



HEALTH AND SAFETY
AUTHORITY



Annual Report | 2012

'12

Our vision:

A country where worker safety, health and welfare and the safe management of chemicals are central to successful enterprise

Contents

Foreword by the Chairman	2
Introduction by the Chief Executive	3
Role of the Health and Safety Authority	5
Board of the Authority	6
Executive of the Authority	8
Achievements in 2012 – Workplace Compliance and Advice Programme	9
Achievements in 2012 – Prevention Services Programme	14
Achievements in 2012 – Chemical Business Services Programme	18
Achievements in 2012 – Corporate Services Programme	23
Extracts from the unaudited financial statements of the Health and Safety Authority for the year ended 31 December 2012	25
Appendix A Enforcement Statistics 2012	36
Appendix B Outcomes of Prosecutions 2012	38
Appendix C Legislation and Guidance Programme 2012	45
Appendix D Board Sub-committees and Advisory Committees	47
Appendix E Report for 2012 on the performance of Designated National Authorities on their functions under the Chemicals Acts 2008 and 2010	51
Appendix F Overview of energy usage 2012	55
Appendix G Statement on compliance with the requirements of the Code of Practice for the Governance of State Bodies – additional to the Statement on Internal Financial Control ...	56

Foreword by the Chairman



Michael Horgan

Chairman

Minister,

I have pleasure in presenting the Annual Report for 2012 of the Health and Safety Authority. This report demonstrates a high level of achievement by the Authority during the year. The Authority met all of its key targets and exceeded a number of them.

The number of workplace inspections and investigations carried out under occupational safety and health legislation was almost 5% higher than originally targeted and most of these resulted in either verbal or written advice to the employer. However, 6% of inspections resulted in formal enforcement action. A particularly encouraging aspect of the inspection programme was the very high percentage of employers who agreed with the outcome of the inspection and the high rate of implementation of improvements by employers.

A key part of our programme is providing employers and employees with the information, advice and tools to allow them to maintain and improve standards in a cost effective way. In the past year, we responded to over 26,000 queries and almost 11,000 small enterprises were using our BeSMART safety management tool – both significant increases on the preceding year.

Our chemicals programme was successful in a number of areas but unfortunately it was compromised by the continuing loss of key staff and we have had to withdraw from a number of areas, including support to the developing nano-materials area which is of potential strategic importance to Irish industry. We also reduced our input into the development of EU policy relating to the use of chemicals.

The continuing losses of staff mandated under the Authority's employment control framework will lead to further reductions in the ability of the Authority to support key economic sectors during 2013 and 2014. The Authority has reduced its inspections in line with the reduction in employment across a range of sectors but current staffing means that no proactive inspections can be carried out across a wide range of sectors, and are being reduced in other sectors. In our view, this will lead to a reduction in standards and an increase in workplace injuries and costs. The Board recognises that this is our challenge and we are currently examining new approaches to compliance and are working with the Executive to focus our scarce resources on areas of greatest risk and economic importance.

The Authority is actively working to limit the effects of the reductions in staff and I am confident that this will continue. We are conscious of the demands being made on exchequer funds elsewhere in the public service and we have shown that we are more than willing to contribute to the Government's targets. However, it is important that significant gains made in the health and safety and the chemicals areas over the past ten years are not negated.



Introduction by the Chief Executive



Martin O'Halloran

Chief Executive

The Authority delivered on a challenging and very broad work programme in 2012. Across the areas of workplace health and safety and chemicals regulation we continued our approach of supporting Irish enterprise primarily through the provision of information and advice, and enforcing where necessary. Our very extensive remit across all economic sectors, spanning over 200 acts, regulations and conventions, means that the Authority had a significant impact on many Irish workplaces, workers and the general public throughout 2012.

Sadly, there were 48 work-related deaths in 2012. Continuing the trend from previous years, over half of all these deaths occurred in the farming and fishing sectors. Clearly, the issues in the agriculture sector need innovative and comprehensive solutions that involve all the key participants over the long term. In 2012, the Authority focussed significant resources on getting our message across to those working in the sector through inspection (over 3,000 inspections), awareness-raising (a hard-hitting advertising campaign) and guidance programmes, together with collaborative activities with key groups. Specifically, a new farm safety action plan was developed in consultation with the Farm Safety Partnership Advisory Committee. This work will continue to be prioritised in 2013 and beyond.

There were a number of notable achievements for the Authority in 2012. Despite a further reduction in staff numbers the Authority succeeded in completing over 13,800 inspections including 1,500 investigations in 2012. There was a very positive response by the majority of duty holders when dealing with inspectors but it was necessary in more than 900 cases to use the formal enforcement instruments where it was judged that the situation involved a risk of serious personal injury or where voluntary compliance was not forthcoming. There were twenty prosecutions taken in 2012 resulting in fines in the sum of €425,000 where there were found to be serious breaches. An online survey of inspected employers which commenced in 2012 confirms that our inspections are being received positively and that employers are acting on our recommendations. Almost 70% of respondents 'agreed strongly' with the outcome of the inspection and over 80% of respondents had 'implemented fully' or 'three quarters implemented' the inspector recommendations three months after the inspection.

During 2012 we were involved in very significant promotional activities and the provision of information through our website and our contact centre. There were more than 600,000 free downloads from our website and our Workplace Contact team responded to more than 26,000 customer contacts.

Introduction by the Chief Executive (cont'd)

Of the safety statements assessed during inspections, 4% were found to have been prepared using the Authority's BeSMART system, a free online risk assessment tool for small business. The system had almost 10,800 registered users by the end of 2012. Work done during 2012 to extend the business types covered and to promote the tool through workshops should encourage more employers to register for this service, which helps to reduce the administrative demands of regulation while ensuring a high level of compliance.

As the lead Member State Competent Authority on chemicals legislation (REACH and CLP) in Ireland, we participated in all the European Chemical Agency committees. We provided technical inputs on dossier evaluation regarding testing proposals and compliance checks, particularly when an Irish registrant was involved. We successfully completed our first substance evaluation on 4-methylanisole in 2012. The Authority provided significant levels of advice and briefings to the Department of Jobs, Enterprise and Innovation (DJEI) on a range of matters for decision at European level in the chemicals area. As the national provider of the REACH and CLP helpdesk, we addressed a total of 213 REACH and 107 CLP queries from industry and others, alongside queries on a wide range of chemical issues around detergents, export-import etc. Two awareness campaigns were launched; one on the countdown to the substance registration deadline of May 2013, the other on the first application deadlines for substances subject to authorisation in 2013.

A major project in 2012 was the development of the Authority's strategy for 2013-2015. The strategy orients the Authority towards its primary and critical role of ensuring safe and healthy workplaces and the safe use of chemicals, while committing to regulation that is well-targeted and risk-based and does not place unnecessary burdens on business.

Staff and management cooperated to meet Government targets in relation to the introduction of new and innovative work practices, delivering a challenging work programme with reduced resources both in terms of people and operating budget. Savings in the order of €0.7 million were achieved and declared to Government.



Role of the Health and Safety Authority

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

The Board, with the Minister for Jobs, Enterprise and Innovation's approval, establishes the Authority's strategy and policies. The Executive Team leads the implementation of annual programmes of work in line with the Authority's statutory responsibilities and policies set out by the Board.

The Authority made a commitment in its Statement of Strategy 2010–2012 to achieve six goals:

- A. To enable employers, employees and other duty-holders to reduce risks to safety, health and welfare.
- B. To motivate and gain commitment to having safe and healthy workplaces which support success in all enterprises.
- C. To support the Minister for Enterprise, Trade and Innovation in the initiation and development of appropriate legislation and policies.
- D. To hold accountable those who disregard their duties and responsibilities for occupational safety, health and welfare.
- E. To promote the safe and sustainable management of chemicals.
- F. To ensure the Authority is effective in achieving its goals and delivering value for money.

The programme of work for 2012 continued the implementation of a range of activities to achieve these goals. This report outlines the Authority's key achievements in 2012 in each work programme.

Board of the Authority

The Board determines the Authority's operational policy. It comprises twelve members: a chairperson and eleven members appointed by the Minister. The Minister appoints members nominated by organisations which are representative of the interests associated with occupational safety and health, including employees, employers and other bodies. The appointments are for a term of three years in a part-time capacity.

The current Board of the Authority was appointed in December 2010 by the then Minister for Labour Affairs and Public Service Transformation, Dara Calleary, TD.

