

# Annual Report

## 2020



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 second annual report under the Authority's strategy statement for 2019 to 2021. In consideration of the evolution of the workplace with new work practices and technology, in addition to external factors such as Brexit, the level of change anticipated by the Authority in early 2020 was already significant. The Authority's published 2020 Programme of Work (POW) focused on delivering a wide range of objectives and actions under our strategic priorities and legal mandates. However, with the onset of the COVID-19 public health pandemic in March 2020, the Authority had to refocus and reconsider our published programme and adapt our operations to meet the increased demands under both our occupational health and safety and our market surveillance mandates.

This annual report therefore sets out the achievements and objectives delivered in the context of the Authority's published POW, as well as the actions delivered by the Authority as part of the cross-Government response to the pandemic. Our actions and objectives in 2020, including those specific to our COVID-19 response, were underpinned by our strategic priorities – regulate, promote, influence, and accreditation. More importantly, the strategic focus on the "How we Work" priority meant that the Authority and its staff were sufficiently agile to adapt and respond effectively to meet new and increased demands.

Like all workplaces, the Authority had to adapt to the Public Health and Government advice issued on COVID-19 throughout the course of 2020. In addition, we also had a distinct role under the cross-Government response to the pandemic. In April, the Authority worked collaboratively with employers and employee groups under the Labour Employer Economic Forum (LEEF), as well as Government colleagues in the Departments of An Taoiseach, Enterprise, Trade and Employment, Health, and the Health Service Executive in the development of the Return to Work Safely Protocol.

This Protocol was published on 9 May 2020 and it gave workers and employers a clear framework for the safe reopening of the economy from 18 May 2020. Subsequent to its publication, the Authority provided the lead co-ordinating role on the cross-Government response, which saw other departments and agencies (Environmental Health Service HSE, Department of Agriculture, Food and the Marine, Department of Education, Tusla Child and Family Agency, Sea Fisheries Protection Authority and the Workplace Relations Commission) join the Authority in checking adherence to the Protocol across all sectors and workplaces.

Our role in relation to the Protocol resulted in 5,416 COVID-19 inspections across most sectors in the period from 18 May to 31 December 2020. We also produced a wide range of advice, templates, checklists and training materials for both employers and employees with many of these made available in a wide range of languages to cater for all workers. Through our Workplace Contract Unit, we also provided a helpdesk service for workers and employers who were seeking specific information in relation to COVID-19 or who wished to make a complaint.

In November, we contributed to the updating of the Work Safely Protocol. In the same month, we also published an updated Code of Practice for the Biological Agents Regulations 2013–2020, which transposed the EU Directive 2020/739 which categorised the SARS-CoV-2 virus as a Risk Group 3 biological agent. This transposition introduced notification requirements for employers to report cases of illness or death because of an employee carrying out work with the virus.

Following a decision of the Board of the Health and Safety Authority on 26 June 2020, the Authority initiated the preparation of a Regulatory Impact Analysis (RIA). The intention of the Board was to ensure that the Authority has comprehensive and immediate data to support the protection of workers from COVID-19.



**Dr. Sharon McGuinness**  
*Chief Executive Officer*



**Tom Coughlan**  
*Chairperson*

The purpose of the RIA is to identify a range of possible options for the potential achievement of this objective, and to provide detailed information on the costs, benefits and impacts of each option. The RIA will provide the Board with a basis for recommending the most appropriate way forward, which may include a recommendation to amend the Health and Safety (General Application) (Amendment) (No. 3) Regulations (S.I. No. 370 of 2016).

Even in the face of increased demands arising from COVID-19, the Authority continued to deliver on its occupational health and safety policy and inspection programmes. In doing so, we kept a sustained focus on the high-risk sectors of construction, agriculture and healthcare originally identified under the Strategy 2019–2021. As part of our COVID-19 response, our inspection activity in sectors experiencing heightened risk of COVID-19 transmission, such as manufacturing (meat/food processing in particular) and retail, was stepped up significantly. In all, we completed a total of 10,295 inspections and investigations and concluded 13 prosecutions.

In agriculture, the Authority re-established a new Farm Safety Partnership Advisory Committee (FSPAC). Working in collaboration with identified stakeholders, this Advisory Committee has commenced development of the next Farm Safety Action Plan. Our work on Agriculture will benefit from your own support, as the Minister with responsibility for the Authority, alongside the support of Minister Heydon in his role of Minister of State with responsibility for Research and Development, Farm Safety, and New Market Development. The Authority and the FSPAC look forward to working with both Ministers to continue to drive home our vision for safe, healthy and highly-trained farmers not just for those already working in the sector but for future generations too.

Adapting our inspection programme to achieve an enhanced focus on those areas experiencing heightened risk of COVID-19 transmission resulted in a corresponding decrease in inspections in certain other sectors in 2020.

Due to the challenges of COVID-19, fewer inspections were carried out in the agriculture sector in 2020 than in other years and we hope to be in a position to deliver a higher number of inspections in this priority sector in 2021. Sadly, we have seen the continued high numbers of fatalities in the sector with 20 people losing their lives. These included three children as well as 11 adults over the age of 65.

It was also particularly tragic to see that in 2020, a year where many parts of the economy were closed for long periods, 53 individuals lost their lives and their deaths have left their families, colleagues and communities devastated. In addition to the high numbers of fatalities noted in agriculture, we also saw construction numbers increase to 14. This is particularly concerning as it is the highest figure in over 10 years and figures for 2019 and 2020 now show a clear deviation from what was an otherwise downward trend in fatalities in this sector in recent years. In 2021, the Authority will again remind all employers about the importance of maintaining their safety management systems for all hazards and risks and not just COVID-19.

The Authority completed its final year of preparing Irish businesses for the many changes that Brexit would bring. We communicated and informed all those who could be affected through a series of webinars and radio adverts as well as our website and helpdesk. With the conclusion of the EU-UK Trade and Cooperation Agreement, we will continue our efforts to support Irish businesses at home and in Europe. We will also continue our market surveillance programmes of checks and inspections to ensure that products, such as chemicals, machinery and PPE, comply with EU requirements and standards.

The Irish National Accreditation Board (INAB) also supported Irish businesses in getting ready for Brexit and received four new accreditation applications that were directly related to the UK leaving the EU. Three new schemes for accreditation, validation/verification, BioBanks and autopsy services, were also developed and approved by the INAB Board and INAB will be ready to receive applications on these in 2021.

We are also pleased that the development of the national accreditation strategy has commenced. This strategy, which is due for publication in 2021, will provide a clear framework for the development of accreditation in Ireland and will enable INAB expand its service to benefit consumers, businesses and the economy.

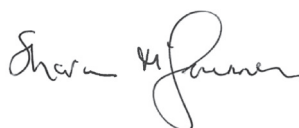
Our chemicals programme saw a range of objectives delivered at home and in Europe. We submitted the conclusion document for our 2015 chemical substance evaluation under the REACH Regulation and progressed proposals for classification and labelling for two substances under the CLP Regulation to the European Chemicals Agency (ECHA). As competent authority (CA) for the Carriage of Dangerous Goods by Road (ADR) Regulations, we issued eight authorisations related to COVID-19 and a further five for other matters. These authorisations included seven multilateral agreements, five CA exemptions and one CA approval. We published guidance on Intermediate Temporary Storage and launched a public consultation on Technical Land Use Planning Guidance under the COMAH Regulations.

We would like to say a special word of thanks to all the staff of the Authority. It is important to acknowledge what their dedication, professionalism and effort, particularly in the face of the challenges that COVID-19, has brought, not only to the Authority, but also to all workplaces.

No matter what requests were made of our staff in 2020, they rose to the challenge and were always ready to volunteer and support the national and Authority efforts on preventing the spread of COVID-19 in workplaces. We continue to invest time and effort in the major ICT transformation project, which commenced in 2019. In 2021, we hope to make final preparations for the introduction of our new business transformation and core platform, which will provide us with a state of the art and integrated IT system for our regulatory roles.

Finally, we thank all members of the Board of the Authority for their work on behalf of the Authority and their commitment to its vision of realising healthy, safe and productive lives and enterprises. Due to COVID-19, we were unfortunately not in a position to meet in person for most of the year, but even with those challenges, all members contributed fully to the discussions and decisions that were taken.

As we present this annual report for 2020, we are already preparing for an active programme for 2021 including the development of our next Strategy Statement 2022–2024 and looking forward to establishing a new division on occupational health and recruiting staff to support us across all our mandates. We would like to thank you as Minister for your support in 2020 and in particular, for your commitment and recognition of the importance of the work we do. We look forward to your, and your Department's, continuing support as we embark on the strategic and organisational development programmes that will prepare the Authority for the future.



**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

**CA** – Competent Authority

**CARACAL** – Competent Authority for REACH and CLP

**CLP** – Classification, Labelling and Packaging of Substances and Mixtures

**COMAH** – Control of Major Accident Hazards

**CoP** – Code of Practice

**DAFM** – Department of Agriculture, Food and the Marine

**DBEI** – Department of Business, Enterprise and Innovation

**DETE** – Department of Enterprise, Trade and Employment

**DIY** – Do It Yourself (home decoration and repairs)

**DNA** – Designated National Authority

**EA** – European Co-operation for Accreditation

**ECHA** – European Chemicals Agency

**EPA** – Environmental Protection Agency

**ePIC** – Prior Informed Consent IT System

**ETSC** – European Transport Safety Council

**EU** – European Union

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

**FOI** – Freedom of Information

**FSPAC** – Farm Safety Partnership Advisory Committee

**GLP** – Good Laboratory Practice

**HR** – Human Resources

**HSE** – Health Service Executive

**IBEC** – Irish Business and Employers Confederation

**ICSMS** – Information and Communication System for Market Surveillance

**ICT** – Information and Communications Technology

**ICTU** – Irish Congress of Trade Unions

**IE** – Ireland

**INAB** – Irish National Accreditation Board

**IOSH** – Institute of Occupational Safety and Health

**ISO** – International Organization for Standardization

**IT** – Information Technology

**LEEF** – Labour Employer Economic Forum

**LUP** – Land Use Planning

**MoU** – Memorandum of Understanding

**NOTM** – National Office of Traffic Medicine

**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

**POW** – Programme of Work

**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

**RIA** – Regulatory Impact Analysis

**RiME+** – Risk Management and Evaluation Platform

**RIN** – Reference Identification Number

**SACURIMA** – Safety Culture and Risk Management in Agriculture

**SDS** – Safety Data Sheet

**SLIC** – Senior Labour Inspectors Committee

**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

  
**9,135**  
Inspections  
completed

**1,160**  
Investigations  
completed

  
**65%**  
Percentage inspections  
and investigations  
where enforcement  
was taken

**953**   
Number of market  
surveillance  
interventions of  
chemical products

  
**88%**

Percentage safety  
statements with  
safety risk  
assessment  
included

**13**   
Number of prosecutions  
summarily and  
indictable

**54**   
Number of  
market  
surveillance  
interventions  
of industrial  
products

**Fines imposed (€1,327,000)**

## Legislative development indicators

### Strategic Priority Influence

**375**

Responses to  
parliamentary  
questions and  
information  
provided to  
DETE/Minister

**5** Technical  
inputs provided  
on legislative  
proposals  
developed by  
DETE

**1** Draft  
legislative  
proposals sent  
to DETE

**2**

Codes of  
Practice  
sent to DETE

**Number EU / International Committee/  
Working Group meetings attended**

**115** servicing **43** committees *(See appendix 3)*

## Business support indicators

### Strategic Priority Promote

**28,684**



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

**Over 3.5m**

Number of HSA website visits



**13**



Codes of Practice, Guidance and Information Sheets

**52,644**



Number of online courses taken on [hsalearning.ie](https://hsalearning.ie)

**28,217**

Number of students taking Choose Safety education programmes

**176** REACH information requests processed

**106** CLP information requests processed

**312** land use planning requests received/processed

**283** asbestos notifications processed



### Public awareness:



**92%** Agree HSA important in reducing accidents and deaths

**92%** Agree health and safety of employees is taken seriously in my workplace

**92%** Agree effective management of health and safety contributes to business success

**97%** Agree workers very/fairly well informed about health and safety

## INAB indicators

### Strategic Priority Accreditation

**10**

Accreditations awarded by INAB Board



**379**

Assessment events completed

**15**



New applications for accreditation received



**315**

Accreditation decisions by INAB Manager

**13**

International meetings attended by INAB



## Corporate governance indicators

## Strategic Priority How We Work

190 

Number of FOI requests processed

3 

Number of FOI/DP/AIE appeals processed

4 

Number of Data Protection requests processed

5 

Number of AIE requests processed


190 

Staff numbers


99% 

Percentage invoices paid within 15 days

## COVID-19 indicators

5,416 


COVID-19 inspections to check adherence with Work Safely Protocol

9,982 

Requests for information in relation to COVID-19 via our Workplace Contact Unit

2,457 

Complaints handled in relation to COVID-19 and the Return to Work / Work Safely Protocols

408,630 

Downloads of COVID-19 checklists and templates

26 

languages to support non-English speaking workers in specific sectors

8 

Competent Authority authorisations under ADR Regulations for COVID-19 matters

# Role of the Health and Safety Authority

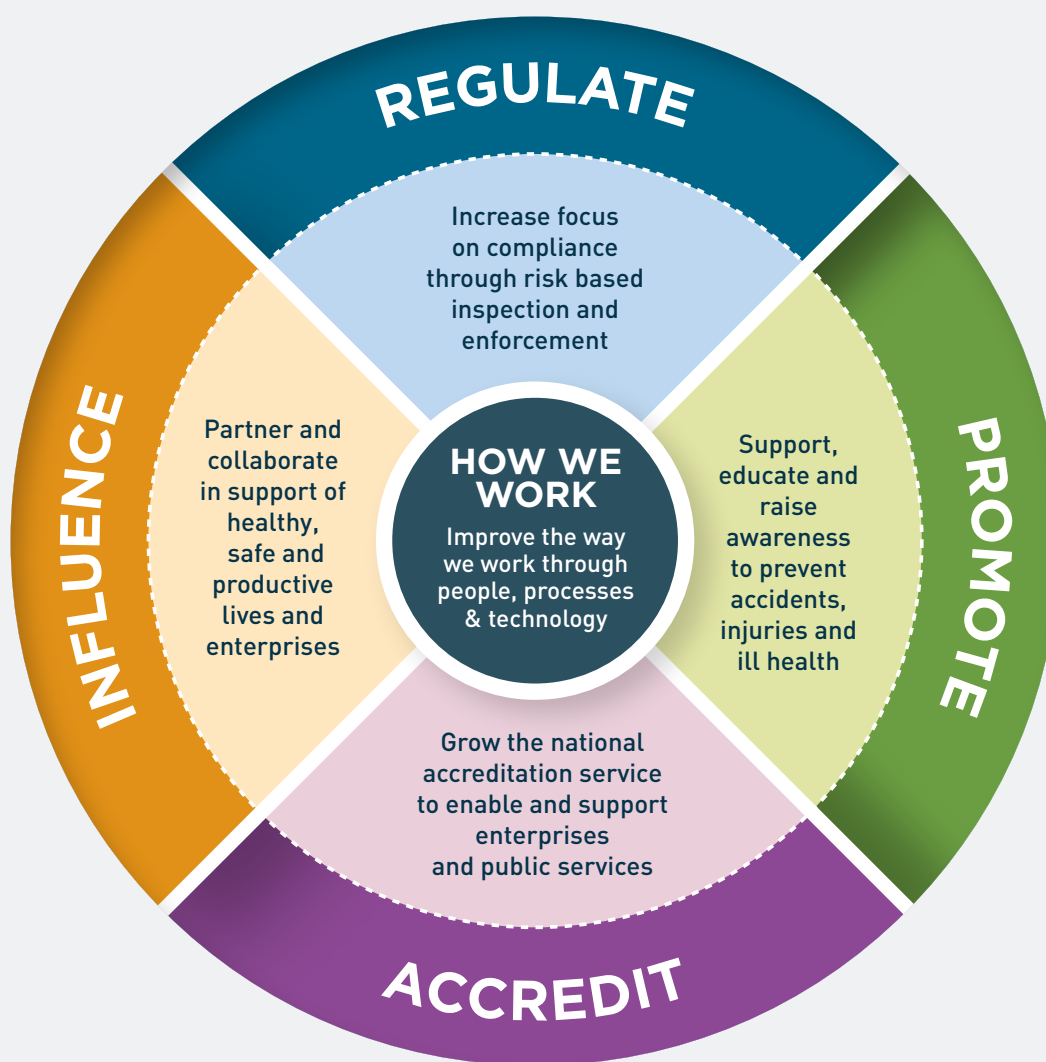
The Authority's mandate includes the following roles:

- 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 as outlined below:





# Board and Executive of the Health and Safety Authority

The Board determines the Authority's operational policy. It comprises 12 members: a chairperson and 11 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.

