division*



Yvonne Mullooly
*Chemicals and
Prevention Division*



Kevin De Barra
*Corporate Services
Appointed
September 2019*



Robert Roe
*Corporate Support,
Communications &
Education Division
Retired April 2019*

Irish National Accreditation Board

INAB is a committee of the Health and Safety Authority. The Board of INAB, which makes decisions relating to the award of accreditation, has twelve members and is appointed by the Board of the Authority.

Board member	Position	Board meetings attended in 2019
Ita Kinahan , <i>Chairperson</i>	State Chemist, State Laboratory	7 of 7
Paul Hetherington , <i>Vice-chairperson</i>	Director of the National Metrology Laboratory	6 of 7
Cecilie Laake	Director General, Norwegian Accreditation	3 of 7 (appointed May 2019)
Ray Ellard	Director of Consumer Protection, Food Safety Authority	6 of 7
Jim O'Toole	Chief Executive, Bord Iascaigh Mhara	7 of 7
Peter Dennehy	Retired Chief Executive, Pre-Hospital Emergency Care Council	3 of 7
Dr Caitríona Fisher	Director of Quality, Scientific Affairs and Communications, Health Products Regulatory Authority	6 of 7
Grant Henderson	Country Manager, Applus Car Testing Service	5 of 7
Dr Micheál Lehané	Programme Manager, Environmental Protection Agency	5 of 7
John O'Loughlin	Laboratory Manager, Rotunda Hospital	6 of 7
Dr David Graham	Chief Executive, Animal Health Ireland	6 of 7
Dr Adrienne Duff	Manager of INAB; ex-officio Board member	7 of 7



Report under the Protected Disclosures Act 2014

Under the Protected Disclosures Act 2014, every public body is required to publish a report on the number of protected disclosures made to the public body in the preceding year and the action taken (if any) in response to the protected disclosures.

In 2019, the Chief Executive of the Authority, in the context of her role as a prescribed person under the Protected Disclosures Act 2014, received four protected disclosures from parties external to the Authority and relating to third parties. All disclosures were referred to Authority inspectors for investigation. Two of the disclosures have been closed out and a further two remain under investigation. No disclosures were received internally.

1

Strategic Priority 1

Regulate

Increase focus on compliance through risk based inspection and enforcement

STRATEGIC GOAL

Continue to drive increased focus on work related health and safety.

PROGRESS AND METRICS FOR 2019

- ▶ For each priority sector, specific hazards, risks and actions were identified for the three years of the strategy.
- ▶ In construction, inspections focused on machinery and vehicle risks, occupational health (manual handling and chemical exposure) and working at height. 242 inspections addressed chemical agents in the workplace, with 40% focusing on respiratory and skin sensitisers. 74% of workplaces inspected had completed an adequate chemical agent risk assessment.
- ▶ In agriculture, inspections focused on tractors and machinery, livestock handling and working at height.
- ▶ In healthcare, inspections focused on slips, trips and falls (STFs), manual handling and work related violence and aggression.
- ▶ Inspections for occupational noise in the entertainment sector found limited awareness of the effects of loud amplified music on hearing and of the precautions required to manage the risks. Where occupational noise was addressed during inspections, 73% (55) had noise risk assessments in place. Most had suitable personal protective equipment (PPE) in place for noise management. However, instruction in the use of PPE was identified as an area for improvement in over half of these inspections.
- ▶ The Authority engaged with the Irish Cancer Society to highlight and promote the extent of occupational cancers.

The Authority engaged with the Irish Cancer Society to highlight and promote the extent of occupational cancers



STRATEGIC GOAL

Increase and broaden the inspection programme, focus on higher risks, less compliant companies and vulnerable workers.

PROGRESS AND METRICS FOR 2019

- ▶ 7,891 proactive inspections were completed in relation to occupational health and safety (OSH).
- ▶ 1,379 inspections were completed in relation to chemicals.
- ▶ In 82% of workplaces inspected for OSH compliance, a safety statement was in place, showing a good level of compliance overall.
- ▶ In agriculture, 1,684 inspections were completed. Inspection campaigns focused on livestock (calving), machinery and working at height.
- ▶ In construction, 4,269 inspections were completed. Campaigns were held in relation to plant and machinery, traffic management and occupational health (safe handling and use of chemicals, controlling dust generation and manual handling).
- ▶ In healthcare, 182 inspections were completed. Inspections prioritised the top three accident triggers: manual and patient handling, STFs and the prevention of work related violence and aggression. They focused on the safety management system and the relevant hazards to ensure the maximum benefit from each inspection and that sustained improvements could be achieved.
- ▶ A targeted campaign focusing on transport operations and vehicle risks across a range of sectors (transport and storage, retail and warehousing, construction, manufacturing, waste and recycling) involving 398 inspections was completed.
- ▶ In quarries, 93 inspections looked at the separation of vehicles and pedestrians, adequacy of boundaries and provision of safety signs.
- ▶ A specific docks campaign was completed in response to the high numbers of fatalities in the period 2018–2019. The 76 inspections focused on the management of health and safety during vehicle movements in docks and port areas.
- ▶ In focusing on high-risk sectors and on less compliant duty holders, 70% of inspections carried out were recorded as routine, meaning they were chosen from the Authority's database based on the risk profile for the sector or selected at random by the area inspector. 10% of inspections were follow-up inspections to check compliance with either enforcement notices or reports of inspection. The remaining 20% of inspections were recorded as planned because they were pre-selected as part of an inspection campaign or they had had an enforcement notice served on them between 2016 and 2018.

STRATEGIC GOAL

Act as the lead national competent authority on chemicals and market surveillance.

PROGRESS AND METRICS FOR 2019

- ▶ Competent authority (CA) and designated national authority (DNA) roles in relation to EU chemical and market surveillance legislation were met across a range of policy and inspection areas.
- ▶ In COMAH (Control of Major Accident Hazards), 108 specific Tier I and II sites were inspected and a further 132 inspections were carried out on sites storing dangerous substances below the COMAH threshold. Guidance on significant modifications was published and a policy document on the interpretation of intermediate temporary storage was developed and sent for public consultation. 323 land use planning (LUP) applications were processed, and two expert workshops were hosted in consideration of the development of new LUP guidelines. 12 safety reports were signed-off. The report on implementation of the Seveso Directive in the period 2014–2018 was submitted to the EU Commission.
- ▶ Two Organisation for the Prohibition of Chemical Weapons (OPCW) inspections on legitimate activities under the Convention were facilitated.
- ▶ The REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) and CLP (Classification, Labelling and Packaging) national helpdesk responded to 246 REACH and 80 CLP queries.
- ▶ 196 REACH and CLP inspections and audits were completed, including 17 audits undertaken as part of the Authority's participation in the EU enforcement programme to verify strictly controlled conditions on registered intermediates (REF-7). The Authority also dealt with three registration enforcement referrals from the European Chemicals Agency (ECHA). Of the 196 inspections, 23 detailed inspections on information in the supply chain were completed with importers, formulators and distributors.
- ▶ As CA for REACH and CLP, the Authority participated in a range of EU-related meetings: CARACAL and associated subgroups (5); Article 133 (7); Committee for Risk Assessment – RAC (3); Committee for Socio-Economic Analysis – SEAC (3); Member State Committee (5); EU Helpnet (1); Forum on Enforcement (3); and one ECHA Endocrine Disruptors Expert Group. As CA, the Authority inputted into scientific opinions and regulatory discussions on a wide range of topics, including the opinions of ECHA's scientific committees, and acted as committee rapporteur for authorisations (5), restrictions (1) and the Member State opinion on ECHA's 9th recommendation for inclusion of substances in Annex XIV (1). As well as undertaking follow-up to the 2015 Irish substance evaluation, the Authority reviewed draft decisions on substance evaluations (6) and ECHA's dossier evaluation (11). Two groups of substances for further regulatory action were also screened.
- ▶ The Irish proposal for the classification of tetrafluoroethylene (TFE) as a carcinogen 1B was agreed by ECHA's RAC and a second Irish proposal for the classification of dimethyl propylphosphonate (DMPP) for the mutagenicity and reproductive endpoints was completed for submission to ECHA in 2020.

STRATEGIC GOAL

Act as the lead national competent authority on chemicals and market surveillance (continued).

PROGRESS AND METRICS FOR 2019

- ▶ At the REACH Committee, the Authority contributed to regulatory decisions on the identification of new substances of high concern; compliance check decisions under REACH; restrictions proposals, including the proposals for the restriction of diisocyanates; alignment of Annex II on safety data sheets, Annex V on exemption from registration duties and Annex VIII on emergency health response information; and the classification of substances and aerosols under CLP.
- ▶ The Authority attended the annual EU Detergents Regulation Working Group meeting and contributed to discussions on 'Better Regulation' initiatives, including results from the evaluation of the Detergents Regulation and the fitness check of chemicals legislation (excluding REACH). Other items discussed were detergent labelling, including industry proposals on smart labelling; the proposed microplastics restriction under REACH; labelling of preservation agents; and scope of fragrance granules.
- ▶ As one of the DNAs for the Rotterdam Regulation, the Authority participated in one DNA meeting under the Rotterdam Regulation. There was a significant increase in the number of queries received and processed by the Authority – 123 export-import queries received and 63 export notifications. The 2018 Article 10 report summarising the aggregated trade activity in Ireland on the exports and imports of Annex I listed chemicals was submitted to the EU Commission.
- ▶ 641 inspections were completed under the Carriage of Dangerous Goods by Road (ADR) and the Use of Transportable Pressure Equipment (TPE) Regulations. There was also one successful prosecution under the ADR Regulations. The inspections included 190 premises and 313 dangerous goods vehicles. In addition, 132 non-dangerous goods vehicle checks were carried out. Three multi-lateral agreements and six CA approvals, exemptions or recognitions were signed. The Authority approved the re-appointment of two accredited persons (tank inspection bodies) for the inspection of tanks used for the carriage of dangerous goods, in accordance with ADR Regulation 10(10).
- ▶ Under the Transport of Dangerous Goods Convention, the Authority attended two meetings of the TPE Directive Administrative Cooperation Group, one meeting of the Transport of Dangerous Goods Committee and one working group on monitoring roadside checks.

641 inspections were completed under the Carriage of Dangerous Goods by Road



STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
<p>Enforce market surveillance requirements of products sold on the Irish market, including those sold to consumers.</p>	<ul style="list-style-type: none"> ▶ 337 chemical products on the Irish market were assessed for compliance with REACH Annex XVII restrictions, CLP and REACH requirements (safety data sheet [SDS] and labels) and the Detergents Regulation. These checks focused on mixtures; in particular, detergents, paint and construction-related products. The products assessed involved carcinogens (20), mutagens (17), reprotoxins (49) and skin or respiratory sensitisers (108). Six products contained substances listed on Annex XIV of the REACH Regulation and 14 contained substances subject to restrictions under Annex XVII of REACH. The main issues concerned SDSs and labels and the quality of information they contained to ensure safe use and supply. ▶ 51 EU RAPEX alerts (29% of all RAPEX alerts posted) related to restricted chemicals were assessed to determine if they were on the Irish market. The majority referred to chromium VI in leather articles, cadmium, lead and nickel in jewellery and textiles. Following investigative checks, 47 of the products notified were not present on the Irish market. For the remaining alerts, the suppliers were contacted and the leather goods containing chromium VI were removed from sale. ▶ 26 assessments for compliance with CLP requirements were undertaken on chemical products sold online. The websites checked included DIY and construction stores and auto maintenance stores. The main product types looked at were cleaning products, detergents, DIY and construction products and auto repair and maintenance products. The overall non-compliance rate was 77%, with only six products found to be in compliance with Article 48(2) of CLP. ▶ Market surveillance inspections were carried out on the following types of machinery and equipment: powered gates (24), excavators (29), lifts (23) and vehicle lifts (11). ▶ A market surveillance investigation was carried out on nine container consignments of chainsaws and garden equipment entering Ireland through Dublin Port. Each consignment contained approximately 400 items. One consignment of 500 chainsaws was refused entry due to lack of certification and was returned to its port of origin. A number of consignments required additional documentation and labelling of equipment, with all issues addressed before being released to market. ▶ 51 RAPEX alerts on industrial products were reviewed and follow-up action took place where importers or distributors were identified. One RAPEX alert regarding unsafe lifts was highlighted by posting a safety alert on the Authority's website.

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Take proportionate enforcement action to encourage and ensure compliance.	<ul style="list-style-type: none"> ▶ 1,032 investigations were completed on foot of accidents and complaints reported to the Authority. ▶ Of these investigations, 53 were completed in agriculture, 398 in construction and 38 in healthcare. ▶ 21 prosecutions were taken, with 10 on indictment and 11 summarily, resulting in fines of €938,000. The first custodial sentence for a breach of occupational health and safety was handed down. On appeal the custodial sentence was removed and the accused was ordered to pay €300 to the RNLI. Further details are provided in Appendix 2. ▶ 68% of inspections and investigations resulted in enforcement actions ranging from written advice to prohibition notices. Actions include 992 improvement or contravention notices as well as payment in lieu and prohibition notices.