Chairperson

Michael Horgan, former Chief Executive, Royal College of Surgeons of Ireland

Employer Nominees

George Brett, Director, Environment, Health and Safety and Sustainability Europe, Bausch and Lomb

Marian Byron (Deputy Chairperson), Director, Industrial Products and Services Group, Irish Business and Employers Confederation (IBEC)

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

Employee Nominees

Eamon Devoy, General Secretary, Technical Engineering and Electrical Union (TEEU)

Esther Lynch, Legal and Social Affairs, Irish Congress of Trade Unions (ICTU)

Dessie Robinson, Assistant General Secretary, IMPACT

Minister's Nominees

Mary Bohan

John Byrne

Des Mahon

Dan O'Connell

Francis Rochford, Department of Jobs, Enterprise and Innovation (until February 2012)

John Newham, Department of Jobs, Enterprise and Innovation (from April 2012)

Board Member

Board meetings attended in 2012 (out of 9)

Michael Horgan	9
George Brett	8
Marion Byron	8
Dermot Carey	8
Eamon Devoy	6
Esther Lynch	8
Dessie Robinson	9
Mary Bohan	8
John Byrne	6
Des Mahon	8
Dan O'Connell	9
Francis Rochford	1 (out of 2)
John Newham	4 (out of 7)



Chairperson



Michael Horgan
*former Chief Executive,
Royal College of
Surgeons of Ireland*

Employer Nominees



George Brett
*Director, Environment,
Health and Safety and
Sustainability Europe,
Bausch and Lomb*



Marian Byron
*(Deputy Chairperson),
Director, Industrial
Products and Services
Group, Irish Business and
Employers Confederation
(IBEC)*



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

Employee Nominees



Eamon Devoy
*General Secretary,
Technical Engineering
and Electrical Union
(TEEU)*



Esther Lynch
*Legal and Social Affairs,
Irish Congress of Trade
Unions (ICTU)*



Dessie Robinson
*Assistant General
Secretary, IMPACT*

Minister Nominees



Mary Bohan



John Byrne



Des Mahon



Francis Rochford
*Department of Jobs,
Enterprise and
Innovation*



Dan O Connell

Executive of the Authority

The Authority employs inspectors, professional specialists, administrators and clerical staff. The Authority met its Employee Control Framework target staffing level of 170 at the end of 2012.

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

CEO
Martin O'Halloran



Assistant Chief Executive
Compliance and Advice
Brian Higginson



Assistant Chief Executive
Chemical Business Services
Sharon McGuinness



Assistant Chief Executive
Prevention Services
Mary Dorgan



Assistant Chief Executive
Corporate Services
Robert Roe



Achievements in 2012 – Workplace Compliance and Advice Programme

The Authority focused inspection activities on those sectors where risks are identified as highest and where there is evidence of low levels of compliance. As has been our approach for previous years our inspection programme aims to ensure that employers who are committed to ensuring healthy and safe workplaces are supported through the inspection process. We aim to educate and increase awareness of employers, employees and other duty-holders so that they understand and act on their responsibilities.

“Our inspection programme aims to ensure that employers who are committed to ensuring healthy and safe workplaces are supported through the inspection process”

We carried out a total of 11,029 inspections and 1,408 investigations under occupational safety and health legislation in 2012. This was almost 5% higher than the target set for our inspection and investigation programme.

The use of an active and effective health and safety management system and the control of known hazards in the workplace is a key indicator of a commitment to health and safety. The practical implementation of the system at the place of work continues to be a central focus of inspection. The following are indicators of the levels of compliance in relation to such systems across all sectors:

- 71% of places of work inspected had a safety statement prepared and available at the workplace. Of these, 73% had been prepared by the employer themselves.
- The level of awareness among senior management of their duties under health and safety legislation continued to be high at 87%.
- 92% of workplaces had systems for safety consultation with their employees (where relevant).
- Similar to 2011, 9% of employers indicated that there had been a reportable accident in the previous 12 months and 56% of the employers indicated that they had reported the incident to the Authority, an increase of 16% on 2011.

40% of available safety statements were assessed by inspectors. It is of note that 4% of the safety statements assessed had been prepared using the BeSMART tool provided by the Authority to assist small businesses in developing and implementing a workplace health and safety management system. An overall assessment of the standard of safety statements indicated good levels of compliance in relation to the identification of relevant hazards, the presence of a work-specific risk assessment, identification of appropriate control measures and the allocation of resources and responsibilities.

The Authority has continued to support those who demonstrate a commitment to managing health and safety at their workplaces, linked to the use of formal enforcement where necessary. Based on this approach 30% of all workplace interventions (inspections and investigations) resulted in verbal advice. In a further 40% of interactions written advice was also provided to the employer or other relevant duty-holder. Providing information and guidance to employers and other duty-holders and directing them to the range of material and tools developed by the Authority is central to the advice-based support approach.

Formal enforcement actions were taken in 6% of interventions. 508 Improvement Notices were issued which required the employer to remedy a contravention to a statutory provision. A total of 356 Prohibition Notices were issued which stopped activity that involved or was likely to involve a risk of serious personal injury to any person. In addition the safety standards observed at six places of work were assessed as so poor as to require an agreed closure. Under the



Transportation of Hazardous Substances Regulations 64 on-the-spot fines were issued. The ultimate sanction of prosecution was taken in 20 instances: 7 on summary and 13 on indictment (see details in

“Sentencing in successful prosecutions resulted in a total of €425,000 in fines and an 18-month suspended custodial sentence”

€425,000 in fines and an 18-month suspended custodial sentence.

An online survey of employers who were inspected by the Authority was initiated in 2012. Participation in the survey was voluntary and the anonymity of respondents was guaranteed. The Authority issued 2,483 surveys and secured a 33% response rate, with the highest levels of response from employers in the construction, manufacturing and agriculture sectors. Key findings included:

- Over 97% either ‘strongly agreed’ or ‘agreed somewhat’ with the outcome of the inspection, with 69% agreeing strongly.
- Three months after the inspection 83% of respondents reported that they had either ‘implemented fully’ or ‘about three quarters implemented’ the inspector’s recommendations, with 62% having fully implemented the recommendations.
- 90% of the respondents indicated that the inspection process had made either a ‘very positive’ or a ‘somewhat positive’ impact.
- 75% of respondents indicated that the current economic situation had not impacted on the priority given to health and safety in their organisation.

This assessment of the effectiveness of inspection will continue in 2013.

Summary of inspection programme

The levels of inspection and enforcement activity by sector are presented in Appendix A.

There was a continued focus on the **agriculture**

Appendix B). A further 29 files were forwarded to the Director of Public Prosecutions for direction. Sentencing in successful prosecutions resulted in a total of

sector with 3,136 farm inspections. Over 50% of farm inspections resulted in advice in relation to child/elderly safety, where relevant. The general facilities for animal handling have improved. The areas of highest concern continue to be slurry handling, where 78 instances of formal enforcement action were taken, and tractor and machinery safety, where 148 formal enforcements were issued. A safety statement/code of practice had been prepared on 62% of farms inspected and the majority of these had been prepared by the farmer (88%). The level of awareness among farmers in relation to their duty to ensure a safe farm is also high (80%). It continues to be the experience of inspectors that while the standard of the safety statement/code of practice is, in general, adequate to control the risks on the farm, the implementation of the identified controls and allocation of resources required is lower at 76% and 61% respectively. The approach based on partnership continues to be central in this sector and this is supported by the nine outdoor farm walks and demonstrations and ten indoor farm talks given by inspectors in 2012.

It is noted that there was an increase in the fatality rate in the **construction** sector in 2012. The main focus of inspection has been on places of work where the employer is self-employed (15%) or has between 1 and 10 employees (60%). A safety statement/code of practice was available on 77% of sites, which is consistent with the findings in 2011. The majority (63%) were prepared by the employer. Compliance with the requirement to notify the Authority in the case of reportable accidents was low (only 37% notified). This is an area that future inspections will continue to draw attention to. The assessment of site safety statement/code of practice continues to indicate a good standard in relation to hazard and control identification. Advice in relation to safety documentation was given in 59% of inspections. A week-long construction campaign involving 249 site inspections which targeted issues related to working at height took place in June.

Arising from our participation in the Advisory Group on **Unfinished Housing** Developments the Authority committed to inspecting approximately 1,200 category 3 sites identified under The National Housing Development Survey 2010. The category 4



sites (categorised as worst case in terms of public/site safety) had been inspected in 2011. The purpose of the inspections is to establish if there are any duty-holders present with respect to health and safety legislation and, where appropriate, to issue directions to have the necessary remedial works done to make the site safe. Where no duty-holders are identified and the housing development is no longer a place of work, the Authority communicates this information back to the responsible local authority. The programme commenced in July 2012 and approximately 700 category 3 sites were inspected by the end of 2012. In 29% of inspections a duty-holder was identified but only 13% of sites were determined to be places of work. Our engagement with the identified duty-holders has resulted in remedial works on 210 unfinished housing sites.