Board member	Position	Board meetings attended in 2020
<b>Chairperson</b>		
<b>Tom Coughlan</b> ( <i>appointed with effect from 12/04/17</i> )	Former Chief Executive, Clare County Council (2009–2016)	7 out of 7
<b>Employer nominees</b>		
<b>Andrew Bowers</b>	Director Operational Excellence, Enterprise Management System at Baxter Healthcare Corporation	6 out of 7
<b>Frank Kelly</b>	Construction Director, Walls Construction Ltd.	7 out of 7
<b>Paul Kelly</b>	Director, Food Drink Ireland (FDI)	7 out of 7
<b>Employee nominees</b>		
<b>Deirdre MacDonald</b>	Immediate Past President of Association of Secondary School Teachers of Ireland	5 out of 7
<b>David Hughes</b>	Deputy General Secretary, The Irish Nurses & Midwives Organisation (INMO)	7 out of 7
<b>Michelle Quinn</b>	Sector Organiser, Wholesale, Retail, Distribution and Related Sector, SIPTU	7 out of 7
<b>Ministerial nominees</b>		
<b>Deirdre Cullivan</b>	HR Consultant	7 out of 7
<b>Stephen Curran</b>	Principal Officer, Safety Health and Chemicals Policy Unit, Department of Enterprise, Trade and Employment	7 out of 7
<b>Bríd De Buitléar*</b>	IT and Business Operations leader	3 out of 3
<b>Mary Coyne*</b>	Fellow of the Association of Chartered Certified Accountants (FCCA)	3 out of 3
<b>Ciarán Roche*</b>	Risk Manager and the Company Safety Manager, FBD Insurance	3 out of 3

*\*Note, these members were appointed in August 2020 and were therefore only available to attend the Board meetings from September onwards.*

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.

As of 31 December 2020, the Authority employed 190 staff, including inspectors, professional and technical specialists, accreditation officers, administrators and clerical staff.

## Board of the Authority

### Chairperson



Tom Coughlan

### Employer Nominees



Andrew Bowers



Frank Kelly



Paul Kelly

### Employee Nominees



Deirdre MacDonald



David Hughes



Michelle Quinn

### Ministerial Nominees



Deirdre Cullivan



Stephen Curran



Bríd De Buitléar



Ciarán Roche



Mary Coyne

## Executive of the Authority

### Chief Executive



Dr. Sharon  
McGuinness

### Assistant Chief Executives



Mark Cullen  
*Operational  
Compliance and  
Prevention Division*



Yvonne Mullooly  
*Chemicals and  
Prevention Division*



Kevin De Barra  
*Corporate Services  
Division*

## 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.

Board member	Position	Board meetings attended in 2019
<b>Ita Kinahan</b> , <i>Chairperson</i>	State Chemist, State Laboratory	6 of 6
<b>Dr. Adrienne Duff</b>	Manager of INAB; ex-officio Board member	6 of 6
<b>Cecilie Laake</b>	Director General, Norwegian Accreditation	3 of 6
<b>Raymond Ellard</b>	Director of Consumer Protection, Food Safety Authority	6 of 6
<b>Jim O'Toole</b>	Chief Executive, Bord Iascaigh Mhara	6 of 6
<b>Paul Hetherington</b> , <i>Vice-Chairperson</i>	Director of the National Metrology Laboratory	6 of 6
<b>Peter Dennehy</b>	Retired Chief Executive, Pre-Hospital Emergency Care Council	1 of 6
<b>Dr. Caitríona Fisher</b>	Director of Quality, Scientific Affairs and Communications, Health Products Regulatory Authority	6 of 6
<b>Grant Henderson</b>	Business consultant	4 of 6
<b>Dr. Micheál Lehane</b>	Programme Manager, Environmental Protection Agency	5 of 6
<b>John O'Loughlin</b>	Laboratory Manager, Rotunda Hospital	5 of 6
<b>Dr. David Graham</b>	Chief Executive, Animal Health Ireland	5 of 6



# 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 2020, the Chief Executive of the Authority, in the context of her role as a prescribed person under the Protected Disclosures Act 2014, received seven protected disclosures from parties external to the Authority and relating to third parties. All disclosures were referred to Authority inspectors for investigation. Six of the disclosures have been closed out and one remains under investigation.

No disclosures were received internally.

# 1 Strategic Priority

# Regulate

**Increase focus on compliance through risk based inspection and enforcement**

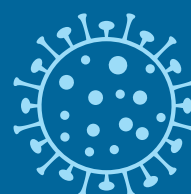
## STRATEGIC GOAL

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

## PROGRESS AND METRICS FOR 2020

- ▶ Notwithstanding our role with respect to COVID-19 during 2020, for each priority sector under our strategy, inspections continued to focus on the identified key hazards and risks.
- ▶ In agriculture, inspections focused on protecting the vulnerable, young and older persons as well as the key hazards of livestock, tractors and machinery and working at height. In addition to proactive inspections, two intensive inspection campaigns were carried out which specifically targeted each of these specific hazards:
  - ▶ Safe livestock handling – 340 inspections
  - ▶ Tractors and other farm machinery safety – 182 inspections
- ▶ In construction, inspections concentrated on compliance with the key provisions of the Construction Regulations as well as the specific hazards arising from working from height and vehicles/machinery.
- ▶ In health and social care, due to the onset of the COVID-19, inspections primarily focused on the measures in place to protect healthcare workers from the occupational risks of COVID-19. Earlier in the year inspections focused on the other primary risks for the sector – manual handling, work-related violence and aggression, slips, trips and falls.

**Inspections focused on the measures in place to protect healthcare workers from the occupational risks of COVID-19**





## STRATEGIC GOAL

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

## PROGRESS AND METRICS FOR 2020

- ▶ 9,135 proactive inspections were carried out which addressed occupational safety and health issues as well as checking adherence with the Return to Work Safety Protocol.
- ▶ 84% of workplaces had prepared a safety statement. 88% of these safety statements had the necessary safety and health risk assessments included. In 34% of cases, the inspector required the duty holder to make further improvements to the statement.
- ▶ 92% of inspections were considered routine, in that they were preselected from the Authority database as they were in higher risk sectors. Some were targeted as part of intensive inspection campaigns in Construction, Agriculture and Transportation and Storage. 8% of inspections were planned and were following up on previous enforcements taken.
- ▶ Of the 9,135 inspections, 1,537 inspections were completed in relation to chemicals.
- ▶ The control of chemical agents was addressed in 161 inspections and asbestos was addressed in 91 inspections. The Authority processed 283 asbestos notifications and 15 biological agent laboratory notifications for the first time use of a biological agent.
- ▶ A targeted campaign focusing on transport operations, traffic management and vehicle risks across a range of sectors (transport and storage, retail and warehousing, manufacturing, waste and recycling) was completed. 306 inspections focused on general transport operations in targeted sectors and 278 inspections focused on warehousing and storage operations. Warehousing and storage inspections dealt with internal transport and racking installations.
- ▶ A joint Garda/HSA pilot roadside load securing inspection campaign was carried out during which 48 vehicles were inspected at five locations nationwide.

**Some inspections were targeted as part of intensive inspection campaigns in Construction, Agriculture and Transportation and Storage**



STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Act as the lead national competent authority on chemicals and market surveillance.</p>	<ul style="list-style-type: none"> <li>▶ 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.</li> <li>▶ In COMAH (Control of Major Accident Hazards), 82 specific Tier I and II sites were inspected and a further 21 inspections were carried out on sites storing dangerous substances below the COMAH threshold. Five safety reports were approved and 312 land use planning (LUP) applications were processed.</li> <li>▶ The REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) and CLP (Classification, Labelling and Packaging) national helpdesk received and responded to 176 REACH and 106 CLP queries.</li> <li>▶ 219 REACH and CLP inspections were completed. Of the 219 inspections, 13 detailed audits on information in the supply chain were completed with importers, formulators and distributors. The Authority also dealt with eight registration enforcement referrals from the European Chemicals Agency (ECHA).</li> <li>▶ As CA for REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) and CLP (Classification, Labelling and Packaging), the Authority participated in a range of EU meetings, most of which were virtual due to COVID-19 restrictions in place:               <ul style="list-style-type: none"> <li>▶ CARACAL and associated subgroups (5)</li> <li>▶ REACH Article 133 (10)</li> <li>▶ ECHA Committee for Risk Assessment (3)</li> <li>▶ ECHA Member State Committee (5)</li> <li>▶ ECHA HelpNet for MS REACH and CLP Helpdesks (2)</li> <li>▶ ECHA Forum on Enforcement (2)</li> <li>▶ ECHA Endocrine Disruptors Expert Group (2)</li> <li>▶ ECHA PBT Expert Group (4)</li> <li>▶ ECHA Partner Expert Group on Guidance (1)</li> <li>▶ ECHA Risk Management and Evaluation (RIME+) (3)</li> </ul> </li> <li>▶ The Authority submitted the conclusion document for the chemical substance evaluation for 3-trimethoxysilylpropyl methacrylate and it was published on the ECHA website (this substance was evaluated by Ireland in 2015).</li> <li>▶ The status of the substance evaluated by Ireland in 2012, 4-methylanisole, was reviewed and the substance was re-introduced to CoRAP for evaluation in 2021.</li> <li>▶ The Authority reviewed ECHA draft decisions on 16 substances and 37 dossier evaluations. Seven substances for further regulatory action were also screened by the Authority.</li> </ul>

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Act as the lead national competent authority on chemicals and market surveillance (continued).</p>	<ul style="list-style-type: none"> <li>▶ The Irish proposal for the classification of dimethyl propylphosphonate (DMPP) for the mutagenicity and reproductive endpoints was submitted to ECHA. Following the public consultation, the Authority prepared responses to the comments received and submitted the responses to ECHA.</li> <li>▶ The Irish proposal for the classification of 7-oxabicyclo[4.1.0]hept-3-ylmethyl 7-oxabicyclo[4.1.0]heptane-3-carboxylate was progressed for submission to ECHA in 2021. The proposal covers skin sensitisation, mutagenicity and specific target organ toxicity – repeated exposure endpoints.</li> <li>▶ The Authority as part of its contribution to the Art 133 REACH Committee discussed and contributed to 12 applications for Authorisation, seven restriction proposals on carcinogenic, mutagenic or reproductive toxicant (CMR) substances, and medical devices, persistent organic pollutants, certain liquid substances or mixtures, nonylphenol and testing methods for azocolourants. polycyclic aromatic hydrocarbons in granules and mulches used as infill material in synthetic turf playing surfaces and in playgrounds, Diisocyanates, N,N-Dimethylformamide, C9-C14 perfluorocarboxylic acids (C9- C14 PFCAs), their salts and related substances, and eight other ad-hoc topics to improve and strengthen the REACH Regulation.</li> <li>▶ The Authority attended the EU Detergents Regulation Working Group meeting and contributed to discussions on 'Better Regulation' initiatives, including on the support study to the Impact Assessment for the review of the Regulation, on updates to FAQs and to the discussions on labelling of preservation agents.</li> <li>▶ As one of the Irish Designated Authorities (DNA) for the Rotterdam Regulation, the Authority processed 14 export-import queries and two export notifications. The Authority attended both DNA meetings under the Rotterdam Regulation and returned comments to the EU Commission in relation to four EU import notifications. The 2019 Article 10 report summarising the aggregated trade activity in Ireland on the exports and imports of Annex I listed chemicals was also submitted to the EU Commission.</li> <li>▶ 563 inspections were completed under the Carriage of Dangerous Goods by Road (ADR) and the Use of Transportable Pressure equipment. The inspections included 257 premises and 306 dangerous good vehicles inspections. 198 non-dangerous goods vehicle checks were also carried out.</li> <li>▶ In addition to the eight competent authority authorisations issued for COVID-19 related matters, the Authority issued five authorisations for other matters related to the transport of dangerous goods.</li> <li>▶ As a CA under the ADR Regulations, the Authority attended the following EU/ UNECE meetings, most of which were virtual: <ul style="list-style-type: none"> <li>▶ TDG Committee and Expert Group</li> <li>▶ EU Preparation Meeting on RID/ADR/ADN</li> <li>▶ TPED ADCO</li> <li>▶ UNECE Joint Meeting Plenary and Working Group on Tanks</li> <li>▶ Intersessional Meeting of Members of the Informal Working Group on Tanks</li> </ul> </li> <li>▶ Task Force on the use of Battery Electric Vehicles and Hydrogen Fuel Cell Vehicles.</li> </ul>

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
Enforce market surveillance requirements of products sold on the Irish market, including those sold to consumers.	<p><b>Chemical Products</b></p> <ul style="list-style-type: none"> <li>▶ 953 chemical products on the Irish market were assessed for compliance with REACH and CLP Regulation requirements (REACH Annex II - Safety Data Sheet [SDS], Annex XVII- Restrictions and CLP labelling, packaging requirements) and the Detergents Regulation. These checks focused on mixtures, involving construction-related products, motor factor products and detergents.</li> <li>▶ 67 EU RAPEX alerts (42% of all RAPEX alerts posted) related to restricted chemicals were assessed to determine if they were on the Irish market. Following investigative checks, 41 of the products notified under RAPEX were not found to be present on the Irish market. Of the remaining alerts, suppliers were identified and contacted to remove non-compliant products from the market.</li> <li>▶ The EU Commission's product safety pledge was utilised for the control of platforms selling non-compliant products. The platforms removed online advertisements for non-compliant products from multiple sellers.</li> <li>▶ The Authority participated in an ECHA EU-wide REACH Enforcement Project (REF 8) on chemical products sold online. 74 products on 40 websites were checked for compliance with REACH and CLP requirements. Products checked included those used in construction/ DIY, detergents, arts and crafts and auto repair. The overall non-compliance rate was 85%; only 11 products were found to be compliant with Art. 48(2) of CLP and the non-compliance rate for provision of SDSs was 80%.</li> <li>▶ 26 chemical products were removed from the market due to non-compliances with labelling and packaging requirements under the CLP Regulation and due to the presence of restricted substances or substances subject to authorisation as regulated under the REACH Regulation. Findings on these market surveillance projects will be published in 2021.</li> </ul>