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Make regulatory and policy proposals to the Minister.	<ul style="list-style-type: none"> ▶ Significant levels of regulatory and technical advice were provided on revision of the Dangerous Substances Act as well as the associated regulations on bulk stores and retail and private petroleum stores. A new suite of Dangerous Substances Regulations 2019 for flammable liquids and fuels retail stores as well as flammable liquids and fuels distribution and commercial supply stores was signed into law by the Minister and will come into effect in April 2020. ▶ Technical support was provided to the Minister and the DBEI in the finalisation and publication of the Chemicals Act 2008 (Rotterdam Regulation) Regulations (SI No 213 of 2019) in May 2019. The regulations were required to give full effect to the EU Rotterdam Regulation 649/2012. ▶ A Code of Practice (CoP) for Inland and Inshore Diving and a CoP for Offshore Diving were published to coincide with the coming into force of new Diving Regulations (SI No 180 of 2019) on 1 May 2019. A ministerial order giving the Authority the function to make recognition agreements with other countries was published and used to enter into agreements on diving with the Health and Safety Executive in Northern Ireland and the United Kingdom (SI No 181 of 2019: Safety, Health and Welfare at Work Act 2005 (Agreement to Recognise) Order 2019). ▶ Joint guidance on the prevention and resolution of bullying at work was developed with the Workplace Relations Commission and published for public consultation with a view to submitting to the Minister in 2020. ▶ Draft all-terrain vehicle safety regulations with an accompanying regulatory impact assessment were prepared and sent for public consultation on foot of a ministerial request to address the high levels of quad bike accidents and fatalities especially in the agriculture sector.

STRATEGIC GOAL

Make regulatory and policy proposals to the Minister (continued).

PROGRESS AND METRICS FOR 2019

- ▶ Technical input was provided to the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2019 (SI No 277 of 2019) giving effect to changes in the ADR agreement as of 1 January 2019.
- ▶ An informal consolidation of the ADR Regulations was published to assist industry and stakeholders.
- ▶ The Safety, Health and Welfare at Work (Carcinogens) (Amendment) Regulations 2019 (SI No 592 of 2019) were published.
- ▶ The CoP for Chemical Agents and Carcinogens was updated in line with the transposition of the Carcinogens and Mutagens Directive and 5th IOELV (Indicative Occupational Exposure Limit Value) Directive. The draft CoP was approved by the Board and sent to the Minister for final consent to publish early in 2020.
- ▶ The CoP for Avoiding Danger from Overhead lines was finalised and published.
- ▶ The Authority supported the conclusion of the Safety, Health and Welfare at Work (Quarries) (Amendment) Regulations 2019 (SI No 179 of 2019) to further amend the Safety, Health and Welfare at Work (Quarries) Regulations 2008 and 2013 to facilitate the recognition by SOLAS of equivalent registration cards to quarries skills certification schemes from states other than Member States as compliant with the provisions of these Regulations.
- ▶ In support of the Minister and the DBEI, the Authority responded to over 300 queries, briefings and parliamentary questions. Topics included the proposed adoption of the International Labour Organization's Convention No 190 and Recommendation No 206 on Ending Violence and Harassment in the World of Work.
- ▶ A complete list of legislation, CoPs and guidance published is included in Appendix 4.

The CoP for Avoiding Danger from Overhead lines was published



2 Strategic Priority 2

Promote

Support, educate and raise awareness to prevent accidents, injuries and ill health

STRATEGIC GOAL

Continue to increase knowledge and understanding of how to manage work related health and welfare.

PROGRESS AND METRICS FOR 2019

- ▶ A survey of safety representatives, completed as part of workplace inspections, found that while there are areas for development, a high level of satisfaction was reported overall. The suite of materials provided in BeSMART for safety representatives was accessed on 5,503 occasions and 1,256 hsalearning.ie safety representative courses were completed.
- ▶ A joint research report with the Economic and Social Research Institute (ESRI) entitled *The Ageing Workforce in Ireland* was published and launched. This research informed the Authority's input into Future Jobs Ireland objectives for 2020 on ageing and disability.
- ▶ A workshop on slip prevention in the workplace highlighted how companies could undertake risk assessment mapping and decide on appropriate controls.
- ▶ Four nationwide ergonomic workshops showed employers how to use practical manual-handling risk assessment tools.
- ▶ The annual RedC poll again found high levels of awareness of health and safety in Irish workplaces. Of the working Irish population surveyed:
 - ▶ 94% consider themselves to be well informed regarding health and safety risks in their workplace;
 - ▶ 94% agree that the Authority's work is important to reduce workplace accidents and deaths;
 - ▶ 89% believe effective management of workplace health and safety is an important contributor to business success; and
 - ▶ 86% agree that the health and safety of employees is taken seriously in their workplace.

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Increase visibility and encourage uptake of the Authority's online tools and services, including BeSmart.ie, hsalearning.ie and Work Positive ^{CI} .	<ul style="list-style-type: none"> ▶ 32,210 online courses were completed, which was a 38.5% increase in the use of hsalearning.ie from 2018. The total number of courses taken was 106,469 by year end. ▶ There were 66,296 cumulative users of BeSMART, 9,967 of whom were new users in 2019. Users prepared 11,018 safety statements using the tool. ▶ There were 35 new users of Work Positive^{CI} from organisations in both the private and the public sectors, covering 3,315 individual employee surveys. ▶ An asbestos e-learning course was launched for tradespeople to increase awareness of asbestos hazards in older buildings. ▶ Business portal development was completed with a view to launch early in 2020. ▶ Social media awareness campaigns held in conjunction with inspection campaigns also highlighted the range of advice and supports available. ▶ The Authority's total audience figure on Twitter was 14,708 and on Facebook was 44,184.

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Provide information and guidance to enable duty holders to understand the benefits of proactively managing safety, health and chemicals to the highest standards.	<ul style="list-style-type: none"> ▶ A major review of guidance material available on the Authority's website was completed. Updating the existing guidance material and promoting it through social and other media was prioritised. ▶ The new codes of practice, guidance and information sheets that were published are listed in Appendix 4. The new guidance was promoted with relevant stakeholder groups through social media, events and workshops. ▶ 17,500 contacts were made through the Authority's Workplace Contact Unit (wcu@hsa.ie); this was an increase of 10% from 2018.

32,210 online courses
were completed in 2019



STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Provide educational resources to the formal education system and for the workplace.	<ul style="list-style-type: none"> ▶ 27,913 students in secondary and further education took the Choose Safety programme in 2018/19. ▶ Work commenced on the redevelopment of the online course 'An Introduction to Managing Health and Safety in Schools'. ▶ The 'Workplace Safety and Health Induction' course was completed and will be launched in 2020. ▶ A new course entitled 'Safer Steps and Stairs' was developed for hsalearning.ie and the redevelopment of workplace transport courses on the platform was completed. ▶ A series of nationwide seminars for schools was held on the revised <i>Guidelines on Managing Safety, Health and Welfare in Post-Primary Schools</i>. ▶ Six Keep Safe events were held nationwide, involving 630 primary school children, in conjunction with a range of other public bodies including ESB Networks, Bus Éireann, Construction Industry Federation, Teagasc, Civil Defence, Fire and Rescue Services (local authorities), An Garda Síochána, Irish Coast Guard, Water Safety Ireland, Road Safety (local authorities), Mountain Rescue, An Taisce Green Schools and Croí. ▶ Engagement with the education and training boards and Education and Training Board Ireland commenced to develop a resource for employers taking on apprentices or trainees.

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Increase knowledge and awareness of the dangers from applicable products and hazardous chemicals.	<ul style="list-style-type: none"> ▶ The Chemical Usage Survey findings were launched by Minister Breen in October 2019. The report considered issues for the supply and use of chemicals following the UK's exit from the EU, and the launch highlighted the implications for Irish companies that may wish to continue to source chemicals from the UK. Following completion of the survey, the information on the Authority's chemicals and Brexit web pages was updated. Specific awareness campaigns on the implications under the Rotterdam Regulation were targeted at those companies most likely to be impacted. ▶ As part of the Authority's Brexit events, the market surveillance requirements for industrial products and chemicals were highlighted and presented. The Authority also had a high profile at all DBEI Brexit events.

27,913 students in secondary and further education took the Choose Safety programme in 2018/19

3 Strategic Priority 3 Accredit

Grow the national accreditation service to enable and support enterprises and public services

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Develop and implement a national accreditation strategy.	<ul style="list-style-type: none"> ▶ INAB instigated a review of structure and positioning. A report with recommendations to be implemented to form a strong governance foundation for the delivery of the national accreditation strategy was produced and is to be developed in 2020. ▶ INAB continued its engagement with key stakeholders with an interest in and relying on accreditation. Meetings were held with the Food Safety Authority of Ireland, Private Security Authority, Health Products Regulatory Authority and Health Service Executive. ▶ The Medical and Scientific Advisory Committee representing interests in the healthcare sector met twice.
Promote the value of independent accreditation in building confidence in the quality and integrity of public and private services.	<ul style="list-style-type: none"> ▶ A number of promotional campaigns were prepared and launched. Topics included the value of independent accreditation and promotion of the international recognition of INAB accreditation and certificates issued by INAB clients. ▶ The theme of World Accreditation Day 2019 on 9 June was 'Accreditation: Adding Value to Supply Chains' and was promoted on the INAB website and through social media. ▶ Two newsletters were issued to provide information on developments in INAB and accreditation. ▶ Promotional material was prepared launching a new area of accreditation in the provision of audiology services.

237 active INAB accreditations by the end of 2019 and 29 new accreditations awarded

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
<p>Prepare and accredit clients operating in evolving areas, including cyber security, data protection and robotics.</p>	<ul style="list-style-type: none"> ▶ A new scheme for the accreditation of audiology services was developed and approved by the INAB Board. INAB is ready to receive applications for this scheme. ▶ Ongoing work with the Data Protection Commission for accredited schemes continued, and some potential applicants were identified. ▶ Accreditation of whole genome and next generation sequencing analysis was introduced, and a number of applications were received from the existing client base.
<p>Monitor, anticipate and respond to increasing demand arising from the UK's withdrawal from the EU and other regulatory changes.</p>	<ul style="list-style-type: none"> ▶ INAB received 19 new applications for accreditation across a range of standards and technical areas. ▶ The INAB Board held seven meetings and awarded 29 new accreditations, 20 of which related to applications arising from Brexit. ▶ In total, INAB performed 451 assessment events of applicant and accredited clients. ▶ To respond to increasing demand for accreditation and to support delivery of the service, INAB qualified and contracted 22 new assessors. ▶ The value of INAB accreditation in supporting Irish businesses preparing for the UK's exit from the EU was promoted during participation in Government of Ireland and Authority Brexit events. ▶ INAB has supported the national notifying authority function and assisted in co-ordinating a network of Ireland's notifying authorities, including DBEI.
<p>Maintain the international recognition and reputation of INAB and the Irish accreditation services.</p>	<ul style="list-style-type: none"> ▶ INAB was represented at meetings of the European Co-operation for Accreditation (EA), International Accreditation Forum, International Laboratory Accreditation Co-operation, and European Commission meetings. The 26 international meetings attended spanned the entire INAB mandate. ▶ One INAB staff member participated as a team member for an EA peer evaluation of a European accreditation body. ▶ An application to extend the multi-lateral signatory status for ISO 17024 (certification of persons) was submitted to the EA for evaluation in 2020. ▶ INAB continued to perform statutory functions as the Good Laboratory Practice (GLP) Monitoring Authority, with two facilities in the programme. ▶ INAB's EMAS (Eco-Audit and Management System) functions reverted to the responsibility of the Department of Communications, Climate Action and Environment.

4

Strategic Priority 4

Influence

Partner and collaborate in support of healthy, safe and productive lives and enterprises

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Co-operate and proactively engage with stakeholders and regulatory bodies to achieve shared aims.	<ul style="list-style-type: none"> Existing agreements were reviewed and renewed with agencies such as the Commission for Regulation of Utilities and the Department of Agriculture, Food and the Marine. Discussions on the review of existing memorandums of understanding or operational protocols commenced with the Environmental Protection Agency and the Revenue Commissioners. A new agreement was signed with Health and Safety Executive Northern Ireland in relation to mutual recognition of diving certificates. Ongoing engagement with construction and agriculture stakeholder groups continued through the Construction Safety Partnership Advisory Committee (CSPAC) and the Farm Safety Partnership Advisory Committee (FSPAC). In healthcare, the Authority engaged with other regulatory authorities to agree shared approaches on dealing with work related violence and aggression.
Present objective research-based proposals to Government.	<ul style="list-style-type: none"> Work in this area primarily focused on the Authority's role regarding Brexit impacts on chemicals, market surveillance and accreditation. <i>The Ageing Workforce in Ireland</i> study advised the Authority's contributions to Future Jobs Ireland. As part of Future Jobs Ireland, the Authority organised a Future of Workers and Work Summit, at which a range of speakers from international, European and national groups addressed some 200 participants about the challenges facing employees and employers as work and workplaces evolve.