As the designated Competent Authority we carried out a range of inspections in the area of **transport and storage of dangerous substances**. There were 399 roadside inspections of dangerous goods vehicles as part of multi-agency checkpoints in association with An Garda Síochána. Of the vehicles stopped, 77% were deemed to be compliant with the relevant legislation. Where vehicles were not compliant, a caution was issued (56%) and fines imposed (40%). In addition, a further 329 vehicles were stopped to spot check if they were carrying any dangerous substances even if the vehicle was not identified as such. A further 120 premises were assessed to check for the appointment of a dangerous goods safety advisor. Over 40% of these had not made the appropriate appointment. A total of 114 retail private petroleum stores were also inspected.

A range of activities in the **waste management** sector received attention. This is in the context of a further two fatalities in the sector during 2012. A total of 235 interventions were carried out and the areas covered included the collection of non-hazardous waste, recovery of sorted materials and remediation activities and other waste management services. In 45% of inspections a safety statement was not available. Over 30% of employers indicated that a reportable accident had occurred in the previous 12 months. Safety representatives were only appointed in 13% of workplaces. The findings in relation to the sector indicate a need for continuing focus.

The 135 inspections in the **forestry** sector assessed the appointment of key roles as required by the Code of Practice for Managing Safety and Health in Forestry Operations. The level of compliance with these roles was high with no action required in the majority of inspections. Similarly, machinery safety measures and the levels of worker training in the sector were high.

43 investigations and 249 inspections were undertaken in the **mining and quarrying** sector. Compliance with the requirement to have a safety statement was high, as was the standard of those assessed. It was, however, noted that the level of compliance with the notification of reportable accidents was low at 14%.

Within the **manufacturing** sector 781 inspections were completed. The standard of compliance was similar to that observed in 2011.

Inspections in the **public administration** sector continued to indicate that levels of compliance with the requirement to have a safety and health management system were high.

The focus on inspections in the **education** sector has been reduced following a number of years of increased activity in tandem with promotion of our Guidelines on Managing Safety and Health – Post-primary Schools. There were a total of 138 inspections in the sector, of which 46 were in post-primary schools.

As part of the activity planned for the fourth year of the Authority's five-year plan in the **healthcare** sector, we carried out 370 inspections and a further 65 investigations in 2012. Inspections in this sector cover the broad range of activity from the general practitioner to nursing homes and hospital facilities. Our findings indicate that the level of safety representative appointment in this sector is one of the highest of any sector at 57%. Of the 28% of workplaces that indicated that they had a reportable accident in the previous 12 months there was an 85% notification rate to the Authority. While there is a high level of compliance in relation to the preparation of a safety statement, closer assessment

“Our engagement with the identified duty-holders has resulted in remedial works on 210 unfinished housing sites”



indicated that 22% of these were not based on workplace-specific risk assessments.

The management of work-related **transport** safety was addressed in 1,877 inspections at specific places of work. In general, transport safety was considered in the risk assessment (75%), traffic management systems were in place and safe systems of work for loading and vehicle maintenance were observed.

Evidence that **manual handling** was being considered as part of the risk assessment was sought in 1,466 inspections. In 34% of cases there was no written evidence of a risk assessment for individual work tasks. Where there was an assessment only 51% took account of relevant risk factors and over 40% did not specify appropriate control measures. Manual handling training was provided by FETAC level 6 instructors in 57% of cases.

The specific issue of **patient handling** was addressed in 242 inspections. Inspectors found a high level of compliance with the requirement to have a written risk assessment (92%). There was also

“A specific inspection campaign to determine the levels of maintenance and certification of lifts was also completed in 2012”

evidence that the assessment took account of issues such as patient mobility, that training was provided by FETAC level 6 instructors (87%) and that

training was specific to the type of lifting required.

The management of **slips, trips and falls** was assessed in 3,597 inspections. Procedures to address spills and the use of floor mats to reduce the risks from slips, trips and falls were observed in 78% and 65% (respectively) of these workplaces.

The presence of a policy and procedure to control the issue of **bullying** at the workplace was reviewed during 607 inspections. The presence of an anti-bullying policy was confirmed in 87% of these inspections. Where present, 91% included a definition of bullying, as well as identifying investigation procedures and appeals mechanisms.

In addition to the specific chemical inspection programme, general inspections addressed the presence and use of **chemicals** in 344 workplaces. In

13% of these workplaces issues of concern were referred to the specialist REACH and Occupational Hygiene units within the Authority.

In addition a range of other topics were addressed, where relevant, in specific inspections:

- **Electrical installations** were examined during 758 inspections, primarily to determine the test/certification status of the main electrical installation at the workplace. As a result of these inspections 16% of workplaces required either additional or full test/certification to be undertaken.

- **Work-related violence and aggression** was a new focus in 2012 and was considered in 452 inspections, primarily in the wholesale/retail and healthcare sectors. 75% of these workplaces had addressed this issue in their risk assessments. Where this was the case the majority (84%) had identified adequate control measures for the place of work.

- A total of 213 **market surveillance** inspections (of which 204 were proactive) were undertaken. The majority of these related to machinery, lifts and powered gates. 57% of these inspections related to the manufacturer with a further 33% focussing on the user. Enforcement action was taken in 19% of cases. A specific inspection campaign to determine the levels of maintenance and certification of lifts was also completed in 2012. This campaign found that the majority (97%) of lifts were subject to a maintenance contract. However 48% of lifts did not have certificates of thorough examinations available and 17% of employers were not aware of this requirement. Based on the initial findings the focus on this topic will be extended in 2013.

There were a total of 1,408 **investigations** undertaken in 2012 (excluding investigations under the chemicals legislation) which included 47 work-related fatal accidents. The forty-eighth work-related fatal accident in 2012 was reported to the Authority in 2013. In addition a total of 1,012 complaints were assigned to the inspectorate for investigation from the total of 2,878 complaints initially received by the Workplace Contact Unit. Of the 6,526 accident notifications received by the Authority, 424 (6.5%) were prioritised for investigation as well as 51 (49%) of the 103 dangerous occurrence notifications.



There is significant potential for **interaction with other regulatory agencies** in fulfilling our enforcement role and in investigating significant breaches in legislation or workplace accidents. Recognising our individual regulatory roles we also recognise that where possible there should be procedures to ensure cooperation between agencies. To this end the Authority has developed in excess of twenty Memoranda of Understanding which are reviewed annually and extended where possible. In 2012 the Authority agreed a Memorandum of Understanding with the Health Information and Quality Authority.

The **Senior Labour Inspectors' Committee (SLIC)** under a Commission Decision (95/319/EC) was given formal status in 1995 with a mandate to give its opinion to the Commission, either at the Commission's request or on its own initiative, on all problems relating to the enforcement by the Member States of Community law on health and safety at work. The work of this committee was supported by the Authority through participation in plenary meetings and associated work groups, in particular the working group tasked with preparing a position paper on the development of a new European Strategy on Health and Safety. Assistance was also provided to other Member States through the

European Knowledge Sharing Site where 38 queries from other Member States were addressed. In addition, we undertook a programme of inspections in relation to psychosocial issues as part of the European Psychosocial Campaign lead by Sweden.

“The Authority agreed a Memorandum of Understanding with the Health Information and Quality Authority”



Achievements in 2012 – Prevention Services Programme

Working to the goals of the Authority's Strategy 2010–2012, we continued our programme of development and provision of tools and resources for employers, employees, the self-employed and others to improve overall safety and health performance in the workplace. Appendix C sets out items considered within our legislation programme, a number of which were concluded in 2012 with others carrying forward for conclusion in early 2013. A number of new prevention initiatives across major sectors and hazards were implemented in 2012.

A successful prevention strategy requires continuous awareness-raising, targeted particularly at high risk sectors, of the key messages of workplace safety and health. This is in addition to the promotion of new legislation, guidance, information and events to support employers, employees and the self-employed in their duty to comply and their efforts at workplace level to prevent accidents and ill health. In 2012, the Authority devoted a considerable portion of its resources to reaching people with key messages. Efforts ranged from delivery of a hard-hitting national campaign directed at all who work in the agriculture sector through to targeted local events aimed at promoting access to and registration on BeSMART, our online tool for small businesses. Both approaches were effective in achieving responses but the work goes on. We recognise that raising awareness is an important step – but just a first step – in achieving the desired aim of reducing work-related accidents and ill health.