**26 chemical products were removed from the market due to non-compliances with labelling and packaging requirements**



STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Enforce market surveillance requirements of products sold on the Irish market, including those sold to consumers.</p>	<p><b>Industrial Products</b></p> <ul style="list-style-type: none"> <li>▶ 43 RAPEX alerts relating to industrial products were assessed to determine if they were on the Irish market. Following investigative checks, 42 of the products notified under RAPEX were not found to be present on the Irish market. For the remaining alert, suppliers were identified and contacted to remove non-compliant products from the market.</li> <li>▶ Three non-compliant industrial products were reported to the European information and communication system on market surveillance (ICSMS).</li> <li>▶ 1259 Statutory Examination Reports on machinery, pressure equipment and lifts, were reported and reviewed, as required under the Safety Health and Welfare at Work (General Application) Regulations 2007. Of the reports received, 94% required follow up action with the duty holder.</li> <li>▶ 130 Personal Protective Equipment (PPE) interventions were completed, which included non-compliance issues and queries arising from importers and distributors.</li> <li>▶ 158 PPE RAPEX alerts relating to PPE were assessed to determine if they were on the Irish market. Following investigative checks, 155 of the products notified under RAPEX were not found to be present on the Irish market. Of the remaining alerts, suppliers were identified and appropriate follow-up action was carried out.</li> <li>▶ Having reviewed 307 notifications on the ICSMS regarding PPE, eight new notifications were initiated by the Authority on ICSMS for non-compliant PPE products on the Irish market.</li> </ul>
<p>Take proportionate enforcement action to encourage and ensure compliance.</p>	<ul style="list-style-type: none"> <li>▶ 1,160 investigations were completed on foot of accidents and complaints received.</li> <li>▶ Of these investigations, 61 were completed in agriculture, forestry and fishing, 356 in construction and 45 in healthcare.</li> <li>▶ 583 inspections and investigations (5.3% of workplaces) resulted in formal enforcement actions, including Prohibition and Improvement Notices and Fixed Payment Notices (fines).</li> <li>▶ 6,063 inspections and investigations resulted in the inspector giving the duty holder a Report of Inspection, which required improvements to be made. This represented 61% of site inspections/investigations.</li> <li>▶ 13 prosecutions were taken with nine on indictment and four summarily resulting in fines of €1,327,000. One case was dismissed.</li> </ul>



STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Make regulatory and policy proposals to the Minister.</p>	<ul style="list-style-type: none"> <li>▶ Draft regulations to introduce safety measures for the operation of All Terrain Vehicles were drafted by the Authority and approved by the Board for submission to the Minister.</li> <li>▶ A significant level of technical advice was provided, including attendance at the EU Technical Progress Committee, on the updating of the EU Biological Agents Regulations.</li> <li>▶ An updated Code of Practice for Biological Agents was published to take account of updates to Commission Directive (EU) 2019/1833 and Commission Directive (EU) 2020/739, including the addition of SARS-CoV-2, the virus responsible for the disease COVID-19, as a Risk Group 3 biological agent to the schedules of the Code.</li> <li>▶ A joint Code of Practice on the prevention and resolution of bullying at work was developed with the Workplace Relations Commission, and was submitted to the Minister for consent to publish in 2021.</li> <li>▶ Work commenced on developing the 2021 Chemicals Agents Code of Practice to transpose limit values from the 5th EU indicative list Directive (EU) 2019/1831.</li> <li>▶ Guidance on the interpretation of the exclusion related to intermediate temporary storage under the COMAH Regulations 2015 was published. Guidance related to technical advice on the Land Use Planning process (TLUP) was also launched for public consultation.</li> <li>▶ Technical review and input was provided to the Department of Enterprise, Trade and Employment across a range of legislation, including:               <ul style="list-style-type: none"> <li>▶ The Dangerous Substances Regulations for retail stores and commercial stores (S.I. 630 and S.I. 631 of 2019)</li> <li>▶ The Safety, Health and Welfare at Work (Mines) Regulations</li> <li>▶ The Safety, Health and Welfare at Work (Quarries) Regulations</li> <li>▶ The amendment of the Safety, Health and Welfare at Work (Biological Agents) (Amendment) Regulations 2020 (S.I. 539 of 2020)</li> <li>▶ The implementation of the Market Surveillance Directive (Regulation (EU) 2019/1020)</li> <li>▶ Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2020 (S.I. 102 of 2020)</li> </ul> </li> <li>▶ Technical input was provided to the updating of the Carcinogens, Mutagens Directive, which resulted in the inclusion of Acrylonitrile, Nickel compounds, and Benzene (for which an EU OEL already exists) into the draft fourth amendment to the Directive, which will be finalised in early 2021.</li> <li>▶ In support of the Minister and the Department of Enterprise, Trade and Employment, the Authority responded to 375 queries and briefings as well as 60 parliamentary questions.</li> <li>▶ A complete list of legislation, codes of practice and guidance published is included in Appendix 4.</li> </ul>

# 2 Strategic Priority

## Promote

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

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Continue to increase knowledge and understanding of how to manage work-related health and welfare.</p>	<ul style="list-style-type: none"> <li>▶ Major awareness raising campaigns were undertaken in relation to Brexit, Farm Safety and Vehicles at Work across a range of media including TV, radio, print and digital.</li> <li>▶ In implementing the recommendations from the Authority's 2019 Chemical Usage survey, a web-based role finder tool was published online to aid companies in understanding their role in the supply chain.</li> <li>▶ Awareness of the Brexit implications under the Rotterdam Regulation was promoted via webinars, website updates, communications and social media.</li> <li>▶ Two ergonomic risk assessment webinars were held with 400 delegates. Webinars were recorded and made available on the Authority website as a useful resource for addressing manual handling risks in the workplace.</li> <li>▶ Engaged with further education and training directors to promote use of e-learning tools for relevant courses/apprentice programmes.</li> <li>▶ Over 3.5 million unique visits to the Authority's core website (<a href="http://www.hsa.ie">www.hsa.ie</a>), an increase of 25% on 2019 volumes.</li> <li>▶ The annual RedC poll tracking attitudes towards workplace health and safety indicated that of the working population surveyed:               <ul style="list-style-type: none"> <li>▶ 92% of workers agree that the work of the Authority is important in helping to reduce workplace accidents and deaths,</li> <li>▶ 92% agree that effective management of workplace health and safety is an important contributor to business success,</li> <li>▶ 92% agree that the health and safety of employees is taken seriously in their workplace, and</li> <li>▶ 97% of the working population consider themselves to be well-informed regarding health and safety risks in their workplace.</li> </ul> </li> <li>▶ An Agri-Youth farm safety survey aimed at 16-20 year olds living on farms was completed with 454 responses secured. Highlights included that 98% of all respondents work or help on the farm (survey conducted at a time that young persons were not in school); 70% were aged 10 and under when they started helping on the farm and 78% of respondents were helping out daily at the time the survey was taken. The results will be used to inform future engagement on farm safety with young people.</li> </ul>

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Increase visibility and encourage uptake of the Authority's online tools and services, including BeSMART.ie, hsalearning.ie and WorkPositive<sup>CI</sup>.</p>	<ul style="list-style-type: none"> <li>▶ The development of a new platform for BeSMART.ie was initiated.</li> <li>▶ 11,868 registrations were made on BeSMART.ie, bringing the total number to 78,162. June 2020 saw the highest month for registrations to date (2,855) and 2020 was the highest number of new registrations on record. Three new business types were added.</li> <li>▶ The online farm risk assessment tool, farmsafely.com, had a total of 13,227 registered users.</li> <li>▶ 52,644 courses were completed on hsalearning.ie, the highest number on record and a 60% increase on 2019 bringing the total number of courses taken to 159,113.</li> <li>▶ 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 and Facebook was 15,080 and 45,131 respectively.</li> <li>▶ The WorkPositive<sup>CI</sup> tool was promoted in newly developed podcasts and videos through social media. There was 7,000 website visits to landing page <a href="http://www.workpositive.ie">www.workpositive.ie</a>. There were 12 new users of the tool with 945 on-line employee psychosocial surveys completed.</li> <li>▶ Partnered with Irish SME Association (ISME) to promote key occupational business and education supports through events, BISME magazine feature articles and sharing online resources.</li> <li>▶ Provided speakers to 15 events to promote Authority's business and education supports, tools and resources and drafted a range of articles for stakeholder publications.</li> <li>▶ Completed the Massive Open Online Course (MOOC) on Workplace Safety, Health and Welfare Induction in partnership with IT Sligo</li> <li>▶ Redevelopment of the e-learning course on Managing Safety, Health and Welfare in Schools was completed.</li> </ul>

52,644 courses  
were completed on  
hsalearning.ie



STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p><b>Provide information and guidance to enable duty holders to understand the benefits of proactively managing safety, health and chemicals to the highest standards.</b></p>	<ul style="list-style-type: none"> <li>▶ 28,684 inbound contacts were handled via the Authority's Workplace Contact Unit (WCU) covering a range of queries and complaints. This represented a 64% increase on 2019 volumes with most of this increase arising due to the COVID-19 public health pandemic.</li> <li>▶ Guidance on Working from Home for Employers and Employees was developed and launched.</li> <li>▶ Published the 2020 Chemical Agents Code of Practice, which replaced the 2018 Code of Practice for the Chemical Agents Regulations. The 2020 Code of Practice was re-structured to support both the Chemical Agents and Carcinogens Regulations, as amended.</li> <li>▶ Following up from the recommendations from the 2019 Chemical Usage survey, a review, update and simplification of information on the Authority webpages was undertaken.</li> <li>▶ A revised Safe Vehicle Tailboard Goods Lift Operations guidance was published, which provides information and highlights legal responsibilities for the use, maintenance, examination and operation of vehicle tailboard goods lifts (tail lifts).</li> <li>▶ Progressed development of a new draft Code of Practice: Rider-operated industrial trucks, Operator training, which will replace the existing 2001 Rider Operated Lift Truck Code of Practice.</li> <li>▶ The Transport and Vehicle risks portal at <a href="http://www.vehiclesatwork.ie">www.vehiclesatwork.ie</a> was upgraded to provide fast and easy access to information to assist in managing vehicle risks in priority sectors.</li> <li>▶ The first joint HSA, Garda, and RSA Driving for Work webinar was held focusing on commercial HGV fleet risk management. The webinar had 436 registrations and a live attendance of 244, with further afterviews in excess of 500.</li> <li>▶ Speakers were provided for key stakeholder events relating to a range of work related vehicle safety topics for IOSH, IBEC, OPW, EPA and ICTU.</li> <li>▶ New Driving for Work case study published focusing on managing Bus and Coach Fleet risks.</li> <li>▶ New Construction Site Traffic Management Plan (CSTMP) guidance was launched and promoted.</li> <li>▶ Work commenced on reviewing and updating the ADR Guide for business, as well as the guidance on the carriage of asbestos-containing materials by road. Both will be published in 2021.</li> <li>▶ In conjunction with the National Disability Authority, the Authority undertook a review of the guidance on employees with disabilities. Updated guidance will be published in 2021.</li> <li>▶ Presented at the Occupational Hygiene Society of Ireland conference on the standard of occupational hygiene reports.</li> </ul>

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p><b>Provide educational resources to the formal education system and for the workplace.</b></p>	<ul style="list-style-type: none"> <li>▶ 28,217 students participated in the Choose Safety programme (2019/20), the Authority's flagship programme in post-primary schools and further education which was the second highest ever recorded. The programme texts were reviewed and updated and the programme was promoted through social media and through online education forums, and at teacher network/ education events.</li> <li>▶ A national training day for Choose Safety Coordinators took place to promote updates and new features.</li> <li>▶ An online registration system was released to facilitate access to the Choose Safety programme online.</li> <li>▶ A Keep Safe primary schools event took place in Ennis, Co. Clare, attracting over 100 participants and 10 State agencies.</li> <li>▶ Farm Safety resources for primary school children were promoted through Scoilnet to facilitate online teaching and learning.</li> <li>▶ A number of recognised institutions and approved training institutions (Recognised Institutions (RI) /Approved Training Institutions (ATI) developed blended e-learning first aid refresher courses, which were approved by the Pre Hospital Emergency Care Council (PHECC<sup>2</sup>).</li> <li>▶ Provided Agricultural College students with OSH awareness training in the Champions for Change programme prior to farm placement for work experience. This was done together with FBD and ESB.</li> </ul>
<p><b>Increase knowledge and awareness of the dangers from applicable products and hazardous chemicals.</b></p>	<ul style="list-style-type: none"> <li>▶ Awareness was raised through an EU-coordinated enforcement project on the "online sales of chemical products" focusing on the regulatory requirements and the levels of compliance for chemical products sold on the internet through engagement with 40 companies/platforms selling chemicals online.</li> <li>▶ The Authority was notified of serious defects on car lifts used in the national test centres in Ireland. The Authority issued a national safety alert identifying the defect and engaged with the manufacturers of the car lifts and a programme of repair and replacement was subsequently initiated by the relevant duty holders. EU Member States were notified of the defects and a notification was placed on the ICSMS.</li> <li>▶ A market surveillance campaign of chemical products, used in construction related activities, highlighted a lack of awareness among suppliers of these products, for example hardware stores, regarding the requirement to provide a safety data sheet to professional users.</li> <li>▶ An online presentation on asbestos was given to students at National University of Ireland Galway (NUIG)</li> </ul>

2 The Pre Hospital Emergency Care Council (PHECC) is the independent statutory body responsible for standards, education and training in the field of pre-hospital emergency care which the Authority recognises as the relevant body to oversee the provision of first aid training in Ireland. PHECC recognises institutions (Recognised Institutions (RI) and Approved Training Institutions (ATI)) to provide approved Education and Training Standards.