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
<p>Collaborate and influence the need for better reporting and recording of occupational illness and ill health and develop mechanisms to ensure data is shared.</p>	<ul style="list-style-type: none"> ▶ In support of the THOR scheme on reporting occupational illnesses, the Authority engaged with the Board of the Faculty of Occupational Medicine of the Royal College of Physicians of Ireland, the Irish Thoracic Society and the Irish Association of Dermatologists. This increased engagement resulted in additional reporters to this voluntary scheme.
STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
<p>Engage actively and constructively in the EU agenda and discussions on occupational safety and health, chemicals, market surveillance and accreditation.</p>	<ul style="list-style-type: none"> ▶ The Authority participated in prioritised committees and working groups under the United Nations, EU Commission, European Chemicals Agency (ECHA) and the European Agency for Safety and Health at Work (EU-OSHA). See Appendix 3 for the complete list of committees and working groups. ▶ As REACH competent authority, the Authority facilitated the RiME+ (Risk Management and Evaluation platform) meeting of Member States, EU Commission and ECHA in October, with over 35 delegates attending to discuss key policy issues related to risk management activities. ▶ The Authority filled the Chair or Vice-chair roles in a range of EU groups, including the ECHA's Management Board and Forum on Enforcement. ▶ The Authority participated in EU Commission Advisory Committee on Safety and Health (ACSH) meetings; chaired the Working Party on OSH Information System and participated as a national contact point for OSH Information System; participated in the ACSH Working Party on Enforcement and acted as rapporteur in the development of an Opinion on Enforcement; and acted as rapporteur on the Working Party on OSH Signs Guidance. ▶ The Authority acted as moderator for the Romanian Presidency of the Council of the EU conference entitled Occupational Safety and Health in the New World of Work, Experiences and Practices in the Member States. ▶ The IE expert provided by the Authority acted as rapporteur for several authorisation applications in the Committee for Socio-Economic Analysis (SEAC) in ECHA. The IE expert in the Committee for Risk Assessment (RAC) completed a rapporteurship in relation to a restriction dossier on the content of polycyclic aromatic hydrocarbons (PAH) in rubber infill.

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
<p>Engage actively and constructively in the EU agenda and discussions on occupational safety and health, chemicals, market surveillance and accreditation (continued).</p>	<ul style="list-style-type: none"> ▶ The Authority led on the EU-OSHA Focal Point and Good Practice Awards for Dangerous Substances campaign, which resulted in two Irish companies being selected to go forward to the EU level. One of these companies, BAM Ireland, received a commendation from EU-OSHA for its work. ▶ The Authority represented Ireland at the Technical Progress Committee on the Biological Agents Directive 2000/54/EC. ▶ The Authority represented Ireland and presented at the EU Healthy Workplaces Summit on Welding Fumes and the Roadmap on Carcinogens Finnish Presidency conference. An overview of the Authority's health focus in the construction sector was presented at the conference in Helsinki. ▶ The Authority provided an expert to complete the Senior Labour Inspectors Committee (SLIC) evaluation in Cyprus. ▶ The Authority presented at ECHA's Safer Chemicals conference.
<p>Partner with Government to provide support to businesses in preparing for, and dealing with, the UK's withdrawal from the EU.</p>	<ul style="list-style-type: none"> ▶ The Authority contributed significant levels of support to the Government's Getting Ireland Brexit Ready programme. ▶ Two Brexit awareness events were held, in Cork and Limerick, supported by local chambers of commerce. In addition, the Authority collaborated on and participated in seven events held by DBEI, and participated in events hosted by other government agencies such as the Customs Division at the Revenue Commissioners, local enterprise offices, Chambers Ireland, IDA Ireland and Enterprise Ireland. ▶ The Authority provided advice and support through the Brexit Overview Information Sheet, which was downloaded 4,250 times. There were over 32,000 Brexit web page views. Two radio campaigns were run. The Workplace Contact Unit and REACH helpdesks answered queries in relation to chemicals and industrial products. ▶ Inspectors raised awareness on the potential implications of Brexit for companies who trade goods (chemicals and machinery) with the UK as part of their inspection activities.

The Authority contributed significant levels of support to the Government's Getting Ireland Brexit Ready programme

5

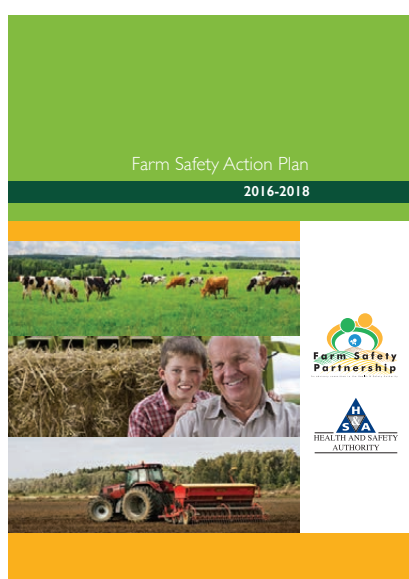
Strategic Priority 5

How We Work

Improve the way we work through people, processes and technology

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
Value, engage and develop staff to strengthen organisational capacity and capability.	<ul style="list-style-type: none"> ▶ Working with DBEI, additional posts in market surveillance and accreditation were identified to address the impacts of the UK leaving the EU. By year end, the recruitment programme had filled 13 of 15 sanctioned Brexit posts. ▶ A comprehensive programme for new inspector and accreditation officer training and development was completed. ▶ A comprehensive learning and development programme was delivered to enhance the technical competence of staff across all divisions. ▶ Following an organisation-wide Work Positive^{CI} survey, a series of actions was agreed in consultation with staff, and an internal working group was established to lead several initiatives in support of increased employee engagement. ▶ In marking the Authority's 30-year anniversary (1989–2019), attention was paid to the contribution of staff, current and past, in delivering on our strategy and mandates.
Apply the highest standards of governance to the running of the Authority.	<ul style="list-style-type: none"> ▶ An external evaluation of the Authority's Board and its governance structures was completed and all recommendations were actioned. ▶ Compliance with the Code of Practice for the Governance of State Bodies was maintained. ▶ The Authority worked with DBEI in relation to preparations for the appointment of new Board members. ▶ 201 Freedom of Information (FOI) requests were handled; this was a 15% increase from 2018. ▶ Five internal FOI reviews were completed. ▶ Four Access to Information on the Environment (AIE) requests were handled. ▶ Nine Data Protection requests were addressed.

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2019
<p>Optimise technology and research to improve efficiencies and services.</p>	<ul style="list-style-type: none"> ▶ The final phase of the transition to Government Communication Networks in all regional locations was completed. ▶ ICT and business consultancy services were procured to assist the Authority in a multi-annual project to deliver a new core system to support OSH inspections, investigations and enforcements, chemical inspections and enforcements, and market surveillance activities. ▶ A baseline security assessment was conducted, an ICT risk register was compiled and a risk-based approach to enhance the security of the infrastructure in place and reduce the risk of service or security events was adopted. ▶ INAB engaged external consultants to implement stronger reporting tools. INAB undertook a website audit. Information about withdrawals and suspensions has been included on the website. Scopes of accreditation are now linked with the client-relationship management (CRM) system. ▶ The Authority worked with the Office of the Government Chief Information Officer, as part of the ICT Strategy for the Irish Public Service, to effectively access the central 'build to share' platform, allowing use of shared and integrated applications.
<p>Challenge our mandate and strategy annually to ensure we adapt to the changing environment.</p>	<ul style="list-style-type: none"> ▶ An evaluation of the three-year Farm Safety Action Plan and the operation of the Farm Safety Partnership Advisory Committee (FSPAC) was completed. Implementation of the recommendations will take place in 2020. ▶ An evaluation of the Construction Safety Partnership Advisory Committee (CSPAC) as well as the three-year plan was completed, with recommendations to be implemented in 2020.



An evaluation of the three-year Farm Safety Action Plan and the operation of the Farm Safety Partnership Advisory Committee (FSPAC) was completed

Priority Sector Highlights 2019

Construction

4,269
inspections

398
investigations



Safe handling and use of chemicals and control of dust on sites addressed as part of the European Safety Week on Dangerous Substances

Two inspection campaigns:

- ▶ traffic management (582 inspections)
- ▶ occupational health and hygiene (480 inspections)



Programme of work of the Construction Safety Partnership Advisory Committee (CSPAC) continued; review of the partnership to advise future work and direction conducted

SI No 129 of 2019: Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2019 published

Code of Practice for Avoiding Dangers from Overhead Electricity Lines published



Health and Social Care

182
inspections

38
investigations



Continued engagement with other regulators to ensure a consistent approach to managing work related violence and aggression

Continued engagement with service providers to highlight priority areas

Inspections focused on:

- ▶ violence and aggression
- ▶ slips, trips and falls
- ▶ manual handling
- ▶ incident reporting

6,289
healthcare-specific courses undertaken in hsalearning.ie



Agriculture

1,684
inspections

53
investigations

11,502
users of farmsafely.com

National Ploughing Championship and the Tullamore Show participation

Draft legislation on quad bike operator training published for public consultation

Essential Tractor Safety Checks poster published

Confined Spaces in Agriculture – Steps to Manage the Risks published

Three inspection campaigns:

- ▶ livestock handling (636 inspections)
- ▶ tractors, machinery and quads (716 inspections)
- ▶ working at height (208 inspections)

Programme of work of the Farm Safety Partnership Advisory Committee (FSPAC) completed; review of the partnership to advise future work and direction conducted

Transport and Storage (including Docks)

575
inspections

Inspections focused on:

- ▶ transport and logistics companies
- ▶ manufacturing
- ▶ waste and recycling facilities
- ▶ retail and distribution centres

A docks campaign of 76 inspections to address the high numbers of fatalities in the period 2018–2019

Four regional Transport Safety seminars with 500+ attendees

Joint programme with the Road Safety Authority and An Garda Síochána related to driving for work, load securing, profile of work related road collisions, inspections, campaigns and seminars



Upgrade of information portal at www.vehiclesatwork.ie and multimedia campaigns on transport operations and vehicle risks

Four regional Driving for Work seminars with 400+ attendees focused on grey fleet risk management



Business and Stakeholder Support and Advice

BeSMART.ie

66,296 total users

9,967 new users in 2019

107 new/updated risk assessments

15 New Business Types

Candle maker	Mobile bar
Children's entertainer	Mobile catering
Drone/SUA operator	Personal trainer
Electronic manufacturing	Road recovery operator
Fitness instructor	Solar panel insulation
Lighting shop	Timber frame erection
Milliner	Tour guide

Completed Safety Statements

320 Agribusiness

3,378 Construction

7,320 Other Business

467 Construction Safety & Health plan



BeSMART.ie Updates

- ✓ Design refreshed
- ✓ Customer registration improved
- ✓ Customer management screen improved
- ✓ Construction site traffic management plan developed
- ✓ Design upgrade for mobile devices



hsalearning.ie
HSA Online Courses

31 courses

32,210

Courses taken in 2019

106,469

Total courses

Top 5 courses taken

- 1 Get Safe - Work Safe: for students starting work
- 2 Slips, Trips and Falls in the Workplace
- 3 Chemical Safety in the Workplace (Introductory)
- 4 An introduction to Tractor Safety
- 5 Your Safety, Health and Welfare in Healthcare

NEW

Safer Step and Stairs

Workplace Transport - Safe Workplace (redeveloped)

Workplace Transport - Safe Vehicles (redeveloped)



6 Keep Safe Events

- ✓ Group manager option for all courses
- ✓ Certificate of completion easy to download
- ✓ CPD points for 18 courses (available from CIRI, EI & NMBI)

CHOOSE SAFETY

27,913

Participants in 2018/2019 getting workplace ready



Appendix 1:

Extracts from the Unaudited Financial Statements of the Health and Safety Authority for the Year Ended 31 December 2019

Introduction

In accordance with the requirements of Section 48 of the Safety, Health and Welfare at Work Act, 2005 the Health and Safety Authority is required to produce Financial Statements each year. The Authority's financial year ends on 31st December each year. The financial statements must be in such form as may be approved by the Minister for Business, Enterprise & Innovation with the concurrence of the Minister for Finance. In preparing those financial statements, the Authority is required to:

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

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

Draft Financial Statements for the year ended 31st December 2019 have been prepared and were considered by the Board at its meeting held on Friday 6th March 2020. The draft Financial Statements for 2019 have been prepared in accordance with the provisions of FRS102 and the Code of Practice for the Governance of State Bodies 2016. The Board reviewed the draft Financial Statements and approved them on a no material change basis.