“In 2012, the Authority devoted a considerable portion of its resources to reaching people with key messages.”

Much of our prevention work has been focussed on health and safety policy and providing technical responses. Policy inspectors delivered a comprehensive range of information and guidance across sectors and key hazards. Their role typically requires a thorough assessment of relevant issues, extensive consultation with others, primarily external to the Authority, followed by setting targets and delivering programmes for these areas. Much of our work has been jointly achieved with partner

organisations because it would not be possible to deliver the volume and quality of work without others. For example, extensive policy work was completed with sub-committees of the Authority's Board and external national stakeholders. Their contribution strengthened our message and impact. Particular acknowledgment is due to the following Board sub-committees and other committees and steering groups:

- Farm Safety Partnership Advisory Committee
- Construction Advisory Committee
- Legislation and Guidance Sub-committee
- Third Level Education Group
- Construction Safety Partnership (CSP)
- Healthcare Steering Group
- Work-related Vehicle Safety Committee
- Work-related Vehicle Consultative Panel
- Dock Steering Group (2012)
- Quarry Steering Committee



We also participated extensively at **European level** through policy committees and technical work groups. These include the EU Advisory Committee on Safety and Health (ACSH), work groups including the Standing Working Party (aggregates); Fishing Working Party and the Work-related Transport Working Party. In 2012 we hosted and chaired the ATEX ADCO (administrative cooperation group for market surveillance authorities) meeting in Ireland. The Authority also provided experts for assistance on work-related musculoskeletal disorders and electro-magnetic fields.

Our **Workplace Contact** team had a busy year with overall inbound customer contacts of 26,125, an increase of 10% on 2011. This is in addition to our 3,347 proactive outbound contacts which also played an important role in the prevention message. The team provides a valuable service for our clients who come from all industries and include employers and employees. The majority of the callers (approximately 65%) sought information on particular aspects of workplace safety and health. A smaller number (approximately 17%), contacted us to make a complaint in regard to workplace safety or health. The remainder sought quick responses to individual queries. In December the unit was audited and approved for continued accreditation to the Customer Contact Association (CCA) – a recognised standard for call centres.

The following is a summary of key outcomes for our policy units in 2012.

Our Taking Care of Business (TCB) initiative continued to provide a comprehensive range of supports for **small business**. This initiative, launched in 2011, was in response to the need to reduce administrative burdens for small businesses and to make it easier for them to comply while maximising the opportunity that good safety and health management could offer. BeSMART, the online risk assessment tool, offered improved support in 2012 thanks to the extension of business types covered by the tool, the tailored promotion and workshop events that demonstrated the tool's effectiveness and word of mouth promotion

by existing users. By the end of the year, we had reached almost 10,800 registered business users of this tool. To further inform our approach to small business, research was conducted into the cost of accidents to small businesses in the retail, services and hospitality sectors. The report has been published and assists our understanding of the nature of accidents in typical small and micro businesses and the impact on overall business success and the bottom line.

Our work in **education** aims to achieve a positive safety and health culture for the future and the results have been significant in their reach and their impact. The highest number of post-primary students ever participated in our Choose Safety programme during the 2011/2012 academic year. 18,000 students across transition, fifth and sixth years completed the programme. More than 7,500 primary students were enthusiastic entrants

“The highest number of post-primary students ever participated in our Choose Safety programme during the 2011/2012 academic year”

to our Farm Safety poster competition. A team from Carlow IT won the Authority's third Safety in Design and Construction annual competition which is aimed at students on construction-related courses at third level. Over 400 primary school teachers and principals completed our online summer course to increase awareness and promote safety management in schools. Six interactive Keep Safe events were held in Monaghan, Moate, Limerick, Donegal (double event) and Roscommon and these reached more than 600 primary school children.

In the **engineering** area our work in 2012 involved assessing over 1,000 engineer survey reports for lifting and pressure equipment. New pressure Regulations were signed into law, introducing a comprehensive regime for the management of pressure systems. A new code of practice on tower cranes was agreed (to be published by the National Standards Agency of Ireland). Training was organised for Authority inspectors on pressure equipment and lifts. The Authority took over the role of Irish national



coordinator for the Information and Communication System for Market Surveillance (ICSMS). Important EU market surveillance work was coordinated in respect of scissors lifts and the new proposed standards for such machines.

A particular achievement in the **agriculture** area in 2012 was our integrated farm safety media campaign, which included graphic advertisements before and after the Ear to the Ground television programme, and hard-hitting radio and print ads, all with a strong focus on the shocking consequences of

“An Introduction to Managing Health and Safety in Healthcare has been prepared as the first e-learning programme for this sector”

farm accidents for real farmers. We also published and promoted our online Survivor Stories and the extended campaign on farm safety which has resulted in over 100,000

online views and has been recognised in national awards. The Farm Safety Action Plan 2009–2012 was progressed by the Farm Safety Partnership Advisory Committee (FSPAC) through the work of its seven working groups which continued to develop strategies to improve guidance on critical issues within the sector. The work of the Joint Initiatives with Teagasc saw the rollout of an innovative Champions for Safety campaign for agricultural students and the continuation of Farm Safety Code of Practice training programmes. The conclusion of research into farmer health led to joint conferences and workshops. The Mentors for Safety programme, launched by the Minister for Agriculture, Food and the Marine, Simon Coveney TD, and supported by the Authority, saw Irish Rural Link seeking to have farmers mentor other farmers on farm safety issues.

In the **mining and quarrying** sector we were involved in the All-island Quarry Safety Conference which was organised with our counterparts in Health and Safety Executive Northern Ireland (HSENI) had extensive industry support and attracted 180 delegates. The Ireland and UK Mines Rescue Competition was held at Kilroot Salt Mines in Carrickfergus, Northern Ireland, involving six of the top mine rescue teams.

The programme of work in the **construction** area in

2012 was mainly focused on legislative matters. Two new amendments to the Construction Regulations were prepared and signed into law. A review of the entire Construction Regulations was undertaken at the direction of the Minister, resulting in the draft Construction Regulations 2013 along with a number of draft guidance documents. A period of public consultation was undertaken on these and the process of reviewing all submissions began in late 2012. Other activities included the all-island Construction Conference which was held in conjunction with the Health and Safety Executive Northern Ireland in Armagh in October. We also provided construction expertise for the development of guidance on manual handling in construction and further task-specific guidance on this topic and we assisted in the Safety in Design competition which the Authority organises for third level students. We participated in the Construction Safety Partnership and the associated programme of work for this group and we consulted with relevant departments and agencies in relation the continuance and succession planning for the Construction Skills Certification Scheme.

Our programme in the **healthcare** sector is based on a five year plan, and 2012 saw the successful implementation of the third year of the plan. A web-based programme, *Occupational Hazards in Hospital Departments*, was developed and published. This outlines common occupational hazards and associated risks in selected hospital departments and supports the risk assessment process. *An Introduction to Managing Health and Safety in Healthcare* has been prepared as the first e-learning programme for this sector. It is aimed at managers at all levels in the healthcare setting. A first competition was launched for third and fourth level nursing students to promote the integration of occupational health and safety into everyday care activities. This initiative is likely to grow over future years, similar to our well-established competition in the construction sector. We have developed a specific section of our website to support small businesses in the healthcare sector. Guidance on *Health and Safety at Work in Residential Care Facilities* was published on our website to address the specific issues arising in this sector. Following the recent publication of an EU Directive,



the Authority has done considerable work to prepare legislative proposals with regard to the prevention of sharps injuries in healthcare. We continue to work closely with the healthcare sector through groups such as the HSE Health and Safety Advisors' Group and the Authority's Healthcare Steering Group. In other related work areas, the Authority has provided expertise at the EU level in relation to finalising the forthcoming Electro-Magnetic Fields (EMF) Directive, and technical support was provided to the Department with regard to proposed new diving regulations.

Our programme on **work-related vehicle safety** encompasses vehicle risks across all sectors. Our programme is based on a five year plan and 2012 saw the successful implementation of the second year of the plan. Our work in this area has become more effective as a result of this plan and the joining of forces with the other principal leaders in vehicle safety management: the Road Safety Authority (RSA) and An Garda Síochána. In 2012 we completed activities including the further development of a wide suite of resources for employers and employees which are easily accessible through website download. These include HGV, bus, car and van driver daily checklist videos; a poster checklist and information sheets for these areas and materials now included in heavy goods vehicle and bus driver training. A driver handbook, *Safe Driving for Work*,

was published and a first e-learning course on workplace transport safety was developed.