# 3 Strategic Priority

## Accredit

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

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
Develop and implement a national accreditation strategy.	<ul style="list-style-type: none"> <li>▶ Work commenced on the development of the national accreditation strategy with selection of a preferred engagement partner. A detailed project plan and resources are in place to deliver the strategy in 2021.</li> <li>▶ A number of key stakeholder meetings were held throughout 2020 to discuss existing and new areas of accreditation. Meetings were held with Irish Water, the Data Protection Commission, Department of Environment, Communications and Climate, Department of Agriculture, Food and Marine and the State pathologist services.</li> <li>▶ INAB continued to proactively engage with the healthcare sector, specifically with regard to SARs-CoV-19 testing, as well as accreditation of BioBanks. The Medical and Scientific Advisory Committee held one meeting in 2020 and welcomed a number of new members.</li> </ul>
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"> <li>▶ INAB celebrated 35 years providing accreditation in Ireland and launched a promotional brochure highlighting the achievements of accredited clients and the benefits of accreditation to the economy and Irish society.</li> <li>▶ The theme of World Accreditation Day 2020, on 9 June, was 'Accreditation: Improving Food Safety' and was promoted on the INAB website and through social media. A brochure highlighting INAB accreditation supporting food safety was produced to coincide with this event.</li> <li>▶ Two newsletters were issued to provide information on developments in INAB and accreditation.</li> <li>▶ INAB held its biennial assessor forum, bringing together technical experts and assessors to discuss technical and assessment issues.</li> <li>▶ INAB staff presented on the benefits and value of accreditation in a number of forums.</li> </ul>

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Prepare and accredit clients operating in evolving areas, including cyber security, data protection and robotics.</p>	<ul style="list-style-type: none"> <li>▶ Three new schemes for accreditation were developed and approved by the INAB Board. These are accreditation of validation/verification, BioBanks and autopsy services. INAB will finalise these schemes in early 2021 and will then be ready to receive applications.</li> <li>▶ The Accreditation Board met six times in 2020 and made 10 decisions on accreditation. The Manager of INAB made 315 decisions on accreditation in 2020.</li> <li>▶ Fifteen applications from new INAB clients were received in 2020, 135 applications for extension to scope were received from existing accredited clients.</li> <li>▶ 379 assessments were performed in 2020. With the commencement of the COVID-19 pandemic, assessments were completed remotely, using WebEx.</li> <li>▶ In order to continue to meet the demand for accreditation, INAB qualified 32 new assessors.</li> <li>▶ INAB offered accreditation for SARS-CoV-19 testing from May 2020.</li> </ul>
<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"> <li>▶ INAB received four new applications for accreditation directly related to the UK decision to leave the European Union. The INAB Board held six meetings.</li> <li>▶ 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 Brexit events organised by the Authority.</li> <li>▶ As part of the Authority's support to Irish business, a webinar was held on the implications on accreditation arising from the UK departure from the European Union.</li> <li>▶ INAB has supported the national notifying authority function and assisted in co-ordinating a network of Ireland's notifying authorities, including DETE.</li> </ul>
<p>Maintain the international recognition and reputation of INAB and the Irish accreditation services.</p>	<ul style="list-style-type: none"> <li>▶ 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. A number of meetings were cancelled in 2020 but the 13 international meetings attended spanned the entire INAB mandate.</li> <li>▶ An application to extend the multi-lateral signatory status for ISO 17024 (certification of persons) was received by EA in 2020; the evaluation for this standard was deferred to 2021.</li> <li>▶ INAB continued to perform statutory functions as the Good Laboratory Practice (GLP) Monitoring Authority, with two facilities in the programme.</li> <li>▶ INAB Manager was elected to the Executive Board of the European Co-operation for Accreditation (EA), for a two-year term from 2021.</li> </ul>

# 4 Strategic Priority Influence

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

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Co-operate and proactively engage with stakeholders and regulatory bodies to achieve shared aims.</p>	<ul style="list-style-type: none"> <li>▶ Implemented the recommendations following the review of the Farm Safety Partnership Committee in 2019 and re-established a new committee with five task-specific Working Groups.</li> <li>▶ Research into the integrating OSH advice into DAFM-funded Knowledge Transfer Groups was completed and the implementation of findings and recommendations commenced.</li> <li>▶ The Joint Prevention Initiative with Teagasc continued with proactive engagement with its advisory service in the promotion of OSH in farming.</li> <li>▶ SACURIMA, an international network considering the OSH challenges facing EU Agriculture, continued its work and made significant proposals and recommendations at meetings with EU commissioners and MEPs.</li> <li>▶ Participated in the Interdepartmental Group on Remote Working Guidance and Strategy in support of the Government Strategy to encourage remote working in Ireland. As part of this work, Guidance on Working from Home for Employers and Employees was published.</li> <li>▶ Two ergonomic risk assessment webinars were held jointly with the Construction Industry Federation.</li> <li>▶ Participated in all scheduled executive level bimonthly HSA, An Garda Síochána and Road Safety Authority (RSA) meetings to progress work-related road safety strategic actions.</li> <li>▶ Three Work Related Vehicle Safety Consultative panel meetings were organised to progress information sharing and approaches on dealing with work related vehicle risks in a coordinated way. Also continued engagements with colleagues in the RSA and An Garda Síochána.</li> <li>▶ Participated in two meetings of the National Office of Traffic Medicine (NOTM) working group on Medical Fitness to Drive.</li> <li>▶ Participated in two meetings of the Department of Transport Interdepartmental Technical Committee on Motor Vehicles and Connected and Autonomous Vehicles.</li> </ul>

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Present objective research-based proposals to Government to achieve increased funding for the Authority.</p>	<ul style="list-style-type: none"> <li>▶ Further to its lead role in relation to the cross-Government response to the COVID-19 pandemic and in recognition of the long-term need to enhance the occupational health programme, the Authority received an additional pay-grant of €4.2million in Budget 2021. This will be used to create a new occupational health division in 2021 and increase resources in OSH, chemicals and market surveillance.</li> </ul>
<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"> <li>▶ Published the 2019 THOR-ROI report. 110 cases of occupational illness were reported under the health and occupational research network scheme.</li> <li>▶ The Board of the Authority requested the development of a Regulatory Impact Assessment (RIA) to examine the options for reporting cases of COVID-19 attributable to a work activity to the Authority. The RIA will be finalised in early 2021.</li> </ul>
<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"> <li>▶ Under our chemicals and OSH mandates, 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). The majority of EU meeting were attended virtually. See Appendix 3 for the complete list of committees and working groups.</li> <li>▶ Chaired the Advisory Committee on Safety and Health (ACSH) Working Party (WP) on Pandemic – OSH related issues and acted as rapporteur on the Working Parties on Display Screen Equipment and OSH Signs Guidance. Participated also in the WP on workplaces contributing to ongoing development of ACSH Opinions.</li> <li>▶ Participated in the review of the Machinery Directive, together with the Commission, Member States and stakeholders.</li> <li>▶ Presented to the European Machinery Advisory Group on the Authority's follow-up action arising from an EU-wide Safeguard clause issued by the Commission relating to unsafe guarding of bowling alley Equipment.</li> <li>▶ Provided Chair and Vice-Chair roles in the ECHA's Management Board and Forum on Enforcement.</li> <li>▶ Acted as the EU-OSHA National Focal Point and actively promoted the campaign theme of "Healthy Workplaces Lighten the Load".</li> <li>▶ As a member of the main council of the European Transport Safety Council (ETSC), progressed and influenced the work-related road safety agenda. Acted on the editorial board of the EC VeSafe online vehicle risk management resource, coordinated by EU-OSHA.</li> </ul>

STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<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"> <li>▶ Provided advice and support through the Brexit website, newsletters and social media. Received and responded to 87 Brexit-related queries on matters relating to chemicals, accreditation, transportable pressure equipment and industrial products. Most of queries received related to chemicals.</li> <li>▶ In addition to the awareness undertaken across a range of media including TV, radio, print and digital, a series of Brexit webinars (four) were held covering the implications on accreditation, industrial products, transportable pressure equipment and chemicals. All webinars were recorded and made available on the Authority website for those who were not able to attend on the day and to refresh attendees' knowledge of the webinar content.</li> <li>▶ Presented at an IBEC Cosmetic and Detergent Regulatory seminar, the Department of Agriculture, Food and the Marine's seminar and the Health &amp; Safety Review annual conference on the implications of Brexit for Irish companies.</li> </ul>

Received and responded to 87 Brexit-related queries on matters relating to chemicals, accreditation, transportable pressure equipment and industrial products

# 5 Strategic Priority

## How We Work

**Improve the way we work through people, processes and technology**

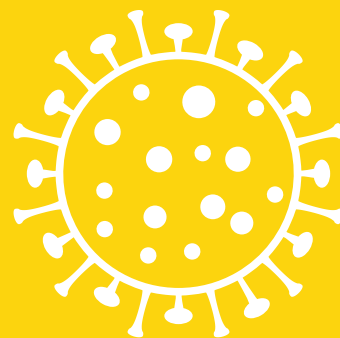
STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
Value, engage and develop staff to strengthen organisational capacity and capability.	<ul style="list-style-type: none"> <li>▶ A comprehensive programme for new inspector training and development was completed.</li> <li>▶ A comprehensive online learning and development programme was also delivered to enhance the technical competence of all staff.</li> <li>▶ In conjunction with the Authority's Wellbeing Committee, a series of online video presentations were developed focusing on the psychosocial aspects of working and living alongside COVID-19.</li> <li>▶ A four-part webinar series was delivered internally to share practical tools and exercises, which helped promote greater levels of stress management and resilience, productivity and focus.</li> <li>▶ An online discussion forum was launched to enhance staff engagement and motivation.</li> </ul>
Adapt our structure, operating model and allocation of resources to target key areas based on evidence, research, analysis and evaluation.	<ul style="list-style-type: none"> <li>▶ Business continuity arrangements were implemented to ensure that, where possible, staff could work from home in line with public health measures, and a series of practical guidance documents were developed to support this.</li> <li>▶ The Authority's programme of work was re-prioritised on an on-going basis, due to COVID-19, to keep in line with Government measures. Internal organisational structures and related allocation of responsibilities and accountabilities were adapted and three discrete national response teams for high-risk sectors in relation to COVID-19 were put in place.</li> <li>▶ Based on business cases submitted by the Authority to the Department of Enterprise, Trade and Employment, an additional allocation of €4.2 million was secured for the Authority's pay provision for 2021 to resource its COVID-19 and Brexit responses along with its broader mandate.</li> </ul>



STRATEGIC GOAL	PROGRESS AND METRICS FOR 2020
<p>Apply the highest standards of governance to the running of the Authority.</p>	<ul style="list-style-type: none"> <li>▶ Maintained compliance with the Code of Practice for the Governance of State Bodies.</li> <li>▶ Completed relevant induction programmes for new Board members upon their appointment.</li> <li>▶ Completed a comprehensive review of the Authority's overall risk management framework, which resulted in a revised risk management policy, and a new approach to the maintenance of the corporate risk register.</li> <li>▶ Completed four internal audit reviews in line with the Authority's three-year internal audit strategy.</li> <li>▶ Handled 190 Freedom of Information (FOI) requests. A marked increase was noted in requests from journalists relating to COVID-19 matters.</li> <li>▶ Completed seven internal FOI reviews, along with three appeals to the Office of the Information Commissioner.</li> <li>▶ Handled five Access to Information on the Environment (AIE) requests and four Data Protection requests.</li> </ul>
<p>Optimise technology and research to improve efficiencies and services.</p>	<ul style="list-style-type: none"> <li>▶ Undertook a comprehensive programme of work to enable the transformation of work practices and processes to support core business operations across key mandates and business areas within the Authority. A new core delivery platform is required to enable this business transformation. 2020 saw a number of enabling works for this project including:               <ul style="list-style-type: none"> <li>▶ an analysis and review of core business processes and existing technologies,</li> <li>▶ a design of future requirements in relation to architecture and technology capabilities, and</li> <li>▶ early market engagement with potential vendors to derive insights as to the solution capability and experience on the market.</li> </ul> </li> <li>▶ The Authority is committed to making every effort to enhancing its energy efficiency and has introduced a number of initiatives in support of the Government target of 33% energy reduction by 2020. From the baseline year of 2009, the Authority has achieved a total energy saving of approximately 30% by early 2020, with final reporting for 2020 yet to be finalised. This achievement reflects the Authority's commitment to reduce its carbon footprint and help to develop a more sustainable work environment for colleagues and the community.</li> </ul>
<p>Challenge our mandate and strategy annually to ensure we adapt to the changing environment.</p>	<ul style="list-style-type: none"> <li>▶ Due to the demands made because of the COVID-19 pandemic, the Executive and the Board kept the Programme of Work and the Strategy Statement under review throughout the year. Refocusing to concentrate on COVID-19 was carefully balanced to minimise disruption insofar as possible to other priorities under Strategy 2019-2021 and the Authority's programme of work 2020.</li> <li>▶ A procurement campaign was initiated to engage external support to develop its Strategy for the period 2022 – 2024. This programme of work will also subject the current Strategy to a formal review, which will contribute to the formulation of the 2022-2024 Strategy.</li> </ul>

# 6

# Specific COVID-19 Deliverables



STRATEGIC GOAL	ACTIONS AND METRICS
<p><b>Regulate</b></p> <p>Increased focus on compliance through risk-based inspection and enforcement.</p>	<ul style="list-style-type: none"> <li>▶ Following publication of the Return to Work Safely Protocol on 9 May 2020, the first phase of the Roadmap for Reopening of Society and Business commenced on 18 May 2020. Since the commencement of Phase 1 of the Roadmap on 18 May 2020, the Authority completed 5,416 onsite COVID-19 inspections where adherence to the Protocol was checked across a wide range of workplaces and industry sectors.</li> <li>▶ Inspections in relation to COVID-19 took place in the Authority's priority sectors – construction and healthcare. Based on public health advice, inspections were also targeted in high-risk sectors in manufacturing (food and meat processing), retail and wholesale.</li> <li>▶ An updated Code of Practice for Biological Agents, which included the addition of SARS-CoV-2, the virus responsible for the disease COVID-19, as a Risk Group 3 biological agent to the schedules of the Code, was published.</li> <li>▶ Following the introduction of the EU recommendation (EU 403 / 2019) to ease the regulatory burden on importers of PPE, the Authority provided significant assistance to suppliers and importers of PPE by reviewing and authorising non CE marked PPE including the issuing of four derogations for manufacturers/suppliers.</li> <li>▶ Issued eight Competent Authority authorisations under the ADR Regulations for COVID-19 related matters including driver training and safety adviser certificates, inspections of equipment and the transport of hand sanitiser.</li> <li>▶ Supported Public Health in their management of outbreaks of COVID-19 across a range of sectors and workplaces. Participated on the National Outbreak Control Team (NOCT) addressing the meat-processing sector and completed follow-up on-site inspections to check that public health recommendations were in place.</li> </ul>



## Specific COVID-19 Deliverables

STRATEGIC GOAL	ACTIONS AND METRICS
<b>Promote</b> Support, educate and raise awareness to prevent accidents, injuries and ill health.	<ul style="list-style-type: none"><li>▶ The Workplace Contact Unit dealt with 9,982 requests for information and 2,457 complaints related to COVID-19 and the Return to Work Safely Protocol and Work Safely Protocol.</li><li>▶ Developed and updated COVID-19 webpages, which hosted a range of advice and guidance to support employers and employees with occupational health and safety advice throughout the pandemic. This included advice and guidance for suppliers of PPE, employers and employees temporarily working from home to resources for managing health and wellbeing.</li><li>▶ Developed a range of checklists, templates, posters including online induction course to the Return to Work Safely (and subsequently the Work Safely) Protocol (65,549 views) and training information on the role of the lead worker representative (25,745 views) were developed for use by employers, workers and worker representatives. There were 408,630 downloads of the COVID-19 checklists and templates resources.</li><li>▶ Translated and published the Employee and Lead Worker Representative checklists and posters in 26 languages to support non-English speaking workers in specific sectors. A further two languages were under development and will be published in early 2021.</li><li>▶ Published and promoted guidance on managing Legionnaires' disease during the pandemic.</li><li>▶ Supported and advised sectors who were developing their own sectoral work safely guidance from the Protocol. Participated in webinars organised by a number of groups, including IBEC, ISME, AmCHAM, PwC, and the Migrants Rights Centre of Ireland.</li><li>▶ Initiated a Regulatory Impact Assessment (RIA) following a request by the Board to examine the options for reporting cases of COVID-19 attributable to a work activity to the Authority.</li></ul>



## Specific COVID-19 Deliverables

STRATEGIC GOAL	ACTIONS AND METRICS
<p><b>Influence</b></p> <p>Partner and collaborate in support of healthy, safe and productive lives and enterprises.</p>	<ul style="list-style-type: none"> <li>▶ As part of the cross-Government response to managing the COVID-19 pandemic, the Authority worked with the Department of An Taoiseach, Department of Enterprise, Trade and Employment (DETE), the Health Services Executive (HSE) and the Department of Health to develop the Return to Work Safely Protocol which was published in May 2020. This work was supported by employer (IBEC, CIF, Chambers Ireland) and employee (ICTU) stakeholder groups from the Labour Employer Economic Forum (LEEF). The Protocol gave guidance to employers and workers on infection prevention and other control measures needed to reduce the spread of COVID-19 in the workplace and allow for the initial reopening of the economy in May.</li> <li>▶ Supported the further update to the Work Safely Protocol in November to take account of additional advice and guidance on preventing the spread of COVID-19 in the workplace.</li> <li>▶ As part of the cross-Government response to checking adherence to the Protocol, Memorandum of Understandings (MoU) were agreed with a range of Government Departments and agencies. These bodies include Environmental Health Service in the HSE; Workplace Relations Commission; Department of Agriculture, Food and the Marine; Department of Education and Skills; Tusla Child and Family Agency; and the Sea Fisheries Protection Authority.</li> <li>▶ Provided on social media channels (video and podcasts) to communicate advice and information on psychosocial issues caused by anxieties in the changing world of work due to the COVID-19 pandemic. Presented to stakeholders (including IBEC, IoD, IPAV) on the psychosocial aspects of working from home under uncertainty.</li> <li>▶ Participated in a range of Public Health-led groups established to address outbreaks in a range of sectors. This included the National Outbreak Control Team (NOCT) established to specifically address outbreaks in the meat-processing sector. Also participated in specific Outbreak Control Teams established by local Departments of Public Health.</li> <li>▶ Participated in the National Standing Oversight Committee (NSOC) established to address outbreaks in specific high-risk sectors (meat/food processing and construction). Chaired the NSOC subgroup on communications, which supported the development of guidance for employers and workers on Management of Outbreaks in the Workplace.</li> <li>▶ Supported the DAFM-led pilot study addressing operational and environmental factors for COVID-19 within a meat processing plant.</li> <li>▶ Supported the inter-agency pilot projects led by HSE South East Community Healthcare to raise awareness of how to avoid the spread of COVID-19 in food processing plants.</li> </ul>