The Authority submits the draft Financial Statements as approved by the Board to the Office of the Comptroller and Auditor General who will be conducting the external audit. The audit fieldwork is normally scheduled to take place during Q2 each year.

The information below is extracted from the draft Financial Statements and should **not** be considered to be a reliable source of financial information regarding the financial affairs of the Authority until the external audit is completed. The audited Financial Statements will include the following documentation together with a full set of explanatory notes:

- ▶ Statement on Internal Financial Control
- ▶ Statement of Authority Responsibilities
- ▶ Statement of Accounting Policies
- ▶ Statement of Income and Expenditure and Retained Revenue Reserves
- ▶ Statement of Financial position as at 31st December 2019
- ▶ Statement of Cash Flows
- ▶ Notes to Financial Statement

Once the external audit is completed and the Report of the Comptroller and Auditor General is received the Authority will make the necessary arrangements to submit the audited Financial Statements to the Minister for Business, Enterprise and Innovation to have them formally laid before the Houses of the Oireachtas.

A copy of the Authority's audited Financial Statements can be accessed on the Authority's website once the external audit has been completed.

The processing of all the Authority's financial transactions has been contracted to the external contractor (Crowleys DFK). The Authority continues to manage the finance function and has put in place all the necessary controls and safeguards to ensure the integrity of the function.

Information

Members of the Board	Mr. Tom Coughlan (Chairperson)	Appointed on 12/04/2017
	Ms. Michelle Quinn (Deputy Chairperson)	Appointed on 20/12/2019
	Mr. Paul Kelly	Appointed on 20/12/2019
	Mr. Frank Kelly	Appointed on 20/12/2019
	Ms. Deirdre MacDonald	Appointed on 20/12/2019
	Mr. Andrew Bowers	Reappointed on 20/12/2019
	Mr. David Hughes	Appointed on 20/12/2019
	Ms. Carol Bolger	Reappointed on 26/02/2017
	Dr. John McCartney	Reappointed on 26/02/2017
	Prof. James Phelan	Reappointed on 26/02/2017
	Ms. Deirdre Cullivan	Appointed on 08/03/2017
	Mr. Stephen Curran (DBEI)	Appointed on 12/09/2017

Chief Executive	Dr. Sharon McGuinness
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Head Office	Health and Safety Authority The Metropolitan Building James Joyce Street Dublin 1 D01K0Y8
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Auditor	Comptroller and Auditor General 3A Mayor Street Upper Dublin 1
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Accountants	Crowleys DFK 5 Lapps Quay Cork
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Internal Auditors	Deloitte Deloitte & Touche House 29 Earlsfort Terrace Dublin 2
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Governance Statement and Board Members' Report

Governance

The Board of the Health and Safety Authority was established on 1st November 1989 under the then Safety, Health and Welfare at Work Act, 1989. This Act was replaced by the Safety, Health and Welfare at Work Act, 2005. The functions of the Board are set out in Section 16 of the 2005 Act. The Board is accountable to the Minister for Business, Enterprise and Innovation, and is responsible for ensuring good governance and performs this task by setting strategic objectives and targets and taking strategic decisions on all key business issues. The regular day-to-day management, control and direction of the Health and Safety Authority are the responsibility of the Chief Executive Officer (CEO) and the senior management team. The CEO and the senior management team must follow the broad strategic direction set by the Board and must ensure that all Board members have a clear understanding of the key activities and decisions related to the entity, and of any significant risks likely to arise. The CEO acts as a direct liaison between the Board and management of the Health and Safety Authority.

Board Responsibilities

The work and responsibilities of the Board are set out in the Safety, Health and Welfare at Work Act 2005, the Standing Orders approved by the Board, and the Schedule of Reserved and Delegated functions of the Board, which also contain the matters specifically reserved for Board decision. Standing items considered by the Board include:

- ▶ declaration of interests,
- ▶ reports from Committees,
- ▶ financial reports/management accounts,
- ▶ performance reports, and
- ▶ reserved matters.

Section 48(1) of the Safety, Health and Welfare at Work Act, 2005 requires the Board of the Health and Safety Authority to keep, in such form as may be approved by the Minister for Business, Enterprise and Innovation with consent of the Minister for Public Expenditure and Reform, all proper and usual accounts of money received and expended by it.

In preparing these financial statements, the Board of the Health and Safety Authority is required to:

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

The Board is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, its financial position and enables it to ensure that the financial statements comply with Section 48(1) of the Safety, Health and Welfare at Work Act, 2005. The maintenance and integrity of the corporate and financial information on the Health and Safety Authority's website is the responsibility of the Board.

The Board is responsible for approving the annual plan and budget. An evaluation of the performance of the Health and Safety Authority by reference to the annual plan and budget is carried out regularly at Authority meetings.

The Board is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Board considers that the financial statements of the Health and Safety Authority give a true and fair view of the financial performance and the financial position of the Health and Safety Authority at 31st December 2019.

Board Structure

The Board consists of a Chairperson, Deputy Chairperson and 10 ordinary members, all of whom are appointed by the Minister for Business, Enterprise and Innovation. The members of the Board were appointed for a period of three years and meet on a regular basis. The table below details the appointment period for current members:

Board Member	Role	Date Appointed
Mr. Tom Coughlan	Chairperson	12 April 2017
Ms. Michelle Quinn	Deputy Chairperson	20 December 2019
Mr. Paul Kelly		20 December 2019
Ms. Carol Bolger		26 February 2017
Mr. Andrew Bowers		20 December 2019
Mr. Frank Kelly		20 December 2019
Ms. Deirdre MacDonald		20 December 2019
Mr. David Hughes		20 December 2019
Prof. James Phelan		26 February 2017
Dr. John McCartney		26 February 2017
Mr. Stephen Curran		12 September 2017
Ms. Deirdre Cullivan		08 March 2017

The Board commissioned an external review of effectiveness in early 2019. The review involved an online survey and individual interviews with Board and committee members and the Executive of the Authority. The review report was presented to the Board by the external consultant in March 2019. The Board developed an action plan to implement the recommendations of the report and all of these actions are implemented or are in progress.

The Board has established five (5) Committees, as follows:

1. **Audit and Risk Committee:** comprises four Board members. The role of the Audit and Risk Committee (ARC) is to support the Board in relation to its responsibilities for issues of risk, control and governance and associated assurance. The ARC is independent from the financial management of the organisation. In particular the Committee ensures that the internal control systems including audit activities are monitored actively and independently. The ARC reports to the Board after each meeting, and formally in writing annually.

The members of the Audit and Risk Committee during 2019 were: Carol Bolger (Chairperson), Deirdre Cullivan, Pat Kenny and John McCartney. There were four (4) meetings of the ARC in 2019.

2. **Finance Committee:** comprises four Board members. The role of the Finance Committee is to monitor and review the financial policies and strategies of the Authority.

The members of the Finance Committee during 2019 were: Carol Bolger (Chairperson), Deirdre Cullivan, Pat Kenny and John McCartney. There were five (5) meetings of the Finance Committee in 2019.

3. **Strategic Steering Group:** comprises five Board members and the Chief Executive. The role of the Strategic Steering Group is to consider the strategic development of the Authority and to monitor the performance of the Chief Executive Officer.

The members of the Strategic Steering Group during 2019 were: Tom Coughlan (Chairperson), Dr. Sharon McGuinness, Andrew Bowers, Stephen Curran, John McCartney and Christine Rowland. There was two (2) meeting of the Strategic Steering Group during 2019.

4. **Legislation and Guidance Committee:** comprises four Board members. The role of the Legislation and Guidance Committee (L&G) is to monitor the implementation of the legislation and guidance aspects of the Authority's programme of work and to examine proposals for legislation, Codes of Practice and, where necessary, related Guidance, and submit appropriate conclusions and/or recommendations to the Board.

The members of the Legislation and Guidance Committee during 2019 were: Michael Gillen (Chairperson), Dermot Carey, Deirdre Cullivan, Christine Rowland and Frank Vaughan. There were three (3) meetings of the Legislation and Guidance Committee in 2019.

5. **INAB Committee:** The Irish National Accreditation Board (INAB) is a committee of the Health and Safety Authority. The Board of INAB, which makes decisions relating to the award of accreditation, has 12 members and is appointed by the Board of the Authority. There are no Board members on this Committee. The Committee met on seven (7) occasions during 2019.

Schedule of Attendance, Fees and Expenses

A schedule of attendance at the Board and Committee meetings for 2019 is set out below including the fees and expenses received by each member:

	Board	Audit & Risk Committee	Finance Committee	Strategy Review Committee	L&G Committee	Fees 2019 €	Expenses 2019 €
Number of meetings	8	4	5	2	3		
Mr. Tom Coughlan	6			2		11,970	4,614
Dr. Michael Gillen	8				3	7,695	-
Mr. Pat Kenny	7	3	4			7,695	-
Ms. Carol Bolger	6	4	5			7,695	-
Mr. Andrew Bowers	7			2		7,695	-
Mr. Dermot Carey	4				3	7,695	416
Ms. Christine Rowland	8			2	3	7,695	-
Mr. Frank Vaughan	8				3	7,695	-
Prof. James Phelan	7					7,695	-
Dr. John McCartney	6	3	3	2		7,695	199
Ms. Deirdre Cullivan	8	4	5		3	7,695	931
Mr. Stephen Curran	7			2		-	193
						88,920	6,353

Mr. Stephen Curran did not receive Board fees under the One Person One Salary (OPOS) principle as he is a Department of Business, Enterprise and Innovation official.

Key Personnel Changes

There were five board members who finished their terms on the 20 December 2019, Dr. Michael Gillen, Mr. Dermot Carey, Mr. Frank Vaughan, Ms. Christine Rowland and Mr. Pat Kenny. There were five new appointments on 20 December 2019, Mr. Frank Kelly, Mr. Paul Kelly, Ms. Michelle Quinn, Ms. Deirdre MacDonald and Mr. David Hughes.

Kevin De Barra joined the Authority on 30th September 2019 as Assistant Chief Executive, Corporate Services. He was appointed by open competition following the retirement of the previous post holder.

Disclosures Required by Code of Practice for the Governance of State Bodies (2016)

The Board is responsible for ensuring that the Health and Safety Authority has complied with the requirements of the Code of Practice for the Governance of State Bodies ("the Code"), as published by the Department of Public Expenditure and Reform in August 2016. The following disclosures are required by the Code:

Consultancy Costs

Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions.

	2019 €	2018 €
Legal advice	55,631	39,834
Financial/actuarial advice	60,145	32,111
IT Consultancy	5,708	30,281
External Communications	53,140	16,605
Occupational health consultancy	36,194	15,714
Strategy development	71,958	35,869
Human Resources	26,720	47,109
Total consultancy costs	309,496	217,523

Consultancy costs capitalised

	-	-
Consultancy costs charged to the Income and Expenditure and Retained Revenue Reserves	309,496	217,523
Total	309,496	217,523

Legal Costs and Settlements

The table below provides a breakdown of amounts recognised as expenditure in the reporting period in relation to legal costs, settlements and conciliation and arbitration proceedings relating to contracts with third parties. This does not include expenditure incurred in relation to general legal advice received by the Health and Safety Authority which is disclosed in Consultancy costs above.

	2019 €	2018 €
Legal fees - legal proceedings	75,846	81,687
Conciliation and arbitration payments	-	-
Settlements	-	-
Total	75,846	81,687

Included in these legal costs is an amount of €0 in relation to on-going matters involving other State agencies.

Travel and Subsistence Expenditure

Travel and subsistence expenditure are categorised as follows:

	2019 €	2018 €
Domestic		
Board	5,819	9,473
Employees	893,791	892,660
International		
Board	534	-
Employees	183,778	162,237
Total	1,083,922	1,064,370

Includes travel and subsistence of €6,353 paid directly to Board members in 2019 (2018: €9,473). There was €1,818 travel and subsistence expenditure paid by the Health & Safety Authority on behalf of the Board members in 2019 (2018: €0).

Hospitality Expenditure

The Income and Expenditure Account includes the following hospitality expenditure:

	2019 €	2018 €
Staff hospitality	5,561	8,106
Client hospitality	-	-
Total	5,561	8,106

Statement of Compliance

The Board has adopted the Code of Practice for the Governance of State Bodies in 2016 and has put procedures in place to ensure compliance with the Code. The Health and Safety Authority was in compliance with the Code of Practice for the Governance of State Bodies for 2019.

Statement on Internal Control

Scope of Responsibility

On behalf of the Board of the Health and Safety Authority, I acknowledge our responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

Purpose of the System of Internal Control

The system can only provide reasonable, and not absolute, assurance that the assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities either are prevented or would be detected in a timely period.

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, and
- ▶ developing a culture of accountability across all levels of the organisation.