The **occupational health** programme spans all sectors and provides support on all matters related to occupational health and medicine. It utilises an appointed panel of external occupational health doctors to support our work and ensure timely responses. The programme is supported by two internal specialists in the areas of psychology and ergonomics. In 2012 we completed guidance on topics including manual handling risk assessment in the manufacturing sector, management of musculoskeletal disorders and night and shift work and we provided occupational health input for the development of guidance on manual handling in the construction sector. A guide on behavioural safety

was developed in partnership with a number of external organisations and was brought to final draft stage. Interest in the *Work Positive* programme continued to grow and we ran seminars to encourage good management of health and mental health at work. We put in place measures to achieve an increase in the number of Irish

doctors providing data on occupational diseases to a data collection project run by the University of Manchester. This data is extremely valuable and will benefit from a higher number of responses.

“Our work in this area has become more effective as a result of this plan and the joining of forces with the other principal leaders in vehicle safety management: the Road Safety Authority (RSA) and An Garda Síochána”



Achievements in 2012 – Chemical Business Services Programme

The chemicals manufacture, use and transport programme in 2012 saw the Authority deliver on its Competent Authority obligations, provide stakeholder advice and information, complete on-site and desk-based inspections and undertake enforcement action under the full range of legislation including the Chemicals Act 2008. The Authority's ability to deliver the full REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) and CLP (Classification, Labelling and Packaging) programme was further compromised in 2012 as resources continued to be lost and not replaced. This meant that in the course of the year, reprioritisation of the REACH and CLP objectives had to take place as well as complete cessation of cover in specific areas, for example, policy and technical input into the area of nanomaterials in Europe. Notwithstanding these pressures, the Authority still managed to deliver on a number of key REACH and CLP targets, as follows.

As a Member State Competent Authority (MSCA), we successfully completed our first substance evaluation on 4-methylanisole by year end and were on track to submit our evaluation to the European Chemicals Agency (ECHA) by the February 28th deadline in 2013. This was a new and steep learning curve for the Authority as it was the first time Member States and ECHA had worked together on the Community Rolling Action Plan (CoRAP). A significant amount of time was spent ensuring that the right procedures and processes were in place for all to work effectively (a total of five different workshops and training events were attended in the course

“As a Member State Competent Authority (MSCA), we successfully completed our first substance evaluation on 4-methylanisole”

of the year). As part of this work, we also spent some time screening possible substances for future evaluation work by us in 2014 and 2015. As priorities allowed, we provided MSCA comments on outcomes from dossier evaluation regarding testing proposals and compliance checks, particularly when there was an Irish registrant involved. As MSCA, we also closed out our work on the identification of a potential substance of very high concern without submitting an Annex XV dossier as we felt that the substance concerned was not a

potential candidate for authorisation based on its uses. We remained active in discussions on risk management through reviewing potential substances for the candidate list or for prioritisation onto Annex XIV as well as reviewing and commenting on draft risk management proposals from other Member States and ECHA.

As the lead MSCA on REACH and CLP in Ireland, the Authority provided significant levels of advice and briefings to the Department of Jobs, Enterprise and Innovation (DJEI) on a range of matters discussed at the Article 133 Committee, the Enterprise Policy Committee and in the Council.

We continued to participate in the main Member State committees in the ECHA, the Member State Committee (6 meetings attended) and the Forum on Enforcement (3 meetings attended). The IE participant in the MSC was appointed Rapporteur for delivering the MSC opinion on ECHA's recommendation for inclusion of substances into Annex XIV (4th prioritisation of substances for authorisation). We contributed to the establishment of the third Forum project which will focus on manufacturer and importer duties under REACH and we will take part in this enforcement activity in 2013. Through the work of the Forum, the Authority also followed up on several referrals from other Member States related to substances being supplied from Ireland. We also provided significant level of comments and inputs to the work of the Forum to ensure that practical and pragmatic enforcement was in place across the EU.

We continued to provide IE participants at the Risk Assessment Committee (RAC) (4 meetings attended) and the Socio-economic Analysis Committee (SEAC) (4 meetings attended) as well as providing the participants with advice and support in fulfilment of their duties, as resources



allowed. The IE RAC and SEAC experts both acted as co-rapporteurs on the first restriction dossier prepared by ECHA on 1,4-dichlorobenzene. This involved a significant amount of work in terms of conformity checks, drafting of opinions and discussions with fellow committee members and ECHA to progress the file to the requisite timelines. The RAC expert also acted as rapporteur on two declassification proposals for the environment in the course of the year; both dossiers were agreed for declassification for aquatic toxicity by the RAC by year end.

The Authority's focus on and commitment to customer support and advice remained high in 2012. As the national provider of the REACH and CLP helpdesk, we addressed a total of 213 REACH and 107 CLP queries in the course of the year alongside addressing queries on the full range of chemical issues around detergents, export-import etc. As part of our Helpdesk responsibilities, we actively engaged with other Member States and ECHA through participation in Helpnet meetings and by responding and inputting data into ECHA's HelpEx system to ensure that appropriate responses were developed on specific REACH and CLP queries.

Two awareness campaigns were launched in 2012, one on the countdown to the substance registration deadline of May 2013, the other on the first application deadlines for substances subject to authorisation in 2013. In addition, we provided stakeholders with multiple contacts via email (23 different mailings highlighting registration deadlines, SVHC proposals for the candidate list, substances being prioritised for Annex XIV, restriction proposal consultations etc.) as well as circulating a total of four

e-bulletins and publishing multiple articles in a range of external journals and media publications. We also presented to a wide range of sectoral and professional groups including Pharmacological Ireland, Occupational Hygiene Society of Ireland, Institution of Occupational Safety and Health, National Irish Safety Organisation, Retail Ireland, Tech America, Teagasc, Facilities Management, Faculty of Occupational Medicine and Mayo County Council. Several meetings were also held with companies from Ireland and Europe to address specific concerns they had in relation to REACH and CLP implementation or operation.

In relation to Classification, Packaging and Labelling (CLP), we continued to provide policy and technical input at the United Nations (UN Sub-committee of Experts on Globally Harmonised System for Classification and Labelling) and at the Competent Authority sub-group. In the latter forum, together with the UK, we proposed and had adopted a

proposal on labelling for small packaging which was introduced in the 4th Adaptation (ATP) to the CLP Regulation. We also targeted our inspection activity toward the provision of correct information on chemicals in the safety data sheet (SDS) and the label. As a response to incorrect labelling of home heating oil containers, the Authority published an information sheet on the correct labelling and handling requirements by suppliers, distributors and retailers.

“We also targeted our inspection activity toward the provision of correct information on chemicals in the safety data sheet (SDS) and the label”





We completed a number of targeted market surveillance inspections to assess use of Annex XIV substances subject to the first authorisation in 2013; some 23% of companies checked were using authorised substances but levels of awareness of the future application process was low. We ran desk-based audits to check for compliance with the restriction requirements for mercury-measuring devices and azodyes in textiles, and we worked with colleagues in the National Consumer Agency (NCA), Irish suppliers and the UK authorities to ensure that sky lanterns that potentially contained asbestos were voluntarily removed from the marketplace. In

addition, following an alert from the National Poisons Centre in Beaumont Hospital regarding detergent liquitabs and incidents with children, we launched a joint initiative to address the matter voluntarily with the industry sector. We also raised the issue with our European partners on detergents to ensure that a harmonised approach was adopted. By year end, the industry had voluntarily agreed to changes in packaging and labelling to reduce the possibility of child exposure to the contents.

We provided technical and scientific advice to the Department of Jobs, Enterprise and Innovation (DJEI) in relation to the Prior Informed Consent (PIC) Regulation Recast which resulted in a final regulation which came into force in August 2012. We continued to work closely with colleagues in Customs and the Department of Agriculture, Food and the Marine (DAFM), under our agreed Memorandum of Understanding, to ensure that Ireland met its obligations in relation to the PIC Regulation on export and import of dangerous substances. The Authority attended the Chemicals Review Committee meeting under the Rotterdam Convention as well as the Designated National Authority (DNA) and Article 133 meetings and submitted Ireland's Article 9 report to the European Commission as mandated by the legislation. We processed 11 Export Notification requests from Irish industry to allow for export and import of specific chemicals.

In 2012, the focus for the carriage of dangerous

goods by road (ADR) work programme was the provision of stakeholder guidance, advice and support following the publication of the 2011 ADR Regulations. To this end, an ADR guidance document specifically developed with small-medium enterprise in mind was prepared and published. We also provided several articles in the course of the year through Authority newsletters and bulletins to keep our stakeholders informed and up to date on all matters related to ADR. As Competent Authority, we processed four renewals for Approved Training Providers (ATP), approved five new ATPs and completed three ATP audits in the course of the year.