## Specific COVID-19 Deliverables

STRATEGIC GOAL	ACTIONS AND METRICS
<b>Accredit</b> Grow the National Accreditation service to enable and support enterprises and public services.	<ul style="list-style-type: none"><li>▶ INAB offered accreditation for SARS-CoV-19 testing from May 2020 and has received 16 applications to date from existing accredited clients.</li><li>▶ INAB proactively engaged with the HSE with regard to accreditation for SARS-CoV-19 testing and closely monitored and responded to international developments in this activity.</li><li>▶ All planned assessments for accredited clients were completed in 2020, with full assessment teams using remote and online assessment techniques.</li></ul>
<b>How We Work</b> Improve the way we work through people, processes and technology.	<ul style="list-style-type: none"><li>▶ An internal COVID-19 Response Plan was developed to ensure adherence to the Return to Work Safely Protocol. A lead worker representative was appointed and an internal cross-functional group was formed to oversee implementation of the response plan.</li><li>▶ Ongoing and specific COVID-19 induction briefings were provided to all staff.</li><li>▶ Business continuity arrangements were implemented to ensure that, where possible, staff could work from home in line with public health measures, and a series of practical guidance documents were developed to support this.</li><li>▶ A series of online video presentations, webinars and guidance documents were developed and delivered to support staff through the practical and psychosocial aspects of working and living alongside COVID-19.</li></ul>

# Performance Metrics and Indicators – Target v Actual

Key Performance Measures and Indicators	Target	Actual
<b>Enforcement indicators (Strategic Priority - Regulate)</b>		
Number of inspections completed v target	10,410	9,135
Number of investigations completed v target	1,000	1,160
Number of market surveillance interventions of chemical products v target	300	953
Number of market surveillance interventions of industrial products v target	200	54
Number of prosecutions summarily and indictable (% successful)	N/A	13
Fines imposed	N/A	1,327,000

<b>Business support indicators (Strategic Priority - Promote)</b>		
Number of customer centre inbound contacts (phone/email/letter/drop-in)	15,000	28,684
Number of HSA website visitors	1,500,000	3,592,644
Number of publication downloads	400,000	1,157,063
Number of new publications and information sheets	N/A	13
Number of BeSMART.ie users to date (cumulative total)	72,000	78,162
Number of farmsafely.com users (cumulative total)	N/A	13,227
Number of organisations/users implementing WorkPositive <sup>CI</sup>	N/A	12
Number of online courses taken on hslearning.ie (cumulative total)	115,000	159,113
Number students taking <i>Choose Safety</i> education programmes 2019/2020	N/A	28,217
Number REACH information requests processed	N/A	176
Number CLP information requests processed	N/A	106
Number land use planning requests processed	250	312
Public awareness: Agree HSA important in reducing accidents and deaths	85%	92%
Public awareness: Agree health and safety of employees is taken seriously in my workplace	85%	92%
Public awareness: Agree effective management of health and safety contributes to business success	85%	92%
Public awareness: Agree workers very/fairly well informed about health and safety	85%	97%



Key Performance Measures and Indicators	Target	Actual
<b>Legislative development indicators (Strategic Priority - Influence)</b>		
Number legislative proposals sent to DETE	N/A	1
Number codes of practice sent to DETE	N/A	2
Number EU / international committee/working group meetings attended under OSH	N/A	30
Number EU / international committee/working group meetings attended under Chemicals	N/A	72
Number EU / international committee/working group meetings attended under Market Surveillance	N/A	13

<b>Corporate governance indicators (Strategic Priority - How We Work)</b>		
Total number of FOI requests processed	N/A	190
Total number of AiE requests processed	N/A	5
Total number of Data Protection requests processed	N/A	4
Total number of FOI / DP / AiE appeals processed	N/A	3

<b>INAB indicators (Strategic Priority - Accreditation)</b>		
Accreditations awarded by INAB Board	20	10
Accreditation decisions by INAB Manager	200	315
New applications for accreditation received	N	15
Assessment events completed	N	379
International meetings attended by INAB	N	13

<b>Injury data (Strategic Outcomes)</b>		
Number of fatal accidents	N/A	53
Number non-fatal injuries, 4+ days absence (CSO data)	2018 Data available Q1 2021	
Number non-fatal illnesses, 4+ days absence (CSO data)	2018 Data available Q1 2021	

# Priority Sector Highlights 2020

## Construction

**3,641**  
inspections

**355**  
investigations



Items reviewed  
during inspections -  
(% compliance)

- Safe work on fragile roofs – **74%**
- Safe use of ladders – **87%**
- Engineering controls in place to capture dusts at source – **94%**
- Traffic Management plans in place – **91%**
- Earth moving equipment fitted with auxiliary reversing aids – **88%**
- Compliance with Construction Mgt. requirements e.g. Prelim. Safety Plans, PSDP – **92%**

Working at  
Height campaign -

**1,255**  
inspections



## Health and Social Care

**152**  
inspections

**45**  
investigations



Inspections focused  
on the measures in  
place to protect  
healthcare workers  
from the occupational  
risks of COVID-19 in  
the workplace



The total figure for Healthcare  
courses taken on [hsalearning.ie](https://hsalearning.ie)  
during 2020 was

**6,259**



## Agriculture

**836**  
inspections

**61**  
investigations



### Items reviewed during inspections

- ▶ **Animal Handling – 499**  
(340 during intensive campaign)
- ▶ **Tractors and Farm Machinery safety – 390**  
(182 during intensive campaign)
- ▶ **Safe Working at Height – 138**

Re-establishment of the Farm Safety Partnership Advisory Committee and its Working Groups

Livestock Handling campaign completed early in the year and a level of farm inspection maintained

Development and submission of Draft Regulations requiring professional training and essential PPE for operators of All Terrain Vehicles (Quad Bikes)

Engagement with national media and social media on preventing deaths and injury to children during lockdown

Engaged with other agri-stakeholders to prevent dangerous pranks appearing on social media

Worked closely with Minister English and Minister Heydon specifically on farm safety issues



## Transport and Storage (including Docks)

**584**  
inspections

### Inspections focused on:

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



**Review and analysis** of reported vehicle related deaths 2009 - 2019

**A warehouse and storage campaign** to address traffic management and the safety of racking systems



**A joint Driving for Work webinar with the RSA and An Garda Síochána** which had 244 attendee and further afterviews in excess of 500, focusing on commercial HGV fleet risk management



**Upgrade of information portal at [www.vehiclesatwork.ie](http://www.vehiclesatwork.ie) and multimedia campaigns on transport operations and vehicle risks**

**Joint Inspection programme with An Garda Síochána** to check how safely loads are secured for transport



## Chemicals

**1,537**

inspections

**88**

investigations



COMAH **376**

Market Surveillance **153**



Carriage of dangerous Goods by road **563**

Chemical Agents, Asbestos **445**



**953**

chemical products checked. 84 carcinogens, 23 mutagens, 82 reprotoxins and 168 skin or respiratory sensitisers

**67**

EU RAPEX alerts related to restricted chemicals (chromium VI in leather articles, nickel in spectacle frames and jewellery, cadmium and lead in jewellery and textiles) were checked and 26 non-compliant products identified on the Irish market were removed by suppliers



# Business and Stakeholder Support and Advice

BeSMART.ie

**78,162** total users

**11,868** new users in 2020

**11** new/updated risk assessments

**3** New Business Types

- ▶ Yoga Studio
- ▶ Pilates Studio
- ▶ Craniosacral Therapy



**Completed  
Safety  
Statements**

**415** Agribusiness

**4,285** Construction

**9,204** Other Business

**684** Construction Safety & Health plan



## Key Milestones

- ▶ Highest uptake ever in June with **2,855** registrations
- ▶ 19% increase in registrations over 2019
- ▶ **Top 5 Business Types**
  - General Builder 938
  - Bar / Public House 616
  - Hair Salon 594
  - Project Supervisor Construction Stage 514
  - Beauty Salon 473
- ▶ **Number of Business Types** 330
- ▶ **Number of Hazards** 522
- ▶ **Hazards Risk Assessed** 267,745

**hsalearning.ie**  
HSA Online Courses®



**33** courses

**52,644**

Courses taken in 2020

**159,113**

Total courses

## Top 5 courses taken

1	Get Safe - Work Safe: for students starting work	<b>5,912</b>
2	Slips, Trips and Falls in the Workplace	<b>3,206</b>
3	Chemical Safety in the Workplace (Introductory)	<b>2,676</b>
4	An introduction to Tractor Safety	<b>2,528</b>
5	Your Safety, Health and Welfare in Healthcare	<b>2,075</b>

## NEW

Three new online courses were developed:

1. Return to Work Safety Induction
2. Lead Worker Representative
3. Workplace Health and Safety Induction' MOOC (in collaboration with IT Sligo)

## CHOOSE SAFETY

**28,217**

Participants in 2019/2020 getting workplace ready



## WorkPositive<sup>CI</sup>

12 new users of WorkPositive<sup>CI</sup> covering 945 individual employee surveys

# **Appendix 1:**

## **Extracts from the Unaudited Financial Statements of the Health and Safety Authority for the Year Ended 31 December 2020**



# Introduction

## Statement of Responsibilities of the Board

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 31 December each year. The financial statements must be in such form as may be approved by the Minister for Enterprise, Trade and Employment with the concurrence of the Minister for Finance. In preparing those financial statements, the Authority is required to:

- ▶ select suitable accounting policies and then apply them consistently,
- ▶ make judgements and estimates that are reasonable and prudent,
- ▶ prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Authority will continue in operation, 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 31 December 2020 have been prepared and were considered by the Board at its meeting held on 5 March 2021. The draft Financial Statements for 2020 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 has appointed Mazars Ireland to undertake the external audit on their behalf. 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 following documentation together with a full set of explanatory notes:

- ▶ Statement on Internal Control
- ▶ Statement of Authority Responsibilities
- ▶ Statement of Accounting Policies
- ▶ Statement of Income and Expenditure and Retained Revenue Reserves
- ▶ Statement of Financial position as at 31 December 2020
- ▶ 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 an external service provider. 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

<b>Members of the Board</b>	Mr. Tom Coughlan (Chairperson)	Reappointed on 12/04/2020
	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. Deirdre Cullivan	Reappointed on 12/03/2020
	Mr Ciarán Roche	Appointed on 11/08/2020
	Ms. Bríd De Buítléar	Appointed on 11/08/2020
	Ms. Mary Coyne	Appointed on 11/08/2020
	Mr. Stephen Curran	Reappointed on 12/09/2020

<b>Chief Executive</b>	Dr. Sharon McGuinness
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<b>Head Office</b>	Health and Safety Authority The Metropolitan Building James Joyce Street Dublin 1 D01 K0Y8
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<b>Auditor</b>	Comptroller and Auditor General 3A Mayor Street Upper Dublin 1 D01 PF72
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<b>Accountants</b>	Crowleys DFK 5 Lapps Quay Cork T12 RW7D
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<b>Internal Auditors</b>	Deloitte Deloitte & Touche House 29 Earlsfort Terrace Dublin 2 D02 AY28
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<b>Solicitor</b>	Mason Hayes and Curran South Bank House Barrow Street Dublin 4 D04 TR29
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<b>Bank</b>	Bank of Ireland Baggot Street Lower Dublin 2 D02 Y754
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# Governance Statement and Board Members' Report

## Governance

The Board of the Health and Safety Authority was established on 1 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 Enterprise, Trade and Employment, 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 Enterprise, Trade and Employment 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 31 December 2020.

## Board Structure

The Board consists of a Chairperson, Deputy Chairperson and 10 ordinary members, all of whom are appointed by the Minister for Enterprise, Trade and Employment. 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	Reappointed on 12/04/2020
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. Deirdre Cullivan		Reappointed on 12/03/2020
Mr. Ciarán Roche		Appointed on 11/08/2020
Ms. Bríd De Buítléar		Appointed on 11/08/2020
Ms. Mary Coyne		Appointed on 11/08/2020
Mr. Stephen Curran		Reappointed on 12/09/2020

## The Board has established four (4) Committees, as follows:

### 1. Audit, Risk and Finance Committee:

comprises four Board members. This is a new Committee and was established by the Board in September 2020 and encompasses the work of both the previous Audit and Risk and Finance Committees. The role of the Audit, Risk and Finance Committee (ARF) is to support the Board in relation to its responsibilities for issues of financial probity, monitor and review the financial policies and strategies, risk management, control and governance and associated assurance. The ARF 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 ARF reports to the Board after each meeting, and formally in writing annually.

The members of the Audit and Risk Committee during 2020 were: Deirdre Cullivan (Chairperson), Mary Coyne, David Hughes and Paul Kelly. There were five (5) meetings of the ARFC held from September 2020 to the end of the year. All meetings were held remotely.

### 2. Strategic Steering Committee:

comprises five Board members and the Chief Executive. The role of the Strategic Steering Committee 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 Committee during 2020 were: Tom Coughlan (Chairperson), Bríd de Buítléar, Stephen Curran, Paul Kelly, Michelle Quinn and Dr. Sharon McGuinness. There was one (1) meeting of the Strategic Steering Committee during 2020.

**3. 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 2020 were: Andrew Bowers (Chairperson), Ciarán Roche, Frank Kelly, Michelle Quinn and Deirdre MacDonald. There were two (2) meetings of the Legislation and Guidance Committee in 2020.

**4. 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 six (6) occasions during 2020.

### 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 & Finance Committee	Strategy Steering Committee	L&G Committee	Fees 2020 €	Expenses 2020 €
<b>Number of meetings</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>3</b>		
Mr. Tom Coughlan	8		1		11,970	4,462
Ms. Michelle Quinn	8		1	2	7,695	-
Ms. Bríd De Buitléar	8		1		3,848	-
Ms. Mary Coyne	8	5			3,848	283
Mr. Andrew Bowers	7			2	7,695	-
Mr. David Hughes	8	4			7,695	-
Mr. Frank Kelly	8			2	7,695	-
Mr. Paul Kelly	8	4	1		7,695	-
Ms. Deirdre MacDonald	6			2	7,695	-
Mr. Ciarán Roche	6			2	3,848	-
Ms. Deirdre Cullivan	8	5			7,695	-
Mr. Stephen Curran	8		1		-	-
					<b>77,379</b>	<b>4,745</b>

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

#### Key Personnel Changes

During the year, there were three new appointments to the Board and there were three members reappointed to the Board. In accordance with the provisions of the Safety, Health and Welfare at Work Act, 2005 the Minister for Enterprise, Trade and Employment appointed the new members.