Capacity to Handle Risk

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

- ▶ identifying the nature, extent and financial implications of risks facing the Authority including the extent and categories which it regards as acceptable,
- ▶ assessing the likelihood of identified risks occurring,
- ▶ assessing the Authority's ability to manage and mitigate the risks that do occur,
- ▶ assessing the costs of operating particular controls relative to the benefit obtained, and
- ▶ 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.

Risk and Control Framework

The system of internal control is based on a framework of regular management information, administration 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,
- ▶ regular reviews by the Board of periodic and annual reports, which indicate financial performance against forecasts,
- ▶ setting targets to measure financial and other performance,
- ▶ clearly defined purchasing and approval guidelines, and
- ▶ formal project management disciplines.

An active Audit and Risk Committee, which met four times during the year and works closely with the Board on areas of risk that may impact on the Authority. The Board sets out the risk appetite for the Authority, ensures risk management processes are in place and details the roles and responsibilities of staff in relation to risk. A risk register, which identifies key risks of the Authority, evaluates the risks and ranks the risks in accordance with the likelihood and consequences for the Authority using an agreed scoring matrix. The Audit and Risk Committee and Board review an extract from the Risk Register detailing high and medium risks at each meeting and review the full Risk Register annually.

We can confirm that a control environment is in place for the following areas:

- ▶ A comprehensive budgeting system with an annual budget, which is reviewed and agreed by the Board.
- ▶ Regular reviews by the Board of periodic and annual 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 principles set out in the Code of Practice on the Governance of State Bodies published in September 2016. A firm of independent internal auditors assist the Authority in implementing the internal audit plan approved by the board. The work of internal audit is informed by analysis of the risk to which the Authority is exposed, and annual internal audit plans are based on this analysis. The analysis of risk and the internal audit plans are endorsed by the Audit and Risk Committee and approved by the Board of 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 control.

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

Procurement

I confirm that the Health and Safety Authority has procedures in place to ensure compliance with current procurement rules and guidelines and that during 2019 the Health and Safety Authority complied with those procedures.

Review of Effectiveness

The Statement on the system of Internal Control has been reviewed by the Board to ensure it accurately reflects the control system in operation during the reporting period.

I confirm that the Board conducted an annual review of the effectiveness of internal controls in 2019.

The Authority is reasonably assured that the systems of internal controls instituted and implemented in the Health and Safety Authority for the financial year end 31st December 2019 and up to the date of approval of the financial statements are effective.

Internal Control Issues

No weaknesses in internal control were identified in relation to 2019 that require disclosure in the financial statements.

Statement of Income and Expenditure and Retained Revenue Reserves

for the year ended 31 December 2019

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
Income		
Department of Business, Enterprise and Innovation - Oireachtas Grant	18,492,709	18,390,154
Accreditation Income	2,918,694	2,709,790
COMAH Income	150,139	103,711
Other Income	188,695	137,214
Transfer (to)/from Capital Account	157,064	(139,256)
Deferred retirement benefit funding	4,108,000	4,009,000
	26,015,301	25,210,613
Expenditure		
Salaries Costs	10,989,168	11,322,888
Retirement Benefit Costs	5,477,702	4,755,154
Operational Expenses	8,532,251	9,113,794
	24,999,121	25,191,836
Surplus/(Deficit) for the year	1,016,180	18,777
Balance Brought Forward at 1 January	1,204,034	1,185,257
Balance Carried Forward at 31 December	2,220,214	1,204,034

Statement of Comprehensive Income

for the year ended 31 December 2019

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
Surplus for the year	1,016,180	18,777
Experience losses on retirement benefit obligations	11,987,000	(3,959,000)
Change in assumptions underlying the present value of retirement benefit obligations	(1,846,000)	(2,998,000)
Actuarial gains in the year	10,141,000	(6,957,000)
Adjustment to deferred retirement benefit funding	(10,141,000)	6,957,000
Total Comprehensive Income for the year	1,016,180	18,777

Statement of Financial Position

For the year ended 31 December 2019

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
Fixed Assets		
Property, plant & equipment	755,184	912,248
Current Assets		
Receivables	993,873	821,965
Cash and cash equivalents	1,851,832	1,075,542
	2,845,705	1,897,507
Payables	(625,491)	(693,475)
Net Current Assets	2,220,214	1,204,032
Total Assets Less Current Liabilities before Retirement Benefits	2,975,398	2,116,280
Deferred retirement benefit funding asset	117,084,000	102,835,000
Retirement benefit obligation	(117,084,000)	(102,835,000)
Total Net Assets	2,975,398	2,116,280
Representing		
Retained revenue reserves	2,220,214	1,204,034
Capital account	755,184	912,246
	2,975,398	2,116,280

Statement of Cash Flows

for the year ended 31 December 2019

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
Operating surplus/(deficit) for year	1,016,180	18,777
Depreciation	239,831	242,823
Transfer (from)/to Capital reserve	(157,064)	139,256
(Decrease)/Increase in payables	(67,982)	7,701
(Increase)/Decrease in receivables	(171,908)	574,873
Net cash inflow from operating activities	859,057	983,430
Cash Flows from Investing Activities		
Net Cash Flows from Financing Activities	859,057	983,430
Payments to acquire property, plant and equipment	(82,767)	(382,079)
	776,290	601,350
Cash and Cash Equivalents at 31 December 2018	1,075,542	474,191
Cash and Cash Equivalents at 31 December 2019	1,851,832	1,075,542

Extracts from the Notes

(forming part of the financial statements)

1. ACCOUNTING POLICIES

The basis of accounting and significant accounting policies adopted by the Health and Safety Authority are set out below. They have been applied consistently throughout the year and preceding year.

a) General Information

The Health and Safety Authority was set up under the Safety, Health and Welfare at Work Act, 1989 (this Act was replaced by the Safety, Health and Welfare at Work Act, 2005), with a Head Office at The Metropolitan Building, James Joyce Street, Dublin 1 D01 K0Y8.

The Authority's primary objectives are set out in Section 34 of the 2005 Act. The Health and Safety Authority (HSA) has overall responsibility for the administration and enforcement of health and safety at work in Ireland. The Authority monitors compliance with legislation at the workplace and can take enforcement action (up to and including prosecutions). The Authority is the national centre for information and advice to employers, employees and self-employed on all aspects of workplace health and safety. The Authority also promotes education, training and research in the field of health and safety. There are a wide range of activities that fall under the Authority's remit including:

- ▶ promotion of good standards of health and safety at work,
- ▶ inspection of all places of work and monitoring of compliance with health and safety laws,
- ▶ investigation of serious accidents, causes of ill health and complaints,
- ▶ undertaking and sponsoring research on health and safety at work,
- ▶ developing and publishing codes of practice, guidance and information documents,
- ▶ providing an information service during office hours, and
- ▶ developing new laws and standards on health and safety at work.

The Irish National Accreditation Board (INAB) is the national body with responsibility for accreditation in accordance with the relevant International Organisation for Standardisation (ISO) 17000 series of standards. It is Ireland's national body within a European network of accreditation bodies. INAB assesses certification bodies, laboratories and inspection bodies for conformity against internationally harmonised standards providing assurance that these bodies demonstrate competence and performance capability in carrying out their work.

INAB was established as a Committee of Forfás under Section 10 of the Industrial Development Act, 1993 as amended by Section 46 of the Industrial Development (Enterprise Ireland) Act, 1998.

Under the Industrial Development (Forfás Dissolution) Act 2014 INAB was transferred as a Committee of the Health and Safety Authority, with the transfer of all INAB functions and staff to the Authority.

The Authority is the body legally responsible for accreditation. This responsibility is delegated to the Committee (referred to in the 2014 legislation as the Accreditation Board). The Accreditation Board members are appointed by the Board of the Authority and the staff assigned to INAB to carry out day to day functions, are employees of the Authority.

The Authority is a Public Benefit Entity (PBE).

b) Statement of Compliance

The financial statements of the Health and Safety Authority for the year ended 31st December 2019 have been prepared in accordance with FRS 102, the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council (FRC), as promulgated by Chartered Accountants Ireland.

c) Basis of Preparation

The financial statements have been prepared under the historical cost convention, except for certain assets and liabilities that are measured at fair values as explained in the accounting policies below. The financial statements are in the form approved by the Minister for Business, Enterprise and Innovation with the concurrence of the Minister for Public expenditure and Reform under the Safety, Health and Welfare at Work Act 2005. The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the Authority's financial statements.

d) Revenue**Oireachtas Grants**

Revenue is generally recognised on an accruals basis; one exception to this is in the case of Oireachtas Grants, which are recognised on a cash receipts basis. Oireachtas grants shown in the Statement of Income and Expenditure and Retained Revenue Reserves Account reflect the amounts received from the Department of Business, Enterprise and Innovation (DBEI) in respect of the year.

INAB Income

Income for the Irish National Accreditation Board (INAB) represents income invoiced during the year.

COMAH Income

Income from recoverable costs invoiced during the year for performing inspections and investigations under the Chemicals Act Regulations 2015.

Other Income

All other income is recorded in the period to which it relates within the Statement of Income and Expenditure and Retained Revenue Reserves.

e) Property, Plant and Equipment

Property, plant and equipment are stated at cost less accumulated depreciation, adjusted for any provision for impairment. Depreciation is provided on all property, plant and equipment, at rates estimated to write off the cost less the estimated residual value of each asset on a straight line basis over their estimated useful lives, as follows:

Office furniture & equipment	20%	Straight Line
Computer equipment	33.33%	Straight Line
Scientific equipment	20%	Straight Line
Fixtures and fittings	10%	Straight Line

The Authority operates a capitalisation threshold policy of €1,000.

Residual value represents the estimated amount which would currently be obtained from disposal of an asset, after deducting estimated costs of disposal, if the asset were already of an age and in the condition expected at the end of its useful life.

If there is objective evidence of impairment of the value of an asset, an impairment loss is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves in the year.

f) Capital Account

The Capital Account comprise the unamortised value of capital grants used to fund fixed assets.

g) Foreign Currencies

Monetary assets and liabilities denominated in foreign currencies are translated at the exchange rates ruling at the Statement of Financial Position date. Revenues and costs are translated at the exchange rates ruling at the dates of the underlying transactions.

Profits and losses arising from foreign currency translations and on settlement of amounts receivable and payable are dealt with in the Statement of Income and Expenditure and Retained Reserves Account.

h) Receivables

Receivables are recognised at fair value, less a provision for doubtful debts. The provision for doubtful debts is a specific provision and is established when there is objective evidence that the Health and Safety Authority will not be able to collect all amounts owed to it. All movements in the provision for doubtful debts are recognised in the Statement of Income and Expenditure and Retained Revenue Reserves.

i) Operating Leases

Rental expenditure under operating leases is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves over the life of the lease. Expenditure is recognised on a straight-line basis over the lease period, except where there are rental increases linked to the expected rate of inflation, in which case these increases are recognised when incurred. Any lease incentives received are recognised over the life of the lease.

j) Employee Benefits

Short-term Benefits

Short term benefits such as holiday pay are recognised as an expense in the year, and benefits that are accrued at year-end are included in the Payables figure in the Statement of Financial Position.

Retirement Benefits

The Health and Safety Authority previously established its own defined benefit pension scheme, funded annually on a pay-as-you-go basis from monies provided by the Department of Business, Enterprise and Innovation (DBEI) and from contributions deducted from staff and members' salaries. The Authority also operates the Single Public Services Pension Scheme ("Single Scheme"), which is a defined benefit scheme for pensionable public servants appointed on or after 1st January 2013. Single Scheme members' contributions are paid over to the Department of Public Expenditure and Reform (DPER).

Pension costs reflect pension benefits earned by employees and are shown net of staff pension contributions which are remitted to the DBEI and DPER. An amount corresponding to the pension charge is recognised as income to the extent that it is recoverable and offset by grants received in the year to discharge pension payments.

Actuarial gains or losses arising on scheme liabilities are reflected in the Statement of Comprehensive Income, and a corresponding adjustment is recognised in the amount recoverable from the DBEI.

The financial statements reflect, at fair value, the assets and liabilities arising from the Authority's pension obligations and any related funding and recognises the costs of providing pension benefits in the accounting periods in which they are earned by employees. Retirement benefit scheme liabilities are measured on an actuarial basis using the projected unit credit method.

k) Provisions

Provisions are recognised when the Authority has a present legal or constructive obligation as a result of past events; it is probable that an outflow of resources will be required to settle the obligation; and the amount of the obligation can be estimated reliably.

l) Contingencies

Contingent liabilities arising as a result of past events, are not recognised when (i) it is not probable that there will be an outflow of resources or that the amount cannot be reliably measured at the reporting date or (ii) when the existence will be confirmed by the occurrence or non-occurrence of uncertain future events not wholly within the Authority's control. Contingent liabilities are disclosed in the financial statements unless the probability of an outflow is remote.