“Following an alert from the National Poisons Centre in Beaumont Hospital regarding detergent liquitabs and incidents with children, we launched a joint initiative to address the matter voluntarily with the industry sector”

It was noted that there was a significant increase in the number of new ATP approvals sought during 2012, so much so that the Authority was forced to stagger the submission times to ensure that each request was approved in the shortest time possible. In addition, we also signed off on one Dangerous

Goods Safety Advisor (DGSA) exam and submitted two Multilateral Agreements (MLAs) to the Minister for his sign-off, as required under the ADR regulations. The Authority attended the EU Road Checks and the EU Transport of Dangerous Goods Committee meetings and held a tripartite meeting with colleagues in Northern Ireland and the United Kingdom. We also commenced our own preparations as host of the 2013 Road Checks meeting here in Ireland. However, the bulk of the ADR programme in 2012 was focussed on completing a new ADR and related services contract for the provision of services including DGSA exams and ATP approvals. This was a significant body of work which saw a new service provider approved and in place by year end. In the final quarter of the year, we commenced work on preparations for the ADR Regulations 2013 and established a new stakeholder expert group for consultation on ADR issues as well as Transportable Pressure Equipment (TPE) and Dangerous Substances Act (DSA) matters.

We also fulfilled our Competent Authority role in relation to TPE, DSA, Retail Private Petroleum Stores



(RPPS), offshore and bulk storage, through provision of stakeholder advice, guidance and inspections. 2012 saw two offshore inspections completed and one emergency exercise offshore attended. Our work on offshore and bulk storage also saw us engaging frequently with colleagues in the Commission for Energy Regulation (CER) where we sought to ensure that overlaps were minimised and similar approaches on areas of mutual responsibility were identified and agreed. This culminated in an updated Memorandum of Understanding with CER being signed off in the course of the year. As a result of a number of incidents in bulk stores in 2012, we completed six bulk store inspections with a view to identifying future target areas; these will be addressed in 2013. We also ensured that those storing chemicals understood and followed the correct steps for safe storage by publishing two chemical storage factsheets; one for laboratories and one on drum stores and warehouses. Finally, the Authority continued to engage in work on the review of the DSA requirements with DJEI in order to address the gaps that have emerged between this piece of legislation from the 1970s and more recent legislation that deals with similar chemical substances. We will continue to work with DJEI to progress this in 2013.

There were 908 occupational hygiene inspections completed in 2012, together with 97 investigations and an additional 132 complaints followed up. Each inspection focusses on a range of chemical and biological matters covered by both the SHWW Act 2005 (Asbestos Regulations, Chemical Agents Regulations, and Biological Agents Regulations) as well as the Chemicals Act 2008 (REACH Regulation, Classification, Labelling and Packaging [CLP] Regulation, Detergents Regulation). Inspectors issued 30 Improvement Notices and six Prohibition Notices under the 2005 SHWW Act, together with two Contravention Notices (CN) under the Chemicals Act 2008. Written advice was issued in approximately 73% of visits.

A total of 139 asbestos and 16 biological agent notifications were processed by the Authority. Even though the total number of asbestos notifications in 2012 was down on the 2011 figure, asbestos remains a key issue for our inspection and policy focus. By

year end, we had finalised comprehensive guidelines on asbestos which we will publish in early 2013. We developed a webpage on asbestos-related diseases, with contact and support details for stakeholders who want further information. There was also a significant outreach and engagement programme with all stakeholders involved in asbestos in the course of 2012, including the Irish Asbestos Removal Contractors Association and the Office of Public Works. We focussed our inspection and policy work on a number of key topics in 2012; specifically, composting bio-aerosols as well as polyurethane spray foam. As a result of work in the latter area, industry guidance on use and handling of spray foam was developed and an information sheet was published on our website. Guidance on local exhaust ventilation (LEV) was developed and agreed in 2012 and will be published in 2013.

Another area of the occupational hygiene programme addressed in 2012 was the update of the Biological Agents regulations and associated guidelines and code of practice. This has been progressed in conjunction with the DJEI and it is hoped that both documents will be published in early 2013. The Authority was an active and significant participant in the National Strategy on Radon Activities including acting as chair of the inter-agency working group on radon in workplaces. The draft report from this working group will be included in the overall draft national strategy which will go for public consultation in 2013.

The Authority provided detailed technical and scientific advice to DJEI in the conclusion of the Council negotiations on the Seveso III Directive. The new directive was published in July and will come into force in June 2015. We also attended the COMAH (control of major accident hazards) Competent Authority (CCA) meeting as well as a technical working group on inspections. As Competent Authority for COMAH, the Authority hosted a very successful event in Dublin on External Emergency

“The Authority provided detailed technical and scientific advice to DJEI in the conclusion of the Council negotiations on the Seveso III Directive”



Planning where participants from all Member States heard presentations from Irish and European speakers from the Commission, Netherlands and UK. Under the COMAH programme, a total of 312 major accident hazard or COMAH inspections and 29 investigations were completed in 2012 with written advice issued in 73% of cases and enforcement action taken in 5% of cases. Advice was given to local planning authorities and An Bord Pleanála on 226 Land Use Planning requests. Generic advice on

“Advice was given to local planning authorities and An Bord Pleanála on 226 Land Use Planning requests”

the fertiliser sector was also published on the web. In addition, a total of 11 External Emergency Planning exercises under COMAH Regulations were attended by Authority staff.

A total of six Safety Reports were signed off in 2012 and a further 14 remained under review at year end. There were also five serious investigations undertaken by COMAH inspectors in the course of the year. In our role under the Chemical Weapons Act, we facilitated three successful chemical weapons inspections by officials from the OPCW (Organisation

for the Prohibition of Chemical Weapons) as well as completing Ireland’s annual returns as required under the Convention and attending the Chemical Weapons Convention (CWC) National Authority meeting.

In summary, the Authority has remained focused on efforts to ensure the safe and sustainable management of chemicals even though it faced significant challenges in resourcing the REACH and CLP programmes to the extent needed. It is unlikely that the Authority can continue to maintain our active engagement nationally and in Europe on REACH and CLP into 2013 unless resources are forthcoming.

Further details on the Authority’s programme under the Chemicals Acts 2008 and 2010 are provided in the Chemicals Act Report (Appendix E).



Achievements in 2012 – Corporate Services Programme

The Corporate Services programme was implemented in full during 2012. The programme had an emphasis on the maintenance and enhancement of the Authority's capability and the reduction of costs to take account of existing and anticipated reductions in staffing and finance.

- The project to prepare the **Authority's Strategy for 2013–2015** was successfully completed, with the draft strategy being submitted to the Minister by the deadline of 30 September 2012.
- The Authority implemented a new **business continuity** architecture and plan that achieved ongoing cost savings and reduced the risk of loss of ICT services and data. A new records management system and corporate internet was introduced.
- The Authority met its challenging targets for **staff and budget reductions** – staffing fell, on a voluntary basis, from 177.2 full-time equivalents (FTE) at the start of the year to 170 FTE by year end, meeting the Authority's Employment Control Framework target.
- The Authority commenced a **process review of its inspection activities** to identify potential efficiencies, in particular in the area of mobile technology.
- Updates on our implementation plan for the **Croke Park Agreement** were supplied to the Department, as requested, together with the Authority's submission to the Comprehensive Expenditure Review organised by the Department of Public Expenditure and Reform.
- Stable **industrial relations** were maintained through regular consultation with staff at our Industrial Relations Council and Partnership Committee.
- **New accommodation** was provided for staff in the Kilkenny and Limerick offices, resulting in substantial savings in rent and energy costs.
- A **staff occupational health and welfare** service including an Employee Assistance Service focussing on employee well-being was provided. The service also provided advice to HR on the management of staff absence.
- As part of its **learning and development programme** Authority staff received an average of five days of technical and managerial training during 2012.
- The Authority met its **corporate governance** obligations and was in full compliance with the terms of the Code of Practice for the Governance of State Bodies. Good governance and corporate compliance was achieved in areas such as Freedom of Information, data protection, taxation and procurement.
- The Authority published detailed **statistical information** on work-related injuries and illness in its annual statistics report.
- All **corporate documents** were prepared and submitted in line with legislative requirements, including the Authority's Annual Report 2011, quarterly reports to the Department and the Board, and the Programme of Work 2013.

Financial Reports

'12

Extracts from the unaudited financial statements of the Health and Safety Authority for the year ended 31 December 2012¹

Introduction

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

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

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

Draft Financial Statements for the year ended 31st December 2012 have been prepared and were considered by the Board at its meeting held in March 2013. The Board reviewed the draft Financial Statements and approved them on a no material change basis.