#### 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.

	2020 €	2019 €
Legal advice	59,783	55,631
Financial/actuarial advice	83,812	60,145
IT Consultancy	938,448	5,708
External Communications	53,680	53,140
Occupational health consultancy	2,670	36,194
Strategy development	41,600	71,958
Human Resources	37,065	26,720
<b>Total consultancy costs</b>	<b>1,217,058</b>	<b>309,496</b>

### Consultancy costs capitalised

	-	-
Consultancy costs charged to the Income and Expenditure and Retained Revenue Reserves	1,217,058	309,496
<b>Total</b>	<b>1,217,058</b>	<b>309,496</b>

### 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.

	2020 €	2019 €
Legal fees - legal proceedings	47,457	75,846
Conciliation and arbitration payments	-	-
Settlements	-	75,000
<b>Total</b>	<b>47,457</b>	<b>150,846</b>

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:

	2020 €	2019 €
<b>Domestic</b>		
Board	4,745	5,819
Employees	475,569	893,791
<b>International</b>		
Board	-	534
Employees	23,377	183,778
<b>Total</b>	<b>503,691</b>	<b>1,083,922</b>

Includes travel and subsistence of €4,745 paid directly to Board members in 2020 (2019: €6,353). There was no travel and subsistence expenditure paid by the Health & Safety Authority on behalf of the Board members in 2020 (2019: €1,818).

## Hospitality Expenditure

The Income and Expenditure Account includes the following hospitality expenditure:

	2020 €	2019 €
Staff hospitality	3,748	5,561
Client hospitality	-	-
<b>Total</b>	<b>3,748</b>	<b>5,561</b>

## 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 substantially in compliance with the Code of Practice for the Governance of State Bodies for 2020.

# 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 system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform has been in place in the Health and Safety Authority for the year ended 31 December 2020 and up to the date of approval of the financial statements.

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.

## Impact of COVID-19 pandemic to the Control

The onset of the COVID-19 pandemic in early 2020, and the resulting public health advice and safety measures, rapidly and fundamentally changed the working practices of the Authority with remote and virtual working becoming the norm for most the Authority's staff.

The Authority has monitored the developments closely, looking to mitigate the risks that may affect the Authority's business operations, staff, and stakeholders. Actions taken by the Authority includes the following:

- ▶ Initiate the Authority's Business as Usual (BAU) model and transition the Authority's business operations to a remote working environment where most business processes can continue as normal.
- ▶ Continual assessment of significant risks pertaining to the COVID-19 pandemic and the agility of the Authority to respond effectively.
- ▶ Ensuring robust segregation of duties remains and adequate cover is in place should specific approving authorities be unavailable.
- ▶ Ensuring all existing data protection and records management policies and procedures continue to apply in the remote working environment and are monitored and reported on as normal.
- ▶ Ensuring that staff members access Authority's network using Authority's approved ICT equipment and that all staff members working remotely have been equipped with the necessary ICT equipment.
- ▶ Assess potential for weaknesses in internal controls resulting from COVID-19 and took measures to monitor and update internal controls where necessary.

## 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, Risk and Finance Committee which was established by the Board in September 2020, and met five times between then and the end of the year, 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:

- ▶ Procedures for all key business processes have been documented.
- ▶ Financial responsibilities have been assigned at management level with corresponding accountability.
- ▶ There is an appropriate budgeting system with an annual budget which is kept under review by senior management.
- ▶ There are systems aimed at ensuring the security of the information and communication technology systems, to safeguard the assets.

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 2020 the Health and Safety Authority substantially complied with those procedures.

However, as a direct result of the COVID-19 pandemic, the Authority was urgently required to source a range of PPE beyond its usual requirements. Owing to the nature of the pandemic, there were significant supply change issues and challenges faced by the Authority in sourcing PPE of an appropriate standard and in sufficient quantities. In a limited number of cases, it was not possible to fully comply with the public procurement guidelines and where this occurred there was a compelling business case to justify the expenditure and the Authority believes that value for money was achieved in all cases.

## 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.

To inform its review of the effectiveness of the system of internal control the Board considered annual reports from the Executive on risk management and safety management processes along with a suite of financial reports, and an annual report of compliance with the Code of Practice for the Governance of State Bodies. These reports were considered alongside an annual report of the Audit, Risk and Finance Committee and regular reports from the Internal Auditor. A review of internal financial controls will be undertaken by the Internal Auditors in early 2021.

I confirm that the Board conducted an annual review of the effectiveness of internal controls in 2020. 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 31 December 2020 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 2020 that require disclosure in the financial statements.

# Statement of Income and Expenditure and Retained Revenue Reserves

for the year ended 31 December 2020

	Year Ended 31 December 2020 €	Year Ended 31 December 2019 €
<b>Income</b>		
Department of Business, Enterprise and Innovation - Oireachtas Grant	17,937,053	19,241,976
Accreditation Income	2,852,810	2,918,694
COMAH Income	106,100	150,139
Other Income	220,062	188,695
Transfer (to)/from Capital Account	47,349	157,064
Deferred retirement benefit funding	-	4,108,000
	21,163,374	26,764,568
<b>Expenditure</b>		
Salaries Costs	12,473,351	11,738,435
Retirement Benefit Costs	1,302,271	5,477,702
Operational Expenses	8,382,827	8,607,251
	22,158,449	25,823,388
<b>Surplus/(Deficit) for the year</b>	<b>(995,075)</b>	<b>941,180</b>
Balance Brought Forward at 1 January	2,145,214	1,204,034
Balance Carried Forward at 31 December	1,150,139	2,145,214

# Statement of Comprehensive Income

for the year ended 31 December 2020

	Year Ended 31 December 2020 €	Year Ended 31 December 2019 €
Deficit for the year	(995,075)	941,180
Experience gain/loss on retirement benefit obligations	-	(1,846,000)
Change in assumptions underlying the present value of retirement benefit obligations	-	11,987,000
Actuarial (gains)/losses in the year	-	10,141,000
Adjustment to deferred retirement benefit funding	-	(10,141,000)
<b>Total Comprehensive Income for the year</b>	<b>(995,075)</b>	<b>941,180</b>



# Statement of Financial Position

For the year ended 31 December 2020

	Year Ended 31 December 2020 €	Year Ended 31 December 2019 €
<b>Fixed Assets</b>		
Property, plant & equipment	707,835	755,184
<b>Current Assets</b>		
Receivables	910,386	993,873
Cash and cash equivalents	1,121,531	1,851,832
	2,031,917	2,845,705
<b>Current Liabilities (amounts due within one year)</b>		
Payables	(881,778)	(700,491)
Net Current Assets	1,150,139	2,145,214
<b>Total Assets Less Current Liabilities before Retirement Benefits</b>	<b>1,857,974</b>	<b>2,900,398</b>
Deferred retirement benefit funding asset	-	117,084,000
Retirement benefit obligation	-	(117,084,000)
<b>Total Net Assets</b>	<b>1,857,974</b>	<b>2,900,398</b>
<b>Representing</b>		
Retained revenue reserves	1,150,139	2,145,214
Capital account	707,835	755,184
	<b>1,857,974</b>	<b>2,900,398</b>

# Statement of Cash Flows

for the year ended 31 December 2020

	Year Ended 31 December 2020 €	Year Ended 31 December 2019 €
Operating surplus/(deficit) for year	(995,075)	941,180
Depreciation	229,418	239,831
Transfer (from)/to Capital reserve	(47,349)	(157,064)
(Decrease)/Increase in payables	181,287	7,018
(Increase)/Decrease in receivables	83,487	(171,908)
<b>Net cash inflow from operating activities</b>	<b>(548,232)</b>	<b>859,057</b>
<b>Cash Flows from Investing Activities</b>		
Net Cash Flows from Financing Activities	(548,232)	859,057
Payments to acquire property, plant and equipment	(182,069)	(82,767)
<b>Net Increase in Cash and Cash Equivalents</b>	<b>(730,301)</b>	<b>776,290</b>
Cash and Cash Equivalents at 31 December 2019	1,851,832	1,075,542
<b>Cash and Cash Equivalents at 31 December 2020</b>	<b>1,121,531</b>	<b>1,851,832</b>

# 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 31 December 2020 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 Enterprise, Trade and Employment 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 Enterprise, Trade and Employment (DETE) 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
Software Development	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 Enterprise, Trade and Employment (DETE) 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 1 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 DETE 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 DETE.

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 2020 €	Year Ended 31 December 2019 €
D/BEI - Vote 32 - Subhead C5	18,122,000	19,297,000
Employee Pension Contributions remitted to D/ETE	(98,816)	-
Single Scheme Contributions remitted to D/PER	(86,131)	(55,024)
	<b>17,937,053</b>	<b>19,241,976</b>

## 3. ACCREDITATION INCOME

	Year Ended 31 December 2020 €	Year Ended 31 December 2019 €
Accreditation income	2,852,810	2,918,694

Following the dissolution of Forfas 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 2020 €	Year Ended 31 December 2019 €
COMAH income	106,100	150,139

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 2020 €	Year Ended 31 December 2019 €
Driver Training Course Income	50,000	100,000
ADR Fines	11,790	8,500
Sale of Authority's Publications	-	535
ECHA Income	30,704	16,528
Miscellaneous (Seminars, Legal, Witness Expenses, EU Commission)	127,568	63,132
	<b>220,062</b>	<b>188,695</b>

ADR fines income relates to fines issued by inspectors for the breaching of legislation in relation to the carrying of dangerous goods.

ECHA Income relates to the engagement of the Authority's inspectors to carry out work for the European Chemicals Agency.

## 6. SALARY COSTS

	Year Ended 31 December 2020 €	Year Ended 31 December 2019 €
Staff short-term benefits	11,420,186	10,764,874
Employer PRSI	1,053,165	973,561
<b>Total Salary Costs</b>	<b>12,473,351</b>	<b>11,738,435</b>

### Staff Short-Term Benefits

Basic Pay	11,361,283	10,683,123
Overtime	23,967	42,243
Allowances	34,936	39,508
	<b>11,420,186</b>	<b>10,764,874</b>

The Authority can confirm that there was one termination payment paid during the year 2020.

	Year Ended 31 December 2020 €	Year Ended 31 December 2019 €
<b>Staff Numbers</b>		
Actual Staffing Levels at year end – Professional/technical	131.9	129.2
Actual Staffing Levels at year end – Administration	52.8	45.3
	<b>184.7</b>	<b>174.5</b>

€475,435 (2019: €508,939) of pension levy has been deducted from staff and paid over to the Department of Enterprise, Trade and Employment.

	Year Ended 31 December 2020 €	Year Ended 31 December 2019 €
<b>CEO Remuneration</b>		
Chief Executive Officer (CEO) Remuneration (Dr. Sharon McGuinness) Gross Pay	147,778	140,973

#### CEO Travel & Subsistence (T&S)

Chief Executive Officer (CEO) Travel Costs (Dr. Sharon McGuinness)	3,373	14,120
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The Chief Executive Officer received a salary of €147,778 and expenses to the value of €3,373 in 2020.

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	2020	2019
€60,000	- €69,999	55	41
€70,000	- €79,999	26	34
€80,000	- €89,999	16	11
€90,000	- €99,999	3	3
€100,000	- €109,999	8	7
€110,000	- €119,999	0	0
€120,000	- €149,999	1	1
<b>Total</b>		<b>109</b>	<b>97</b>

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**

Board Member	2020	2020	2019	2019
	Fees	Expenses	Fees	Expenses
	€	€	€	€
Ms. Carol Bolger	-	-	7,695	-
Mr. Andrew Bowers	7,695	-	7,695	-
Mr. Dermot Carey	-	-	7,695	416
Mr. Tom Coughlan (Chairman)	11,970	4,462	11,970	4,614
Mr. Stephen Curran (DETE)	-	-	-	193
Mrs. Deirdre Cullivan	7,695	-	7,695	931
Dr. Michael Gillen	-	-	7,695	-
Mr. Pat Kenny	-	-	7,695	-
Mr. John McCartney	-	-	7,695	199
Ms. Mary Coyne	3,848	283	-	-
Mr David Hughes	7,695	-	-	-
Mr. Paul Kelly	7,695	-	-	-
Ms. Michelle Quinn	7,695	-	-	-
Mr. Frank Kelly	7,695	-	-	-
Ms. Deirdre MacDonald	7,695	-	-	-
Professor James Phelan	-	-	7,695	-
Ms. Christine Rowland	-	-	7,695	-
Mr. Frank Vaughan	-	-	7,695	-
Ms. Bríd De Buitléar	3,848	-	-	-
Mr. Ciarán Roche	3,848	-	-	-
	<b>77,379</b>	<b>4,745</b>	<b>88,920</b>	<b>6,353</b>

**8. OPERATIONAL EXPENSES**

	Total 2020 €	Total 2019 €
Accommodation	1,628,983	1,729,713
Communications costs	167,181	303,723
Travel & subsistence – national	480,906	899,610
Travel & subsistence – international	29,849	184,312
Publications & marketing	917,169	1,314,514
Legal services	103,240	204,871
Research	74,680	79,832
Financial services	398,309	280,761
Pensions and human resources	17,771	16,519
Other consultancy	360,465	240,011
Accreditation – external assessor costs (note 3)	709,813	910,137
Business process review	613,586	518,692
Staffing costs	557,146	432,053
General equipment supplies	170,866	272,401
Investment in learning	153,238	226,742
Technology costs	1,610,738	506,856
Depreciation	232,272	239,831
Internal audit fees	27,894	40,485
External audit fees	19,000	17,000
Members' fees	77,378	88,920
Other	32,343	94,561
Bad Debts	-	5,707
	<b>8,382,827</b>	<b>8,607,251</b>

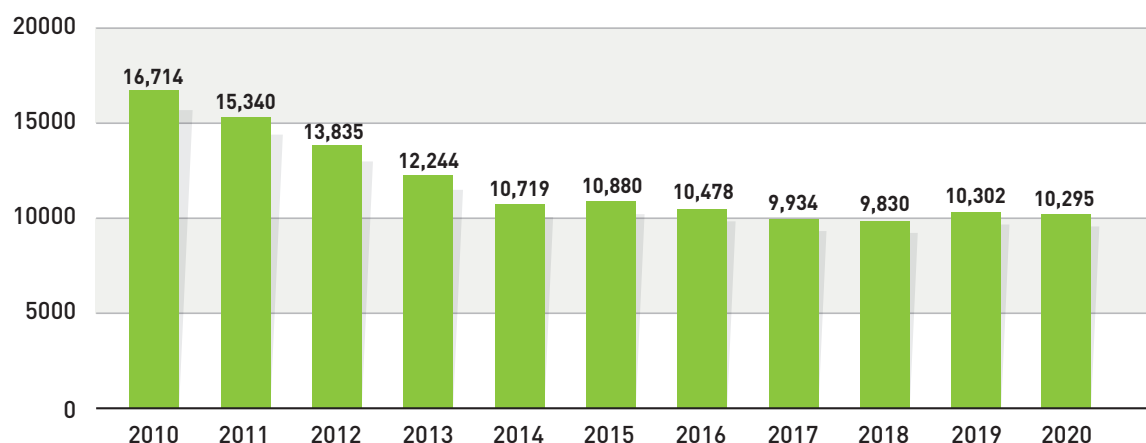
Included in operational expenses is a charge of €3,748 (2019: €5,561) in respect of amounts paid by the Authority for staff hospitality.