Contingent assets are not recognised. Contingent assets are disclosed in the financial statements when an inflow of economic benefits is probable.

m) Critical Accounting Judgements and Estimates

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities as at the reporting date and the amounts reported for revenues and expenses during the year. However, the nature of estimation means that actual outcomes could differ from those estimates. The following judgements have had the most significant effect on amounts recognised in the financial statements.

Impairment of Property, Plant and Equipment

Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less cost to sell and value in use. For the purpose of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows (cash generating units). Non-financial assets that suffered impairment are reviewed for possible reversal of the impairment at each reporting date.

Depreciation and Residual Values

The Directors have reviewed the asset lives and associated residual values of all fixed asset classes, and in particular, the useful economic life and residual values of fixtures and fittings and have concluded that asset lives and residual values are appropriate.

Provisions

The Health and Safety Authority makes provisions for legal and constructive obligations, which it knows to be outstanding at the period end date. These provisions are generally made based on historical or other pertinent information, adjusted for recent trends where relevant. However, they are estimates of the financial costs of events that may not occur for some years. As a result of this, and the level of uncertainty attaching to the final outcomes, the actual out-turn may differ significantly from that estimated.

Retirement Benefit Obligation

The assumptions underlying the actuarial valuations for which the amounts recognised in the financial statements are determined (including discount rates, rates of increase in future compensation levels, mortality rates and healthcare cost trend rates) are updated annually based on current economic conditions, and for any relevant changes to the terms and conditions of the pension and post-retirement plans.

The assumptions can be affected by:

- (i) the discount rate, changes in the rate of return on high-quality corporate bonds;
- (ii) future compensation levels, future labour market conditions; and
- (iii) health care cost trend rates, the rate of medical cost inflation in the relevant regions.

2. OIREACHTAS GRANTS

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
D/BEI - Vote 32 - Subhead C5	19,165,007	19,075,000
Employee Pension Contributions remitted to D/BEI	(617,274)	(669,583)
Single Scheme Contributions remitted to D/PER	(55,024)	(33,764)
	18,492,709	18,390,154

3. ACCREDITATION INCOME

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
Accreditation income	2,918,694	2,709,790

Following the dissolution of Forfás in 2014, the Irish National Accreditation Board (INAB) transferred to the Health and Safety Authority. INAB is responsible for accreditation activities and invoice clients for work undertaken.

4. COMAH INCOME

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
COMAH income	150,139	103,711

In 2016 the Authority introduced a fee schedule for various inspection and investigation activities under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015.

5. OTHER INCOME

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
Driver Training Course Income	100,000	67,500
ADR Fines	8,500	6,700
Sale of Authority's Publications	535	825
ECHA Income	16,528	42,556
Miscellaneous (Seminars, Legal, Witness Expenses, EU Commission)	63,132	19,633
	188,695	137,214

6. SALARY COSTS

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
Staff short-term benefits	10,015,607	10,392,625
Employer PRSI	973,561	930,263
Total Salary Costs	10,989,168	11,322,888

Staff Short-Term Benefits

Basic Pay	10,023,856	10,348,256
Overtime	42,243	21,722
Allowances	39,508	22,647
	10,015,607	10,392,625

The Authority can confirm that there were no termination payments during the year 2019.

Staff Numbers

Actual Staffing Levels at year end – Professional/technical	129.2	132.2
Actual Staffing Levels at year end – Administration	45.3	39.3
	174.5	171.5

€509,939 (2018: €580,610) of pension levy has been deducted from staff and paid over to the Department of Business, Enterprise and Innovation.

	Year Ended 31 December 2019 €	Year Ended 31 December 2018 €
CEO Remuneration		
Chief Executive Officer (CEO) Remuneration (Dr. Sharon McGuinness) Gross Pay	140,973	67,557

CEO Travel & Subsistence (T&S)

Chief Executive Officer (CEO) Travel Costs (Dr. Sharon McGuinness)	14,120	5,658
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The Chief Executive Officer received a salary of €140,973 and expenses to the value of €14,120 in 2019. Dr. Sharon McGuinness was appointed as Chief Executive Officer on the 1st of July 2018.

The CEO did not receive any bonus or perquisites in the year.

The CEO's retirement benefit entitlements are in line with standard entitlements in the model public sector defined benefit superannuation scheme.

Employee Benefits Breakdown

Range of total employee benefits		Number of Employees	
From	To	2019	2018
€60,000	- €69,999	41	43
€70,000	- €79,999	34	27
€80,000	- €89,999	11	16
€90,000	- €99,999	3	7
€100,000	- €109,999	7	3
€110,000	- €119,999	0	1
€120,000	- €149,999	1	1
Total		97	98

Note: For the purposes of this disclosure, short-term employee benefits in relation to services rendered during the reporting period include salary, overtime allowances and other payments made on behalf of the employee but exclude employer's PRSI.

7. MEMBERS' FEES AND EXPENSES

	2019	2019	2018	2018
Board Member	Fees	Expenses	Fees	Expenses
	€	€	€	€
Ms. Carol Bolger	7,695	-	7,695	-
Mr. Andrew Bowers	7,695	-	7,695	-
Mr. Dermot Carey	7,695	416	7,695	955
Mr. Tom Coughlan (Chairman)	11,970	4,614	11,970	6,234
Mr. Stephen Curran (DBEI)	-	193	-	185
Ms. Deirdre Cullivan	7,695	931	7,695	1,511
Dr. Michael Gillen	7,695	-	7,695	-
Mr. Pat Kenny	7,695	-	7,695	-
Mr. John McCartney	7,695	199	7,695	419
Professor James Phelan	7,695	-	7,695	-
Ms. Christine Rowland	7,695	-	7,695	-
Mr. Frank Vaughan	7,695	-	7,695	169
	88,920	6,353	88,920	9,473

8. OPERATIONAL EXPENSES

	Total 2019 €	Total 2018 €
Accommodation	1,729,713	1,697,481
Communications costs	303,723	402,980
Travel & subsistence – national	899,610	892,660
Travel & subsistence – international	184,312	162,237
Publications & marketing	1,314,514	2,023,778
Legal services	129,871	121,521
Research	79,832	149,733
Financial services	280,761	257,885
Pensions and human resources	16,519	15,509
Other consultancy	240,011	444,834
Accreditation – external assessor costs	910,137	860,216
Business process review	518,692	455,283
Staffing costs	432,053	343,034
General equipment supplies	272,401	160,758
Investment in learning	226,742	195,668
Technology costs	506,856	427,580
Depreciation	239,831	242,823
Internal audit fees	40,485	19,319
External audit fees	17,000	16,000
Members' fees	88,920	88,920
Other	94,561	135,575
Bad Debts	5,707	-
	8,532,251	9,133,794

Included in operational expenses is a charge of €5,561 (2018: €8,106) in respect of amounts paid by the Authority for staff hospitality.

Note that comparative figures have been reclassified where necessary on a basis consistent with the current year presentation.

Appendix 2:

Inspections and Prosecutions 2019

Table 2.1 Number of workplace inspections and investigations 2009–2019

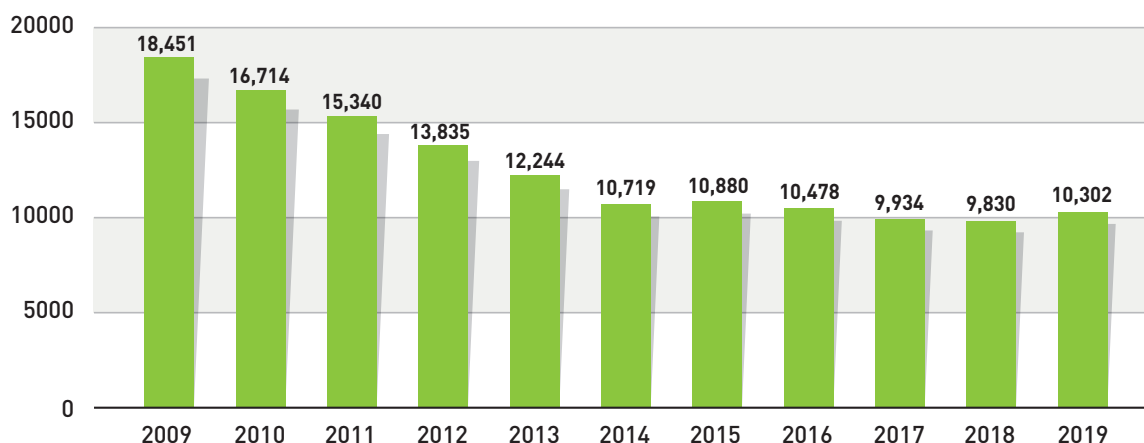


Table 2.2 Workplace inspections and investigations by economic sector and enforcement action 2019

Economic sector	Inspections and investigations ¹	Payment in lieu (on-the-spot fines)	Improvement notice or direction	Prohibition notice	Written advice
Agriculture, forestry and fishing	1,737	0	112	97	863
Mining and quarrying	300	0	21	7	184
Manufacturing	953	0	53	22	625
Water supply, sewerage, waste management and remediation activities	149	0	2	2	96
Construction	4,667	0	123	405	2,503
Wholesale and retail trade, repair of motor vehicles and motorcycles	1,029	0	39	17	701
Transportation and storage	624	28	17	6	447
Accommodation and food service activities	167	0	6	2	105
Human health and social work activities	220	0	4	1	162
Other sectors	456	0	12	5	239
Total	10,302	28	389	564	5,925

¹ Includes workplace inspections and investigations carried out under OSH and chemicals legislation.

Table 2.3 OSH and chemical investigation programme 2019

Complaint investigations	Issues raised with the Authority were prioritised as complaints or matters of concern. Complaints were typically addressed with the duty holder and, where necessary, assigned to the inspectorate for investigation. Issues of concern may direct individual workplace inspections.	705
Accident investigations	All workplace accidents resulting in a fatality were investigated. Other serious accidents, where they became known to the Authority, were prioritised for investigation or directed individual workplace inspections. Some dangerous occurrences that did not result in injuries were also investigated.	327

Table 2.4 Outcome of prosecutions completed in 2019

Proceeding type	Total heard	% of cases heard	Dismissal/ charges struck out	Under appeal	Suspended sentence	Community service	Probation Act	Fines
On indictment	10 ¹	48%	2					€907,000
Summarily	11 ²	51%		1	1			€31,000
Total	21	100%	2	1	1			€938,000

¹ In one indictable case, a guilty plea was entered to the sole charge. No fine or other penalty was imposed by the court.

² In one summary case, a guilty plea was entered by the skipper in charge; this case was appealed in February 2020.

Table 2.5 Details of prosecutions completed in 2019 (excluding dismissed cases)

Summary cases

Prosecution of an individual

Heard on **7 January 2019** at Cork District Court, Anglesea Street, Cork City, this case arose from a fatal accident during construction work. The project client was prosecuted for failing to appoint, in writing, a project supervisor construction stage and to obtain written confirmation of acceptance of the appointment.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Regulation 6(1)(b) contrary to Section 77(2)(c)	Safety, Health and Welfare at Work (Construction) Regulations Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,000

Tully Bookmakers Management Limited

Heard on **25 January 2019** at Ennis District Court, Co Clare, this case arose from a failure to comply with an Improvement Notice and Contraventions observed by an inspector from 27 June to 21 December 2017.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 66	Safety, Health and Welfare at Work Act 2005	Guilty plea	€1,000
Regulation 20(b)	Safety, Health and Welfare at Work (General Application) Regulations 2007	Guilty plea	€1,000

Prosecution of an individual

Heard on **11 April 2019** at Gorey District Court, Co Wexford, this case arose from a fatal accident on 16 November 2016 when an employee was lost overboard from a fishing vessel.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 11(1)(c)(2) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	6 months, 2 months suspended
Section 8(2)(j) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	6 months, 2 months suspended (to run concurrently with first sentence)

**Spellmans
Timber Limited**

Heard on **4 June 2019** at Killarney District Court, Co Kerry, this case arose from a failure to manage and conduct work activities to ensure the safety, health and welfare of employees on 12 March 2018.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Regulation 33(e) contrary to Section 77(2)(c)	Safety, Health and Welfare at Work (General Application) Regulations 2007 Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,500
Section 8(2)(a) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,500

**Prosecution of
an individual**

Heard on **18 June 2019** at Dublin District Court, this case arose from the failure to appoint in writing a competent project supervisor for the design process and a competent project supervisor for the construction stage for construction work carried out in Dublin.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Regulation 6(1)(a) contrary to Section 77(2)(c)	Safety, Health and Welfare at Work (Construction) Regulations 2013 Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,500
Regulation 20(b)	Safety, Health and Welfare at Work (General Application) Regulations 2007	Guilty plea	Taken into consideration

**Western Brand
Group Ltd**

Heard on **4 September 2019** at Castlebar District Court, Co Mayo, this case concerned an incident on 26 January 2018 when an employee's left hand and arm became trapped in a Stork Titan BV in-line marinating system value drum (machine), as a result of which he sustained serious injuries.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(e) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,500
Section 8(2)(e) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	Taken into consideration
Section 19(4) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	Taken into consideration