The Authority submits the draft Financial Statements as approved by the Board to the Office of the Comptroller and Auditor General who will be conducting the external audit. The audit fieldwork is scheduled to take place during late May 2013.

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

- Statement on Internal Financial Control
- Statement of Authority Responsibilities
- Statement of Accounting Policies
- Income and Expenditure Account
- Statement of Total Recognised Gains and Losses
- Balance Sheet as at 31st December 2012
- Cash Flow Statement
- Notes to Financial Statements

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 Jobs, Enterprise and Innovation to have them formally laid before the Houses of the Oireachtas.

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

Statement on Internal Financial Control

Statement on Internal Financial Control

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

Key Control Procedures

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

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

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

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

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

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



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 June 2009. 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 Committee and approved by the Authority. At least annually, the internal auditor will provide the Authority with a report of internal audit activity. The report includes the internal auditor's opinion on the adequacy and effectiveness of the system of internal financial control.

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

Annual Review of Controls

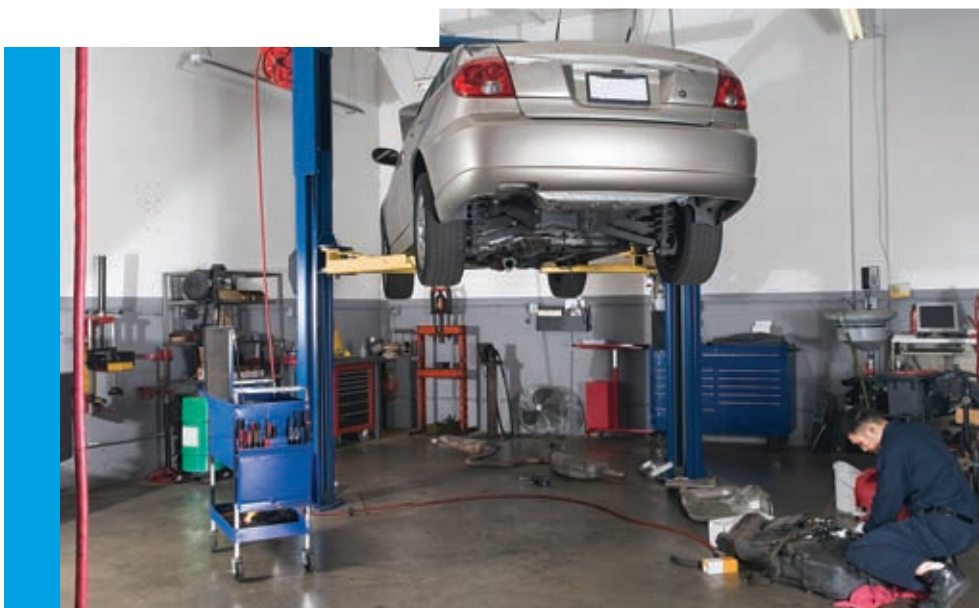
The Authority's Audit Committee reviews the effectiveness of the internal financial control systems with a formal report then going to the Board. The Board has carried out a formal review of its internal financial controls during 2012.

On behalf of the Board.

Michael Horgan

Chairperson

March 2013



Draft Financial Statements

Income and Expenditure Account for Year Ended 31st December 2012		
INCOME	2012 €	2011 €
Oireachtas grants	19,146,000	19,968,000
Net deferred funding for pensions	3,442,000	3,402,000
Employee deductions refundable to DJEI	(617,000)	(660,000)
Other income	298,874	301,314
Sub total	22,269,874	23,011,314
Transfer from capital account	100,719	74,945
	22,370,593	23,086,259
EXPENDITURE		
Salaries costs	11,448,833	11,580,214
Pension costs	3,894,000	3,809,000
Other administration costs	7,711,017	7,227,464
	23,053,350	22,616,678
Operating surplus for the year	(682,757)	469,581
Accumulated surplus at 1 January	1,506,238	1,036,657
Accumulated surplus at 31 December	823,481	1,506,238
The results for the year relate to continuing operations.		



Statement on Total Recognised Gains and Losses for Year Ended 31st December 2012					
		2012	2012	2011	2011
		€	€	€	€
Surplus for financial year			(682,757)		469,581
Changes in actuarial assumptions underlying the present value of scheme liabilities		13,416,000		2,340,000	
Experience (gains)/ losses on pension scheme liabilities		(830,000)		(1,718,000)	
Actuarial (gain)/ loss on pension liabilities			12,586,000		622,000
Adjustment to Deferred Pension funding			(12,586,000)		(622,000)
Total recognised gains and losses for the year			(682,757)		469,581





Balance Sheet as at 31 December 2012				
	2012	2012	2011	2011
	€	€	€	€
FIXED ASSETS		403,779		504,497
CURRENT ASSETS				
Debtors and Prepayments	817,659		1,556,188	
Bank and cash Balances	958,640		713,747	
	1,776,299		2,269,935	
CREDITORS (due in less than one year)				
Creditors	954,970		763,697	
	954,970		763,697	
Net current assets		821,329		1,506,238
NET ASSETS BEFORE PENSIONS		1,225,108		2,010,735
Deferred pension funding		64,385,000		48,357,000
Pension Liabilities		(64,385,000)		48,357,000)
NET ASSETS		1,225,108		2,010,735
REPRESENTED BY:				
Capital Account		401,627		504,497
Accumulated Surplus on Income and Expenditure Account		823,481		1,506,238
		1,225,108		2,010,735



Cash Flow Statement as at 31 December 2012		
RECONCILIATION OF OPERATING SURPLUS TO NET CASH INFLOW FROM OPERATING ACTIVITIES	2012	2011
	€	€
Operating surplus for year	(682,757)	469,581
Movement on capital account	(100,719)	(74,945)
Depreciation	191,833	225,413
(Increase)/Decrease in debtors	738,529	(480,804)
Increase/(Decrease) in creditors	191,273	179,951
Net Cash Inflow from Operating Activities	338,159	319,196
CASH FLOW STATEMENT		
Net Cash Inflow from Operating Activities	338,159	319,196
Capital Expenditure		
Payments to acquire fixed assets	(91,114)	(150,468)
Increase in Cash	247,045	168,728
Reconciliation of net cash flow to movement in net funds		
Increase in cash in year	247,045	168,728
Net funds at 1 January	713,747	545,019
Net funds at 31 December	960,792	713,747
Analysis of Change in net funds	Cash at Bank and in hand	
	€	€
At start of year	713,747	545,019
Cash Flow	247,045	168,728
At end of year	960,792	713,747


Extracts from the notes to the Financial Statements year ended 31 December 2012

Other Income	2012 €	2011 €
Driver training course income	85,054	80,734
SEVESO	35,567	23,109
Fines – ADR (carriage of dangerous goods by road)	18,250	15,280
Sale of Authority's publications	40,180	50,126
Miscellaneous (seminars, legal, witness expenses)	119,823	132,065
	298,874	301,314
Salary Costs		
Gross Salaries	10,585,605	10,741,695
Employer PRSI	862,728	838,519
Total Salary Costs	11,448,333	11,580,214
Pension levy	751,760	758,594
€ 751,760 was deducted from staff by way of pension levy and was paid over to the Department of Jobs, Enterprise and Innovation.		
Numbers Employed		
Professional/Technical	119.3	122.1
Administration	50.7	55.1
	170	177.2
Chief Executive Officer – Remuneration		
Salary	153,885	153,885
The CEO received recoupment of travel and subsistence expenses of €8,870 in 2012.		
The CEO did not receive any bonus or perquisites in the year.		