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

# Appendix 2:

## Inspections, Investigations and Prosecutions 2020

**Table 2.1** Number of workplace inspections and investigations 2010–2020



**Table 2.2** Workplace inspections and investigations by economic sector and enforcement action 2020

Economic sector	Inspections and investigations <sup>1</sup>	Fixed payment notices (fines)	Improvement notice or direction	Prohibition notice	Written advice
Agriculture, forestry and fishing	897	0	32	35	446
Mining and quarrying	114	0	1	1	66
Manufacturing	1,239	0	31	22	846
Water supply, sewerage, waste management and remediation activities	145	0	9	6	88
Construction	3,996	0	69	231	2,191
Wholesale and retail trade, repair of motor vehicles and motorcycles	2,201	0	47	14	1,445
Transportation and storage	614	32	17	5	442
Accommodation and food service activities	222	0	5	2	124
Human health and social work activities	197	0	1	0	140
Other sectors	670	0	19	4	319
<b>Total</b>	<b>10,295</b>	<b>32</b>	<b>231</b>	<b>320</b>	<b>6,107</b>

<sup>1</sup> Includes workplace inspections and investigations carried out under OSH and chemicals legislation.

**Table 2.3** OSH and chemical investigation programme 2020

<b>Complaint investigations</b>	Issues raised with the Authority were prioritised as complaints or matters of concern. Complaints covered both occupational safety and health items, as well as COVID-19 Public Health Management compliance. These were typically addressed with the duty holder and, where necessary, assigned to the inspectorate for investigation. Issues of concern may direct individual workplace inspections.	<b>932</b>
<b>Accident investigations</b>	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.	<b>228</b>
<b>Total</b>		<b>1,160</b>

**Table 2.4** COVID-19 Management in 2020

<b>COVID-19 and Work Safely Protocol workplace inspections carried out</b>	<b>Inspection Findings – Adherence to Return to Work Safely and Work Safely Protocols</b>	
	<b>Number of inspections across all sectors</b>	<b>5,416</b>
	▶ Are COVID-19 Control Measures in Place?	92% adherence
	▶ Has a COVID-19 Response Plan been prepared?	78% adherence
	▶ Have employees received COVID-19 Induction Training?	88% adherence
	▶ Has a COVID-19 Lead Worker Representative been appointed?	71% adherence

**Table 2.5** Outcome of prosecutions completed in 2020

Proceeding type	Total heard	Dismissal/ charges struck out	Under appeal	Suspended sentence	Community service	Probation Act	Compensation Order	Fines
On indictment	9	1	0	0	0	0	1	€1,306,000
Summarily	4	0	0	0	0	0	0	€21,000
<b>Total</b>	<b>13</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>€180,000</b>	<b>€1,327,000</b>

**Table 2.5** Details of prosecutions completed in 2020 (excluding dismissed cases)

## Summary cases

### Prosecution of an individual

On **9 January 2020**, this case was heard in Nenagh District Court. The accused pleaded guilty to one charge. On 21 January 2018, at the premises of the accused, being a place of work, an individual (not being an employee of the accused) suffered personal injury and died, when the accused drove a tractor with a rotavator/harrow attached while the said individual was standing on the moving rotavator/harrow.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 12 contrary to 77(9)	Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	€2,000

### Halcox Limited

On **14 January 2020**, this case was heard in the Four Courts (Dublin District Court). The accused pleaded guilty to two charges. On 9 June 2018, on a construction site, the injured party suffered personal injury when he was struck on the chin by a piece of reinforcement bar, which was being moved by an excavator.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)e	Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	€5,000
Section 8(2)e as it relates to 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	€5,000

### Prosecution of an individual

On **11 June 2020**, this case was heard in Nenagh District Court. The accused pleaded guilty to three charges. On 27 September 2018, an employee was struck by the stem of an unrooted tree, which pierced the cab of the excavator they were operating, as a consequence of which they suffered serious personal injuries and died.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Regulation 25 (1)(b), Contrary to Section 77(2)	SHWW (Construction) Regulations 2013	Pleaded Guilty	€2,500
Regulation 25 (1)(a), Contrary to Section 77(2)	SHWW (Construction) Regulations 2013	Pleaded Guilty	€2,500
Section 19, Contrary to Section 77(2)	Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	€2,500

### Prosecution of an individual

On **2 July 2020**, this case was heard in Carlow District Court, Co. Carlow. The accused pleaded guilty to one charge. On 23 November 2018, when working on roof of a new dairy unit on a farm, an employee suffered personal injury when they fell from a height.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Regulation 6 (1) (b) contrary to Section 77 (2) (c)	SHWW (Construction) Regulations 2013	Guilty plea	€1,500



### Appeal Against Sentence

In a case heard on **11 April 2019** at Gorey District Court, Co Wexford which arose from a fatal accident on 16 November 2016 when an employee was lost overboard from a fishing vessel the following sentence was handed down.

CONTRAVENTION	LEGISLATION	VERDICT	FINE	SENTENCE
Section 11(1)(C)(2) contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Guilty plea	None	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/ Probation Act	None	6 months, 2 months suspended- (to run concurrently with first sentence)

An **appeal** against the severity of the sentence was heard on 14 February 2020, in Wexford Circuit Court, in front of Judge O'Donoghue. The Judge removed the custodial sentence and instead ordered that the employer pay €300 to RNLI.

## Indictment cases

### McAleer and Rushe Contracts UK Limited

On **9 March 2020**, this case was heard in Dublin Circuit Criminal Court. McAleer and Rushe Contracts UK Limited pleaded guilty to one charge. On 23 June 2016 at the courtyard access area of the construction project at Findlater House, Cathal Brugha Street (Findlater Place) Dublin 1, McAleer and Rushe Contracts UK Limited, being an employer within the meaning of the Safety, Health and Welfare at Work Act 2005, did undertake work at the said premises which would or would be liable to expose their employees to dust arising from either or both asbestos or materials containing asbestos in circumstances where it had failed to carry out a risk assessment as to whether asbestos or materials containing asbestos were present or liable to be present in the said premises.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Regulation 7(a) contrary to Section 77(2)(c)	Safety, Health and Welfare at Work (Exposure to Asbestos Regulations) 2006 and 2010  Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	€100,000

**Prosecution of an individual**

On **19 June 2020**, this case was heard in Monaghan Circuit Court (sitting in Cavan). The accused pleaded guilty to one charge. On 12 August 2016, the accused, an employer, failed to provide a safe and appropriate system of work in relation to the erection and dismantling of shuttering pans and associated appliances for construction work, as a consequence of which an employee suffered personal injuries and died.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(e) contrary to 77(9)	Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	€25,000

**JP Murphy Bros Farm and Industrial Building Limited**

On **9 July 2020**, this case was heard before Wexford Circuit Court (sitting in Kilkenny). JP Murphy Bros Farm and Industrial Building Limited pleaded guilty to one charge. On 26 January 2015, an employee of JP Murphy Bros Farm and industrial Building Limited suffered serious personal injuries when he fell six metres whilst removing fixings on corrugated roof panels on an agricultural building.

CONTRAVENTION	LEGISLATION	VERDICT	PENALTY
Section 8(2)(e) contrary to 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	Compensation Order in the sum of €180,000 pursuant to Section 6 of the Criminal Justice Act 1993.

**Key Waste Management Limited**

On **30 October 2020**, this case was heard before Dublin Circuit Criminal Court. The accused pleaded guilty to one charge. On 18 March 2016, at Greenhills Road, Walkinstown, Dublin 12, Key Waste Management Limited failed to provide a safe system of work in relation to the processing of waste in a shed, where there was no segregation of pedestrian workers from the operational telehandler machine during processes involving the sorting of waste, as a consequence of which an employee suffered personal injuries and died.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(e) contrary to 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty Plea	€60,000

**Axial Properties Limited**

On **20 November 2020**, this case was heard before Trim Circuit Court. Axial Properties Limited pleaded guilty to two charges. On 3 March 2014 at Unit 9 Bracetown Business Park, Clonee, Co. Meath, the roof of the said premises was an unsafe place of work, specifically that the roof of the said premises was a fragile roof as a consequence of which a contractor fell through the roof of the said premises and sustained serious personal injuries. Axial Properties Limited also failed to carry out a risk assessment in relation to the hazards of working on a fragile roof.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 15(3) contrary to 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Guilty Plea	€60,000
Section 19(5) contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty Plea	€20,000

**Prosecution of an Individual**

On **17 November 2020**, this case was heard before Cork Circuit Criminal Court. The accused pleaded guilty to one charge. On 28 September 2017, an employee suffered personal injury and died when the accused, an employer, did fail to provide a system of work in relation to the drainage works being carried out to include the laying of pipes in an excavation, that was planned, organised, performed, maintained and revised as appropriate so as to be, so far as is reasonably practicable, safe and without risk to health and in particular in respect to preventing the collapse of the sides of the excavation on an employee working in the excavation, by way of battering or stepping the sides of the excavation or the installation of an earthwork support system.

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

**Prosecution of an Individual**

On **17 November 2020**, this case was heard before Cork Circuit Criminal Court. The accused pleaded guilty to one charge. On 28 September 2017, the accused failed to manage and conduct their undertaking in such a way as to ensure, so far as was reasonably practicable, that in the course of the work being carried on, individuals at the place of work (not being employees of the accused) were not exposed to risks to their safety, health and welfare and in particular an excavation dug by the accused at the place of work was unsafe and unstable; specifically that no measures were taken to prevent the collapse of the sides of the excavation on persons working in the excavation, by way of battering or stepping the sides of the excavation or the installation of an earthwork support system in the excavation.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 12 contrary to Section 77(2)(a)	Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	€1,000

**Doyle Shipping  
Group Unlimited  
Company**

On **9 December 2020**, this case was heard before Dublin Circuit Criminal Court. Doyle Shipping Group Unlimited Company pleaded guilty to one charge. On 6 June 2018, an employee of Doyle Shipping Group Unlimited Company suffered personal injury and died during the course of dismantling and removal of stanchions attached to the platform of the hopper at McKearns Yard, Ocean Pier, Alexandra Road, Dublin.

CONTRAVENTION	LEGISLATION	VERDICT	FINE
Section 8(2)(a) contrary to Section 77(9)(a)	Safety, Health and Welfare at Work Act 2005	Pleaded Guilty	€850,000*

**\* Note:** Severity of sentence under appeal

# Appendix 3:

## EU and International Representation 2020

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 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 DETE. The list provided below is not exhaustive but covers the main committees and working groups attended in 2020.

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
Member State Committee on REACH
ECHA Forum on Enforcement of REACH, CLP and the Rotterdam Regulation
ECHA Expert Group on Endocrine Disruptors
ECHA Expert Group on Persistent, Bioaccumulative and Toxic substances (PBTs)
ECHA HelpNet Steering Group for MS Helpdesks
Detergents Working Group
Designated National Authority Committee for the Rotterdam Regulation
Central Competent Authority for Seveso
Risk Management and Evaluation RIME+ (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 Vesafe Editorial Board
EU-OSHA Communication Partnership Working Group
EU Working Party on Workplaces
EU Working Party on DSE
EU Working Party Pandemic – OSH Related Issues
EU Committee on the Transport of Dangerous Goods

EU Expert Group on the Transport of Dangerous Goods
Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods
European Transport Safety Council – Work Related Road Safety
EU Transportable Pressure Equipment Administrative Cooperation Group
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
European Transport Safety Council (ETSC)
SACURIMA Cost Action Group on Agriculture
Senior Labour Inspectors Committee (SLIC)
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 group on the internal market for products (IMP)
EU Seveso Committee of Competent authorities
Commission Expert Group on the control of major accident hazards involving dangerous substances ("Seveso Expert Group")

# Appendix 4:

## Legislation and Guidance 2020

### Legislation

SI No 2 of 2020: Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2020

SI No 18 of 2020: European Communities (Good Laboratory Practice) Regulations 2020

SI No 102 of 2020: Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2020

SI No 147 of 2020: Dangerous Substances Act 1972 (Part IV Declaration) Order 2020

SI No 539 of 2020: Safety, Health and Welfare at Work (Biological Agents)(Amendment) Regulations 2020

### Codes of Practice

Code of Practice Chemical Agents 2020

Code of Practice Biological Agents 2020

### Guidance and Information Sheets

Guidance (Interim and Final Statements) on Risk Group Classification for Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2)

Control of Legionella Bacteria during and after the COVID-19 Pandemic

Guidance on interpretation of the exclusion related to 'directly related temporary intermediate storage' under COMAH

Safe Quarry - A Guide to Pedestrian Safety in Quarries

Safe Quarry - Guidelines to the Safety, Health and Welfare at Work (Quarry) Regulations 2008

Safe Vehicle Tailboard Goods Lift Operations

Guidance on Working from Home for Employers and Employees

Working safely with bales on the farm

Ergonomic Case Studies

Guidance on Legionnaires' diseases

Web-based guidance on control of welding fume exposure



# Appendix 5:

## 2020 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 of 2008, as amended, provides for the national administration and enforcement of the REACH, Detergents, Rotterdam (Prior Informed Consent) and CLP Regulations. As of 1 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.

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) to 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 their activities under the 2008 and 2010 Acts for 2020. Details for each competent authority are provided below:

### Irish National Accreditation Board

The Irish National Accreditation Board (INAB) – GLP Monitoring Authority, acts as the National Competent Authority for the purposes of Articles 8(2) and (3) of the Detergents Regulation only. For 2020, INAB noted that, as there were no GLP facilities in the INAB Monitoring programme carrying out work for the Detergent Regulation, no enforcement activities took place during 2020. INAB inspectors did undertake training through the OECD GLP training programmes during 2020. INAB participated in the annual OECD and EU Commission Working Group on GLP. INAB was involved in the revision of national legislation with respect to GLP during 2020.

### 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 2020, NPIC processed 10,500 product submissions, more than double the number received in 2019 (4581). Over 3,500 submissions were received in December 2020. NPIC noted they do not currently have sufficient resources to handle this volume of submissions. A backlog of over 7,634 product submissions will need to be processed during 2021, within an estimated timeframe of approximately six months based on current resourcing. Quality checks were carried out on approximately 6,000 submissions during 2020. One hundred and thirty new companies notified products with the poison centre for the first time in 2020, a 57% increase on 2019. Seventy-six (58%) of these companies notified products in December 2020.

In 2020, NPIC also answered 3,578 emergency enquiries, relating to suspected human poisoning/

exposure incidents involving household chemical products, including 1,737 enquiries relating to detergent products. Fabric cleaning products (particularly liquid detergent sachets/capsules), dishwasher products, bleach (biocides), washing up liquid and toilet cleaners/fresheners were the most frequently implicated detergent products. The number of enquiries about biocides (hand sanitisers and disinfectant products) increased significantly compared to previous years.

The Administrative Officer and Poisons Information Officer dealt with over 3,200 telephone/email queries from industry in 2020. These related primarily to NPIC's information requirements and to the new notification requirements under the CLP Regulation coming into effect from 1 January 2021. A number of queries were referred to the NPIC Manager by the HSA.

At a European level, the NPIC continued to contribute to the European Chemicals Agency (ECHA) consultation on the poison centres notification (PCN) searchable database during 2020. The NPIC hosted two members of the ECHA Poison Centres team on 27 February 2020. The NPIC staff gave presentations on the organisation of the poisons centre and appointed body work, and demonstrated the databases and information systems in use.

NPIC also participated in three discussions via WebEx on how to display information from PCN dossiers (4 June), communication between appointed bodies and industry (17 June) and PCN reporting for appointed bodies (30 June). Furthermore, NPIC staff attended two WebEx presentations on the outcome of the consultation on the PCN searchable database on 23 September and the new version of the PCN searchable database on 21 December.

The NPIC Manager attended the 33rd meeting of CARACAL (REACH & CLP) on 15 January. The NPIC also provided comments, via the HSA, on relevant issues discussed in CARACAL during 2020. Lack of staff resources limited their ability to participate in detailed discussions. Nevertheless, comments on Annex VIII issues were submitted to CARACAL in May and November 2020. The huge increase in workload required to answer queries from industry and to process product notifications meant that NPIC staff couldn't provide any input to the updated ECHA Guidance for Annex VIII.