Lacken Mushrooms Limited

Heard on **4 September 2019** at Athlone District Court, Co Westmeath, this case concerned an incident on 18 December 2017 when an employee was injured by a winch machine and sustained a serious injury to his left arm.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(e) contrary to Section 77(9)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,500

Haven Fishing Limited

Heard on **5 September 2019** at Bandon District Court, Co Cork, this case concerned an incident at Kinsale Pier in May 2018 when a fishing catch was being unloaded by crane from a fishing vessel. The crane collapsed while under load, falling from the vessel and landing on top of the roof of a van. Two workers were in the back of the van at the time.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(c)(iii) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,000

Prosecution of an individual

Heard on **9 October 2019** at Manorhamilton District Court, Co Leitrim, this case arose from infringements identified at a roadside checkpoint and the failure to pay a fixed payment notice.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Failure to ensure the tank vehicle was subjected to an annual technical inspection	European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations, S.I. 311 of 2011 to 2017	Guilty plea	
Failure to ensure the tank of the said vehicle was subjected to an intermediate inspection	European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations, S.I. 311 of 2011 to 2017	Guilty plea	Taken into consideration
Failure to ensure the tank vehicle was placarded and marked	European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations, S.I. 311 of 2011 to 2017	Guilty plea	Taken into consideration
Failure to ensure the tank vehicle carried self-standing warning signs, eye protection and spill kit	European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations, S.I. 311 of 2011 to 2017	Guilty plea	Taken into consideration
Failure to appoint a dangerous goods safety adviser	European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations, S.I. 311 of 2011 to 2017	Guilty plea	Taken into consideration
Failure to inform the Authority of the identity of an appointed dangerous goods safety adviser	European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations, S.I. 311 of 2011 to 2017	Guilty plea	Taken into consideration

Farrells (1992) Limited

Heard on **5 November 2019** at Roscommon District Court following an investigation into an accident to an employee on 6 July 2018. The employee suffered a serious arm injury while working at a wool-packing machine.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(a) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,000
Section 8(2)(e) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,000
Section 8(2)(g) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,000

Indictment cases

Harrington Concrete and Quarries Limited

Heard on **6 February 2019** at Castlebar District Court, Co Mayo, this case concerned an incident on 11 June 2015 at Carrowscoilta Quarry, Aghamore, Ballyhaunis. An employee suffered personal injury and died when the company failed to ensure that the rock-crushing plant at the quarry was safe and without risk to health. There was not sufficient protection or other barrier on the hopper of the crusher or between the feed chute and the hopper to protect against the risk of falling into the hopper and mouth of the rock crusher.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(1) as relates to Section 8(2)(c)(iii) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€500,000
Section 8(1) as relates to Section 8(2)(e) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	Taken into consideration
Regulation 14(a) in breach of Regulation 11(1)(b) contrary to Section 77(2)(c)	Safety, Health and Welfare at Work (Quarries) Regulations 2008 Safety, Health and Welfare at Work Act 2005	Guilty plea	Taken into consideration

**Cill Mhantain
Iompar Teoranta**

Heard on **19 March 2019** at Naas Circuit Court, Co Kildare, this case concerned events on 17 February 2017 at Road R1Q, Ladytown Enterprise Park, Naas. The company failed to ensure that outdoor and indoor places of work were organised in such a way that pedestrians and vehicles could circulate in a safe manner. It failed to identify hazards, assess the risks presented by such hazards and be in possession of a written assessment of the risks to the safety, health and welfare at work of employees in relation to loading, unloading or reversing of vehicles or lorries in the loading bays or dock leveller areas.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 19(1) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€25,000
Regulation 14(a) contrary to Section 77(2)(c)	Safety, Health and Welfare at Work (General Application) Regulations 2007 Safety, Health and Welfare at Work Act 2005	Guilty plea	Taken into consideration

**Agri Line Construction
Limited (formerly
known as Nelgara
Steel Buildings
Limited)**

Heard on **5 June 2019** at Waterford Circuit Court, this case concerned an incident on 27 February 2015 at Boolattin, Kilrossanty. An employee suffered serious personal injury when he fell approximately five metres through a roof while installing roof sheets on an agricultural building. There were no fall protection or fall prevention measures in place.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(a) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€15,000
Section 8(2)(a) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€20,000
Section 8(2)(e) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€15,000

**Balfour Beatty CLG
Limited**

Heard on **25 June 2019** at Nenagh Circuit Court, Co Tipperary, this case concerned an incident on 27 February 2015 in the vicinity of the R445 at Carrigatoher, Nenagh. A non-employee of Balfour Beatty CLG suffered personal injury and died at a construction site and trench works where the company had failed to ensure that appropriate safety measures or precautions were in place to protect workers from the dangers created by piping that had been pressurised for testing at that location.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 12 contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€300,000

CMS Distribution Limited

Heard on **1 November 2019** at Castlebar Circuit Court, Co Mayo, this case arose from the failure to appoint in writing a competent project supervisor for the construction stage of construction works at Kiltimagh.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Regulation 6(1)(b) contrary to Section 77(2)(c)	Safety, Health and Welfare at Work (Construction) Regulations 2013 Safety, Health and Welfare at Work Act 2005	Guilty plea	€2,000

Prosecution of an individual

Heard on **1 November 2019** at Castlebar Circuit Court, Co Mayo, this case arose from the failure to provide a safe system of work in relation to the performance of work at height. As a consequence, an employee suffered personal injury and died.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(e) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€10,000
Section 8(2)(e) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	€10,000
Section 19(1) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	Taken into consideration

Prosecution of an individual

Heard on **1 November 2019** at Castlebar Circuit Court, Co Mayo, this case arose from the failure to ensure that while a scaffold was not available for use, including during its assembly, dismantling or alteration, it was marked with warning signs, and the failure to ensure that the scaffold was protected by barriers or other suitable means from unauthorised access or use.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Regulation 107(f) contrary to Section 77(2)(c)	Safety, Health and Welfare at Work (General Application) Regulations 2007 Safety, Health and Welfare at Work Act 2005	Guilty plea	€10,000

Appendix 3:

EU and International Representation 2019

As competent authority and national lead on occupational health and safety, chemicals and market surveillance legislation, the Authority actively participated in a number of EU and international committees and expert working groups. At all meetings, the Authority communicated the Irish position effectively in order to influence an outcome that either benefits Ireland or does not put Ireland at a disadvantage. The Authority also provided technical, scientific and policy inputs at other EU and international levels as requested by the Minister and DBEI. The list provided below is not exhaustive but covers the main committees and working groups attended in 2019.

European and international committees in which the Authority participated

European Chemicals Agency (ECHA) Management Board
EU-OSHA Governing Board
Article 133 REACH Committee
CARACAL Competent Authority and Subgroups on REACH and CLP
Committee for Risk Assessment (RAC) in ECHA
Committee for Socio-Economic Analysis (SEAC) in ECHA
Member State Committee on REACH
ECHA Forum on Enforcement of REACH, CLP and the Rotterdam Regulation
ECHA Working Group on Endocrine Disruptors
Detergents Working Group
Designated National Authority Committee for the Rotterdam Regulation
Central Competent Authority for Seveso
Risk Management and Evaluation RIME+ (Chemical)
Working Group on Exposure – REACH Exposure Expert Group (Chemical)
Organisation for the Prohibition of Chemical Weapons (OPCW)
Advisory Committee on Safety and Health (ACSH) [including interest groups and workshops]
EU-OSHA Focal Point Network
EU-OSHA Communication Partnership Working Group
EU Working Party on OSH Information System
EU Working Party on Enforcement of Legislation
EU Technical Dangerous Goods Committee
UNECE Working Party on the Transport of Dangerous Goods (WP15)
ECOSOC Sub-Committee of Experts on the Transport of Dangerous Goods

European Transport Safety Council – Work Related Road Safety
EU Transportable Pressure Equipment Advisory Committee
EU Machinery Directive Advisory Committees
EU Pressure Equipment Directive Advisory Committees
EU Lifts Directive Advisory Committees
EU Personal Protective Equipment Directive Advisory Committees
EU ATEX (explosive atmospheres) Directive Advisory Committees
EU Machinery Directive Working Group
EU Pressure Equipment Directive Working Group
EU Personal Protective Equipment Directive Working Group
EU ATEX (explosive atmospheres) Directive Working Group
EU Standing Working Party Extractive Industries
EU Chief Inspectors of Mines
SACURIMA Cost Action Group on Agriculture
Senior Labour Inspectors Committee (SLIC)
Technical Working Group on European Statistics on Accidents at Work
European Co-operation on Accreditation (EA) Technical and Policy Committees [Laboratory, Inspection, Harmonisation, Certification, Multi-lateral Agreement, General Assembly]
International Laboratory Accreditation Co-operation Technical and Policy Committees [Laboratory, Inspection, General Assembly]
International Accreditation Forum Technical and Policy Committees [Certification, General Assembly]
European Commission and OECD Committees on Good Laboratory Practice (GLP)
European Commission Committees on Eco-Audit and Management Systems (EMAS)

Appendix 4:

Legislation and Guidance 2019

Legislation

SI No 129 of 2019: Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2019

SI No 179 of 2019: Safety, Health and Welfare at Work (Quarries) (Amendment) Regulations 2019

SI No 180 of 2019: Safety, Health and Welfare at Work (Diving) (Amendment) Regulations 2019

SI No 181 of 2019: Safety, Health and Welfare at Work Act 2005 (Agreement to Recognise) Order 2019

SI No 213 of 2019: Chemicals Act 2008 (Rotterdam Regulation) Regulations 2019

SI No 277 of 2019: European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2019

SI No 592 of 2019: Safety, Health and Welfare at Work (Carcinogens) (Amendment) Regulations 2019

SI No 630 of 2019: Dangerous Substances (Flammable Liquids and Fuels Retail Stores) Regulations 2019

SI No 631 of 2019: Dangerous Substances (Flammable Liquids and Fuels Distribution and Commercial Supply Stores) Regulations 2019

Codes of Practice, Guidance and Information Sheets

Code of Practice for Inland and Inshore Diving

Code of Practice for Offshore Diving

Code of Practice for Avoiding Dangers from Overhead Electricity Lines

The Medical Examination and Assessment of Divers at Work

Guidance for Divers on Medical Certificates of Fitness to Dive

Brexit Overview Information Sheet

Chemical Safety in Hairdressing Information Sheet

What to Expect When the Health and Safety Inspector Calls

Safe Quarry: A Guide for Quarry Workers

Quarry Vehicle Brakes Maintenance and Testing Information Sheet

Managing Ergonomic Risk in the Workplace to Improve Musculoskeletal Health

Work Positive^{CI} Information Brochure

Essential Tractor Safety Checks poster

Confined Spaces in Agriculture – Steps to Manage the Risks

Managing Grey Fleet Information Sheet

Appendix 5:

2019 Annual Report to the Minister on the Operation of the Chemicals Acts 2008 and 2010

The Health and Safety Authority (herein referred to as the Authority) was appointed as the principal national authority under the Chemicals Act 2008. The Chemicals Act 2008, as amended, provides for the national administration and enforcement of the REACH, Detergents, Rotterdam (Prior Informed Consent) and CLP Regulations. As of 1st June 2015, the Control of Major Accident Hazards involving Dangerous Substances COMAH (Seveso III) Regulations also come within the ambit of the Chemicals Acts 2008 and 2010, but these are not subject to this annual report.

Five national authorities have administration and/or enforcement obligations under the Chemicals Act, namely the Minister for Agriculture, Food and the Marine, the Environmental Protection Agency (EPA), Beaumont Hospital Board, the Customs Division of the Revenue Commissioners and the Irish National Accreditation Board (INAB).

Section 8(4) of the 2008 Act requires a national authority (other than the Authority) to: (a) make adequate arrangements for the performance of its functions under the relevant statutory provisions; (b) keep appropriate records; and (c) furnish a report to the Authority within two months after the end of each year. Such a report is to include information as may be required and requested by the Authority. In fulfilment of its statutory duties under the Act, the Authority requested each national authority named above to report on its activities under the 2008 and 2010 Acts for 2019. Details for each competent authority are provided below.

Irish National Accreditation Board

INAB, as the GLP Monitoring Authority, acts as the national competent authority for the purposes of Articles 8(2) and (3) of the Detergents Regulation only. No enforcement activities took place in 2019 because no GLP facilities in the INAB monitoring programme carried out work under the Detergents Regulation. INAB inspectors did undertake training through the OECD GLP training programmes during 2019. INAB also participated in the annual OECD and EU Commission Working Group on GLP. In addition, INAB was involved in the revision of national legislation with respect to GLP.