At a national level, regular contact and co-operation exists between the HSA and NPIC. The HSA kept the NPIC informed about relevant discussions at CARACAL and European working groups and gave opportunities to comment on issues of interest.

The NPIC cooperated with the Authority's chemical helpdesk on relevant queries and the Authority in turn provided support regarding the interpretation of CLP. The NPIC and the HSA met via WebEx in October 2020 to discuss CLP matters of mutual interest with a Memorandum of Understanding and data sharing agreement drafted following this meeting, which are to be approved in 2021. The NPIC and HSA jointly updated the FAQs document about notifying products to the NPIC in December and posted these on the NPIC and HSA websites. Information on the new Annex VIII requirements was also included in the HSA's December eBulletin.

The NPIC held a WebEx meeting with the pesticides registration and control division (PRCD) within the Dept. of Agriculture, Food and the Marine in November 2020 to discuss Annex VIII (CLP) requirements for biocidal product notifications. The NPIC subsequently provided the PRCD with information to include in updated guidance for companies registering biocidal products. The NPIC also had regular contact with the PRCD during the year about notification of biocidal products and particularly hand sanitisers.

During 2020, six poison centres officers (4.5 full time equivalents) worked in the 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 Art. 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.

The NPIC administrative officer spent 80% of their time and one poisons information officer spent approximately 50% of their time on matters related to the Chemical Act. The total time spent by NPIC staff on these activities in 2020 was equivalent to at least 2.5 full-time staff members. As a result, other duties have been delayed or postponed e.g. annual report normally produced in June was delayed until December, research and educational opportunities missed, awareness projects and outreach services deferred.

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 experienced delays in responding to questions from industry during 2020, particularly in November and December when the NPIC received a large number of queries about Annex VIII (CLP) notifications.

In December 2020, the NPIC and HSA jointly updated their webpages relating to notification of chemical products to the NPIC. Information on the new CLP Annex VIII requirements was also included in the HSA's December E-bulletin.

The workload associated with product notifications more than doubled in 2020 but no extra resources were allocated to the NPIC. A business plan that was submitted to the HSE in 2019 to increase resources has not yet been approved. This extra workload meant that the NPIC was not able to carry out any awareness raising activities for industry in advance of Annex VIII of CLP entering into force on 1 January 2021.

The NPIC completed the on-boarding process for the ECHA PCN searchable database during 2020. All NPIC staff have signed up for ECHAs secure Interact IT system in order to access the searchable database. The NPIC Manager first accessed the database in July 2020, for evaluation purposes only. The NPIC deferred use by other staff until December when search functionality was improved. The NPIC was audited for compliance with the standard security requirements and submitted the audit report and a corrective actions plan to ECHA during Q3 2020. Beaumont Hospital and ECHA representatives signed the Service Level Agreement for the submission portal and searchable database in October 2020.

The new version of the searchable database was only released on 21 December 2020; therefore, the NPIC will develop and provide staff training on how to use the database during Q1 2021. The NPIC was ready to accept notifications via the ECHA PCN portal from 1 January 2021 for consumer and professional use chemical mixtures. The NPIC will retain a national system for receiving submissions for chemical mixtures for industrial use only until the end of 2024.

## 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 2020. At a national level, DAFM replied to a number of queries on REACH and CLP referred by the Authority's Chemicals Helpdesk. DAFM also attended one virtual meeting of the Chemicals Interdepartmental/Agency Group and had other communications with national authorities as the need arose during the year.

At an EU level under REACH, DAFM attended ECHAs Forum Biocidal Products Regulation sub-group (BPRS) meetings via WebEx and one Forum-coordinated Train the Trainer event. DAFM also had a representative on the Forum-coordinated REACH enforcement project (REF-8) working group for internet sales and participated in the operational phase of the project during 2020.

DAFM attended three Endocrine Disruptor Working Group meeting. DAFM had a representative on the Persistent Bio accumulative Toxic Expert Group (PBT EG) during 2020, but did not attend any meetings as no pesticide substances triggered/required PBT EG discussions.

Under CLP, DAFM continued to be represented at the Risk Assessment Committee (RAC) meetings workshops during 2020.

DAFM attended four ECHA Working Group (Environment) meetings and six coordination group meetings in 2020. Under the Rotterdam (PIC) Regulation, DAFM provided written comments to the Authority ahead of two PIC designated national authority (DNA) meetings under Rotterdam in 2020.

Additionally in 2020, DAFM reported information on 2019 exports and imports of chemicals under their remit as per the requirements of Article 10 of the Rotterdam Regulation.

### Enforcement-related activities

DAFM enforces the REACH & CLP Regulations in the context of enforcement of the sector-specific Plant Protection Product and Biocides legislation.

**REACH:** Enforcement that relates to the registration of substances under REACH was performed as per the sector-specific legislation. Notification/authorisation/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/registration process. In addition, inspections carried out in 2020 involved checks on the compliance of pesticide product labels. DAFM undertook 50 inspections on biocidal products sold online as part of the REACH enforcement project (REF 8) on internet sales, with 50 questionnaires completed and returned to the national coordinator for submission to ECHA.

**Rotterdam:** No additional enforcement activities were undertaken under PIC regulation in 2020.

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.

In 2020 enforcement activities were limited to mainly PT1 hand sanitisers and PT2 surface disinfectants due to COVID-19. Over 160 market surveillance/complaints were followed up. Enforcement on PT5 Water disinfection products were also carried out resulting in compliance with the Biocidal Product Regulation in over 110 water disinfection plants.

Inspection reports from 1,427 full Cross Compliance inspections which were conducted by Integrated Controls Division in 2019 were forwarded to the Pesticide Controls Division for review in 2020. A full Cross Compliance inspection includes checking for compliance with Statutory Management Requirement (SMR) 10 Plant Protection Products (Pesticides). Where relevant, a penalty is recommended if the applicant is in breach of the requirements following review of the reports. Of the 1,427 inspections conducted, 680 farms contained neither plant protection products nor biocidal products on the farm.

In 2020 a program of controls on the composition of Plant Protection and Biocidal Products were carried out.

A memorandum of understanding (MoU) between DAFM and the HSA in relation to implementation and enforcement of the REACH, CLP and the Detergents Regulations as set out under the Chemicals Act was agreed and signed in 2018 and still in use in 2020.

An MoU also exists between DAFM, HSA and Revenue-Customs in relation to the Rotterdam Regulation. It was agreed, signed by HSA, DAFM and Revenue in 2010 and still in use. An updated MoU was due to be signed off in 2020 and plans are to sign in 2021.

Approximately 4.5 full-time equivalents (FTEs) 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 2020 was the same as 2019 resources. Two DAFM inspectors have access to ECHAs secure Interact IT portal.

## Customs Division of the Revenue Commissioners

The Revenue Commissioners are the designated national authority (DNA) under Article 17 of the Rotterdam Regulation. Revenue's Customs Service 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 system is programmed to flag various export declarations to Customs staff. If a 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 then 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 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 Customs staff manual via the Revenue website.

### Dangerous chemicals manual

The Revenue website also sets out general information in respect of prohibited/restricted goods and this includes information of the exportation of Dangerous Chemicals under the Rotterdam Regulation. <http://www.revenue.ie/en/customs/prohibitions-restrictions/index.html>

Enforcement activities from a Customs perspective include 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, which outlines the procedures to be used in the exportation of chemicals specified by the Rotterdam Regulation.

During 2020, Revenue participated in the Chemicals Interdepartmental Group meeting under DETE and the national Market Surveillance Forum aimed at preventing harmful products entering the Irish market.

A Memorandum of Understanding was signed in July 2010 between Revenue, the Health & Safety Authority and Department of Agriculture, Food and Marine. This MoU sets out respective roles and responsibilities in the implementation of the Rotterdam Regulation. An updated MoU is currently under negotiation between the parties and was due to be signed off in 2020, however due to unforeseen circumstances, sign off has been delayed. Revenue hope to sign off on the MoU in Q1 2021.

## Environmental Protection Agency (EPA)

During 2020, the EPA provided input into the review of the ECHA's Forum advice on the enforceability assessment regarding proposed REACH restrictions on Perfluorohexanoic Acid (PFHxA) and related compounds. The EPA also highlighted to relevant personnel in fire services and EPA-licensed installations potential risks associated with the use of certain Poly- and Perfluoroalkylated Substances (PFAS) particularly in relation to their incorporation into Aqueous Film Forming Foams (AFFF) used in firefighting/suppression systems. Guidance (first version) on the proper use and management of these materials is due for publication Q1 2021.

Regarding the use of PFAS-containing AFFF, during 2020 the EPA met with representatives from the Institute of Fire Engineers (Irish Branch) and National Directorate of Fire and Emergency Management. Additionally, EPA personnel presented at two meetings on the risks and proper use of certain PFAS in AFFF, one involving Senior Local Authority Fire Officers and the other conducted by the National Directorate of Fire and Emergency Management.

The EPA contracted a study into the uses, both historic and current, of PFAS in AFFF within the State. While the information obtained will primarily be used to determine the risks posed by these substances, the project also involved:

- ▶ alerting the potential users of PFAS-containing AFFF of the risks posed by the substances,
- ▶ providing guidance on the proper handling and management of the materials, and
- ▶ highlighting current and forthcoming restrictions and reporting obligations regarding Perfluorooctanoic acid and related compounds and potential future restrictions on other similar mixtures containing PFAS.

During 2020, the EPA had carried out a limited environmental monitoring campaign to determine concentrations of PFAS in water, vegetation and sediment samples. Samples were analysed for a wide variety of PFAS including Perfluorobutane Sulfonic Acid (PFBS), Perfluorohexanoic Acid (PFHxA), Perfluorohexane Sulfonic Acid (PFHxS), Perfluorodecanoic Acid (PFDA), Perfluorooctane Sulfonic Acid (PFOS) and Perfluorooctanoic Acid (PFOA). Results of the study are expected Q1 2021. It is likely information from the project will inform further PFAS environmental monitoring campaigns scheduled for 2021.

The EPA investigated 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 of the REACH Regulation). Investigations indicated negligible probability any of the non-compliant units were available on the market within the State.

The EPA did not carry out any specific compliance surveillance activities in relation to the REACH Regulation or the Detergents Regulation during this reporting period.

During 2020, EPA personnel participated in one Chemicals Interdepartmental Group Meeting and one National Market Surveillance Forum meeting.

The Authority and the EPA currently operate a Memorandum of Understanding (MoU). The Memorandum covers activities relating to the REACH Regulation and the Detergents Regulation. Additionally, the EPA operates a data exchange agreement with the Revenue Commissioner Services in relation to a number of legislative areas.



The EPA has signed up for use of ECHA's secure Interact IT portal primarily for reporting purposes under Regulation (EU) 2019/1021 on persistent organic pollutants. Use of this tool by the EPA to assist in relevant enforcement activities will be reviewed periodically. The EPA did not participate in any ECHA Forum coordinated projects during the reporting period.

The EPA Research Programme 2014-2020 funded/ is funding a range of environment and/or human health related projects, certain projects that are intended to provide information on the exposure of the public and environment to a range of hazardous substances, which include persistent organic pollutants, and Substances of Very High Concern. Among these projects are:

EPA project reference 2015-HW-MS-3: The project involved the investigation of the potential sources and environmental fates of target phthalates. The project commenced May 2016 and the project report is due for publication in Q2 2021. Further information on this project 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, dust, diet and water) to substances such as POP-Brominated Flame Retardants, PFOS and other Perfluoroalkyl Compounds. The project report is due for publication in 2021. Further information on this project can be found at <http://www.nuigalway.ie/elevate/>

EPA project reference 2016-HW-MS-8: The project aimed to quantify the degree of contamination by certain brominated flame retardants and some Perfluoroalkylated Substances (PFAS) from landfills in the State through three pathways – leaching into soil and groundwater, run-off into water basins and volatilisation into air. Some of the PFAS investigated in the project included Perfluorobutane Sulfonic Acid (PFBS), Perfluorooctanoic Acid (PFOA), Perfluorohexane Sulfonic Acid (PFHxS), Perfluorononanoic Acid (PFNA) and Perfluorooctane Sulfonic Acid (PFOS). The project involved direct sampling and analysis from open and historic landfills. Laboratory-based simulations were used to determine factors which could influence leaching of the substances under investigation from source items under landfill conditions.

The project report is due for publication 2021. Further information on this project can be found at <https://nuigalway.ie/fuel/>.

### Other work with relevance to REACH:

#### *Environment and Health Conference, November:*

The EPA participated in the 2020 Environment and Health Conference. Topics covered during the conference included how environmental quality influences human health, EU ambitions towards a non-toxic environment and antimicrobial resistance.

**EPA Chemicals Cross Office Team:** One of the primary aims of the EPA's internal Chemicals Cross-office Team is to ensure timely intervention relating to potential/emerging environmental threats posed by certain substances, including endocrine disruptors. The team draws on the expertise from Agency personnel involved in areas such as environmental monitoring, licensing and enforcement. The team is used as a vehicle to promote awareness throughout the Agency of developments regarding substance evaluations under REACH.

#### *EPA Contaminants of Emerging (CEC) Work Group:*

Formed in December 2019, the EPA's CEC Work Group maintains a watching brief in relation to Contaminants of Emerging Concern (CEC), while developing a level of expertise in relation to the monitoring and effects of such substances on the aquatic environment and human health. The group's primary aim is the timely identification of emerging chemical risks to better inform target mitigating actions and so protect and improve the aquatic environment. The group's remit covers a range of thematic areas associated with chemical threats which include pharmaceuticals, personal care products (and antimicrobial resistance), industrial chemicals (for example phthalates), pesticides, metals/metalloids, micro plastics and nanomaterials. Additionally, the group monitor developments in sampling and detection of CEC such as passive sampling, non-target screening, effects-based monitoring and advances in relevant analytical methodologies. The group generates an annual, internal report on its work and findings.

Combined direct EPA resources expended for the purposes of the REACH and Detergent Regulations respectively during 2020 were approximately 0.12 full-time equivalent (FTE) (relatively static compared to 2019 levels).

The level of staff resources available for REACH and Detergents activities for 2021 is expected to increase slightly with respect to the 2020 value following the inclusion of an additional staff member for market surveillance activities.

There is currently one EPA staff member (third level science graduate with experience in industry) involved in REACH and Detergent Regulations activities on a part-time basis. Additionally, other EPA technical resources (chemists, biologists and environmental engineers) are available to provide input to the relevant activities if, and when, required. Additionally, the EPA generates and has access to considerable datasets on environmental monitoring relating to a wide range of hazardous substances including some Substances of Very High Concern.

The EPA adopted the Agency's new Chemicals Strategy in Q4 2020 with the primary aim of reducing the risks posed by hazardous substances to human health and the environment. The strategy objectives and actions are closely aligned with those of the EU Chemicals Strategy for Sustainability Towards a Non-Toxic Environment published October 2020 where consistent with the Agency's operational remit. Some of the broad strategic actions are to:

- ▶ further enhance/coordinate Agency actions among its relevant Offices in relation to reduction of risks/potential risks posed hazardous substances,
- ▶ develop, or where already established, further strengthen working relationships with relevant external stakeholders with shared goals at both national and EU-level,
- ▶ assist in better understanding the impacts/influences of hazardous chemicals in the environment on human health,
- ▶ promoting the Circular Economy through reduction of hazardous substances in mixtures/articles/products and waste, and
- ▶ raise awareness of risks posed by hazardous chemicals and inform and support relevant policy decisions in the chemicals area.

Implementation of the plan is scheduled to commence 2021.

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