Beaumont Hospital Board

Beaumont Hospital Board is the appointed body responsible for receiving information relating to emergency health response (Article 9(3) of the Detergents Regulation and Article 45 of the CLP Regulation) and has designated the National Poisons Information Centre (NPIC) to perform this function.

In 2019, NPIC processed 4,581 product submissions; this was an increase of 85% from 2018. NPIC also answered 2,937 emergency enquiries relating to suspected human poisoning or exposure incidents involving household chemical products, including 1,208 enquiries about detergent products. Fabric cleaning products (particularly liquid detergent sachets or capsules), dishwasher products, general-purpose cleaners, bleach, washing-up liquid and toilet cleaners or fresheners were the most frequently implicated detergent products.

At the European level, NPIC contributed to the ECHA consultation on Annex VIII to CLP, specifically on the Poison Centre Notification (PCN) searchable database, with two staff participating in the Workshop on Appointed Bodies and Poison Centres' Working Practices and the Use of the PCN Database held in December. NPIC also provided numerous written comments, via the Authority, on relevant issues discussed in both CARACAL and the REACH Committee.

At the national level, regular contact and co-operation exists between the Authority and NPIC. The Authority kept NPIC informed about relevant discussions at CARACAL and European working groups and gave opportunities to comment on issues of interest. NPIC co-operated with the Authority's chemical helpdesk on relevant queries and the Authority in turn provided support regarding the interpretation of CLP. The NPIC clinical director participated in the Chemicals Interdepartmental Group meeting.

During 2019, six poison centre officers (4.5 full-time equivalents) worked in NPIC and were involved in providing information to meet medical demand in the event of an emergency. One administrative officer and one poisons information officer processed the notifications required under Article 45 of CLP from companies placing mixtures on the market and dealt with queries from industry. The NPIC manager also assisted with these queries if needed.

One NPIC administrative officer spent at least 80% of their time on activities related to the Chemicals Act, such as answering queries from industry and receiving product notifications required under Article 45 of CLP, to the detriment of other administrative tasks. In addition, one poisons information officer spent approximately 50% of their time on tasks related to the implementation of Annex VIII of CLP. The total time spent by NPIC staff on these activities in 2019 was equivalent to at least two full-time staff members.

NPIC staff do not work exclusively on Chemicals-Act-related activities and priority must be given to the management and operation of the telephone poisons information service. Consequently, NPIC anticipates delays in responding to questions from industry during 2020.

Although the workload associated with CLP increased significantly in 2019, no extra resources were allocated to NPIC. The administrative officer dealt with a large number of enquiries from/to industry in 2019. In addition, one poisons information officer, the manager and clinical director have spent a large proportion of their time on Chemicals Act-related activities. As a result, other duties were delayed or postponed (for example, the annual report normally produced in June was delayed until December, research and educational opportunities were missed, awareness projects and outreach services were deferred). A business plan submitted to the Health Service Executive (HSE) to increase resources has yet to be approved.

NPIC does not have sufficient staff resources to organise or participate in awareness-raising activities prior to Annex VIII entering into force in January 2021. As it becomes available, updated information on the notification procedure will be provided on the NPIC website, www.poisons.ie, and Facebook page.

NPIC welcomes the launch of the PCN searchable database by ECHA and is preparing for the on-boarding process. However, there is concern that industry can already notify products via the PCN portal even though NPIC does not yet have access to the searchable database.

Department of Agriculture, Food and the Marine (DAFM)

DAFM remained active in a number of national, Commission and ECHA-led committees and working groups in 2019.

At the national level, DAFM replied to queries on REACH and CLP referred by the Authority's chemical helpdesk. DAFM also attended one meeting of the Chemicals Interdepartmental/Agency Group and had other communications with national authorities as the need arose.

At the EU level under REACH, DAFM attended three Biocidal Products Regulation Subgroup Forum meetings and one Forum co-ordinated train the trainer event. DAFM also had a representative on the Forum REF-8 working group for chemicals sold online. DAFM completed the planning phase for REF-8 in 2019 for its participation in the project in 2020.

DAFM attended one Endocrine Disruptor Working Group meeting. DAFM did have a representative on the Persistent Bioaccumulative Toxic Expert Group but did not attend any meetings during 2019.

Under CLP, DAFM attended four Committee for Risk Assessment (RAC) meetings and one ECHA workshop on human relevance and modes of action related to carcinogenicity. Four opinion documents were submitted to ECHA and presented to the RAC by the Irish RAC rapporteur (pydiflumetofen, pyriofenone, emamectin benzoate and trinexapac-ethyl (ISO)). Several other substances of interest to DAFM were evaluated, with discussion and commentary during the plenary debates by the DAFM RAC member. No CLH (Harmonised Classification and Labelling) dossiers were submitted by DAFM for review at these 2019 meetings.

DAFM attended two ECHA Working Group (Environment) meetings and a WebEx meeting. DAFM attended five co-ordination group meetings. Under the Rotterdam Regulation, DAFM attended the DNA meeting in April and provided comments for the October meeting.

DAFM participated in the Forum BEF-1 project on treated articles, with eight product questionnaires completed during the operational phase. Reporting is due in 2020.

Enforcement-related activities

REACH: Enforcement that relates to the registration of substances under REACH was performed as per the sector-specific legislation. Notification, authorisation or registration of pesticide products to DAFM included a check on the REACH compliance of SDSs.

CLP: DAFM checked the labelling and classification requirements of pesticide products during the notification, authorisation or registration process. In addition, inspections involved checks on the compliance of pesticide product labels.

Rotterdam: No additional enforcement activities were undertaken under the Rotterdam Regulation.

The types of premises visited for REACH and CLP included wholesale and retail distributors, local authorities, nurseries and HSE stores and sports clubs.

The issuing of enforcement notices by DAFM and the removal of non-compliant pesticide products from the market were carried out under pesticides legislation and not the Chemicals Act. Two DAFM inspectors have access to the Interact portal.

In the 2019 inspection programme of pesticide distributors and users other than farmers, 118 inspections were carried out by seven officers. Most non-compliances found were minor in nature, relating to out-of-date and re-registered products. Action taken included direction to re-export, use up or otherwise dispose of product in compliance with the law.

Approximately 1,400 farms are inspected annually by the Integrated Controls Division of the DAFM for the Basic Payment Scheme (BPS; formerly SPS), to determine compliance with pesticide regulations, as part of the EU BPS inspection programme. Inspection reports for 2018 were processed in 2019. The vast bulk of farmers inspected (approximately 89%) had no financial penalties imposed. A financial penalty of 1%, 3% and 5% of their BPS payment was incurred by 4.4%, 1.4% and 0.8% respectively of those individuals inspected.

A programme of controls on the composition of plant protection products was carried out: 47 formulation samples were analysed, representing 72 active ingredients. No samples were identified as outside the FAO tolerances.

Operation Silver Axe IV was completed. It focused on counterfeit plant protection products carried out under pesticide legislation. No hits were identified.

The memorandum of understanding between DAFM, the Authority and the Customs Division of the Revenue Commissioners in relation to the Rotterdam Regulation will be updated in 2020.

Approximately 4.5 full-time equivalents are involved in work related to the Chemicals Acts (and the associated EU legislation) in DAFM. Expertise involved includes toxicologists, chemists and agricultural scientists. The level of resources available within DAFM for this work in 2019 was the same as in 2018.

Customs Division of the Revenue Commissioners

The Revenue Commissioners is the designated national authority under Article 17 of the Rotterdam Regulation. Revenue's Customs Division is responsible for the control of the import and export of hazardous chemicals as listed in that Regulation. For this purpose, profiles have been set into Revenue's automated entry processing (AEP) customs clearance system. The AEP system is programmed to flag various export declarations to Customs staff. If a reference identification number (RIN) is required under the provisions of the Rotterdam Regulation, then the following procedure applies:

- ▶ The exporter must enter the RIN on the customs declaration (SAD).
- ▶ Customs officers validate the RIN against the EU ePIC database.
- ▶ Where no RIN is present or where there is any question regarding the RIN, the requirement for a RIN or the export of a certain chemical, Customs contacts the appropriate DNA for clarification on the status of the chemical in question.

Exporters are obliged to correctly declare the chemicals for export by entering the appropriate Y Code in Box 44 of the export declaration (SAD). If a relevant Y Code is not entered in Box 44 the export cannot proceed. The Rotterdam Regulation itself does not provide for any prohibitions or restrictions on the importation of chemicals. Revenue has (through its Customs Consultative Committee) informed the trade of the export declaration and RIN requirements for the exportation of chemicals covered by the Rotterdam Regulation. The public can access the Customs staff manual via the Revenue website.

The Revenue website also sets out general information about prohibited or restricted goods and this includes information on the exportation of dangerous chemicals under the Rotterdam Regulation: www.revenue.ie/en/customs/prohibitions-restrictions/index.html.

Enforcement activities from a Customs perspective included the electronic profiling of certain hazardous chemicals on the AEP system and the validation by Customs staff of RINs at exportation where relevant. An information manual has been issued to all Customs staff and outlines the procedures to be used in the exportation of chemicals specified by the Rotterdam Regulation.

Revenue Customs Division collaborated with DAFM Pesticides Division in Operation Silver Axe IV, which focused on counterfeit plant protection products carried out under pesticide legislation. No hits were identified.

Revenue participated in the Chemicals Interdepartmental Group meeting under DBEI and the National Market Surveillance Forum aimed at preventing harmful products entering the Irish market.

A memorandum of understanding (MoU) was signed in July 2010 between Revenue, the Authority and DAFM. It set out respective roles and responsibilities in the implementation of the Rotterdam Regulation. An updated MoU is under negotiation between the parties and is due to be signed off in 2020.

Environmental Protection Agency

The EPA provided input into the review of the ECHA Forum's advice on the enforceability assessment regarding proposed REACH restrictions on microplastics and octamethylcyclotetrasiloxane (D4), decamethylcyclopentasiloxane (D5) and dodecamethylcyclohexasiloxane (D6). The EPA provided comments regarding the draft legislation amending the Chemicals Acts for enactment of requirements set out in Regulation (EU) No 259/2012 relating to the Detergents Regulation.

The EPA did not carry out any compliance surveillance activities in relation to the REACH Regulation or the Detergents Regulation during 2019. The EPA is currently investigating a reported potential non-compliance regarding the incorporation of a component containing higher than permitted levels of mercury in certain power plants placed on the market (restriction under Entry #18a of Annex XVII).

While the investigations are expected to be completed in early 2020, information submitted to date suggests the non-compliant systems were not placed on the market within the state.

EPA personnel participated in one Chemicals Interdepartmental Group meeting, one Authority meeting and one National Market Surveillance Forum meeting.

The Authority and the EPA currently operate a memorandum of understanding covering activities relating to the REACH Regulation and the Detergents Regulation. The EPA and the HSE operate a memorandum of understanding in relation to co-operation in areas promoting the protection of human health and the environment.

Regarding the Portal Dashboard for National Enforcement Authorities (PD-NEA), no proposals were made for sign-up and use of this tool during 2019. Use of this tool by the EPA to assist in relevant enforcement activities will be reviewed periodically.

The EPA Research Programme 2014–2020 funds certain projects that are intended to provide information on the exposure of the public and environment to a range of hazardous substances, including persistent organic pollutants (POPs) and substances of very high concern. Among these projects are:

- ▶ *EPA project reference 2015-HW-MS-3:* Involving the investigation of the potential sources and environmental fates of target phthalates, this project commenced in May 2016 and is due for completion in mid-2020. Further information can be found at <https://sites.google.com/site/phthalatesireland/>.
- ▶ *EPA project reference 2015-HW-MS-4:* The primary objective of this project is the elucidation of relative contributions of different exposure pathways (air, diet and water) to POPs such as brominated flame retardants, perfluorooctane sulfonate (PFOS) and other perfluoroalkyl compounds. The project commenced in May 2016 and is scheduled for completion in early to mid-2020. Further information can be found at www.nuigalway.ie/elevate/.

With relevance to REACH, a primary aim of the EPA's internal Chemicals Cross-Office Team continued to be to ensure timely intervention in potential or emerging environmental threats posed by certain substances, including endocrine disruptors.

Combined direct EPA resources expended for the purposes of the REACH and Detergents Regulations respectively during 2019 were approximately 0.12 full-time equivalents (relatively static compared with 2018). One EPA staff member (third-level science graduate with experience in industry) was involved in REACH and Detergents Regulations activities on a part-time basis. Additionally, other EPA technical resources (chemists, biologists and environmental engineers) were available to provide input to the relevant activities when required. The level of staff resources available for REACH and Detergents activities for 2020 is not expected to vary considerably with respect to the 2019 value. Expenditure (not including EPA direct labour costs) directly attributed to REACH-related activities was €0 (the expenditure in 2018 was approximately €15,000). The nature and extent of the trade deal(s) and the future degree of regulatory alignment resulting from the withdrawal of the UK from the EU continues to be monitored closely for potential implications regarding additional resource requirements.

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