Notes to the Financial Statements year ended 31 December 2012

Fees paid to Board members		2012	2011
		€	€
Chairman's Fees:	Michael Horgan	11,970	11,970
Members' Fees:	Marion Byron	7,695	7,290
	Dermot Carey	7,695	7,290
	Esther Lynch	7,695	7,290
	Eamon Devoy	7,695	7,290
	Dessie Robinson	7,695	7,290
	Mary Bohan	7,695	7,695
	Dan O'Connell	7,695	7,695
	John Byrne	7,695	7,695
	George Brett	7,695	7,695
	Des Mahon	7,695	7,695
	Francis Rochford* (<i>Jan - Feb</i>)	-	-
	John Newham* (<i>Apr - Dec</i>)	-	-
		88,920	86,895
*No fees payable as both Francis Rochford and John Newham were/are employees of the DJEI			
Expenses paid to Board Members		2011	2010
		€	€
Chairman	Michael Horgan	-	-
Board Members	Marion Byron	-	-
	Dermot Carey	1,468	1,063
	Esther Lynch	-	-
	Eamon Devoy	-	-
	Dessie Robinson	-	-
	Mary Bohan	4,370	2,689
	Dan O'Connell	1,228	2,156
	John Byrne	3,239	3,057
	George Brett	2,228	2,990
	Des Mahon	4,332	4,160
	Francis Rochford (<i>Jan - Feb</i>)	-	-
	John Newham (<i>Apr - Dec</i>)	-	-
		16,865	16,115
Administration		2012	2011
		€	€
	Accommodation	2,063,936	2,042,828
	Communications costs	366,692	307,737
	Travel & subsistence	826,273	925,347
	Publications & marketing	1,759,631	1,419,795
	Legal services	130,627	109,758
	Research & consultancy	593,572	416,320
	Business process review	263,103	434,048
	Staffing costs	243,231	282,572
	General equipment supplies	174,496	82,400
	External partnership	140,000	140,000
	Investment in learning	234,202	154,287
	Technology costs	502,645	457,019
	Depreciation	191,833	225,413
	Internal audit fees	13,091	34,263
	External audit fee	15,510	15,510
	Members' fees	88,920	85,635
	Other	103,265	94,532
		7,711,017	7,227,464



Notes to the Financial Statements year ended 31 December 2012

Board Members – Disclosure of Transactions

Each year, in addition to our Exchequer Grant, (Subhead C.14 – Grant for Administration and General Expenses), the Authority is requested to administer a fund from monies provided out of the Department's Subhead C.17 – Commissions, Committees and Special Inquiries, to support a number of workplace safety initiatives approved by the Board to be undertaken by external organisations.

Submissions were received from a number of organisations and strategic partnerships in respect of this fund. The total value of the fund for 2012 was €140,000.

In the course of distributing the funds, the Board may approve financial assistance to undertakings with which individual Board members are associated.

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

Organisation	Amount	Associated Board Member
CIF Construction Safety Partnership	€140,000	Dermot Carey
ICTU Construction Safety Partnership		Esther Lynch

The approved funding was paid by the Authority into the Partnership's bank account which is controlled by the Construction Industry Federation. Both the CIF and the ICTU have key roles in relation to the Construction Safety Partnership.

In accordance with the Authority's Code of Practice for Board members, the members referred to above absented themselves from the portion of the meeting where the decision was made regarding granting funding to these organisations.



Appendices

- Appendix A** Enforcement Statistics 2012
- Appendix B** Outcomes of Prosecutions 2012
- Appendix C** Legislation and Guidance Programme 2011
- Appendix D** Board Sub-committees and Advisory Committees
- Appendix E** Report for 2012 on the performance of Designated National Authorities on their functions under the Chemicals Acts 2008 and 2010
- Appendix F** Overview of energy usage 2012
- Appendix G** Statement on compliance with the requirements of the Code of Practice for the Governance of State Bodies – additional to the Statement on Internal Financial Control

12

Appendix A: Enforcement Statistics 2012

Table A.1 Number of Inspections 2004 –2012

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012
Total	11,382	13,552	15,365	13,631	16,009	18,451	16,714	15,340	13,835

Table A.2 Number of Inspections by Economic Sector 2012

Economic Sector	Investigations	Inspections	Total
A – Agriculture, forestry and fishing	72	3,269	3,341
B – Mining and quarrying	44	257	301
C – Manufacturing	267	1,244	1,511
D – Electricity, gas, steam and air-conditioning supply	8	58	66
E – Water supply, sewerage, waste management, remediation	64	290	354
F – Construction	402	3,530	3,932
G – Wholesale/retail trade, repair of motor vehicles/motorcycles	210	1,348	1,558
H – Transportation and storage	97	840	937
O – Public administration & defence, compulsory social security	55	191	246
P – Education	29	129	158
Q – Human health and social work activities	76	389	465
Combined Sectors: I-Accommodation and Food Service; J-Information and Communication; K-Financial and Insurance; M-Professional, Scientific and Technical; N-Administrative and Support Service; Arts and Entertainment: and Extra territorial activities.	214	752	966
Total	1,538	12,297	13,835



Table A.3 Number of Inspections by Economic Sector and Enforcement Action 2012

Economic Sector	Inspections & Investigations	Agreed Prohibition	Improvement Notice	Payment in Lieu	Prohibition Notice	Verbal Advice	Written Advice	Total
A – Agriculture, forestry and fishing	3341	0	189	1	131	1375	1342	3038
B – Mining and quarrying	301	0	14	0	2	87	118	221
C – Manufacturing	1511	1	65	4	24	459	748	1301
D – Electricity, gas, steam and air-conditioning supply	66	0	1	0	1	17	20	39
E – Water supply, sewerage, waste management, remediation	354	0	13	5	18	75	164	275
F – Construction	3932	5	51	0	129	1290	1219	2694
G – Wholesale/retail trade, repair of motor vehicles / motorcycles	1558	0	112	28	32	378	767	1317
H – Transportation and storage	937	0	13	24	7	178	208	430
O – Public administration & defence, compulsory social security	246	0	5	0	1	55	85	146
P – Education	158	0	4	1	1	39	83	128
Q – Human health and social work activities	465	0	13	0	1	89	260	363
Combined Sectors: I-Accommodation and Food Service; J-Information and Communication; K-Financial and Insurance; M-Professional, Scientific and Technical; N-Administrative and Support Service; Arts and Entertainment; and Extra territorial activities.	966	0	28	1	9	235	451	724
Total	13835	6	508	64	356	4277	5465	10676

Appendix B: Outcomes of Prosecutions 2012

Table B1: Summary of prosecution files 2012

Type of proceeding	Total heard	Dismissals	On Appeal	Charity donation	Suspended sentence	Probation Act	Fines €
Summary	7 (35%)	1	0	1	0	2	6,000
On Indictment	13 (65%)	2	1	0	1	0	419,000
Total	20	3	1	1	1	2	425,000

Table B2: Details of prosecutions 2012

Derry White Skip Hire Ltd

On Indictment

On the 7th of February 2012, this case was heard in Limerick Circuit Court. Derry White Skip Hire Ltd pleaded guilty to all charges. On the 23rd of June 2009 an employee of Derry White Skip Hire Ltd suffered a full amputation of his left arm when he came into contact with dangerous moving parts of a conveyor at a waste recycling facility.

Contravention	Legislation	Verdict	Fine
Section 8(1) as it relates to Section 8(2)(c)(iii) contrary to Section 77(9)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€15,000
Section 8(1) as it relates to Section 8(2)(c)(iii) contrary to Section 77(2)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 8(1) as it relates to Section 8(2)(e) contrary to Section 77(2)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 8(1) as it relates to Section 8(2)(c)(ii) contrary to Section 77(2)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 19(1) contrary to Section 77(2)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Regulation 33(e) contrary to Section 77(2)(c) of the Safety Health and Welfare at Work Act 2005	Safety Health and Welfare at Work (General Applications) Regulations 2007	Guilty plea entered	Taken into account
Regulation 32(1)(n) contrary to Section 77(2)(c) of the Safety Health and Welfare at Work Act 2005	Safety Health and Welfare at Work (General Applications) Regulations 2007	Guilty plea entered	Taken into account
Regulation 32(1)(a) contrary to Section 77(2)(c) of the Safety Health and Welfare at Work Act 2005	Safety Health and Welfare at Work (General Applications) Regulations 2007	Guilty plea entered	Taken into account

See also Derry White (Director)



Derry White (Director)

On Indictment

On the 7th of February 2012, this case was heard in Limerick Circuit Court. Derry White pleaded guilty to all charges. On the 23rd of June 2009 an employee of Derry White Skip Hire Ltd suffered a full amputation of his left arm when he came into contact with dangerous moving parts of a conveyor at a waste recycling facility.

Contravention	Legislation	Verdict	Fine
Section 8(1) as it relates to Section 8(2)(c)(iii) contrary to Section 77(9)(a) and Section 80.	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€5,000
Section 8(1) as it relates to Section 8(2)(c)(iii) contrary to Section 77(2)(a) and Section 80	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 8(1) as it relates to Section 8(2)(e) contrary to Section 77(2)(a) and Section 80.	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 8(1) as it relates to Section 8(2)(c)(ii) contrary to Section 77(2)(a) and Section 80.	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 19(1) contrary to Section 77(2)(a) and Section 80.	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Regulation 33(e) contrary to Section 77(2)(c) and Section 80 of the Safety Health and Welfare at Work Act 2005	Safety Health and Welfare at Work (General Applications) Regulations 2007	Guilty plea entered	Taken into account
Regulation 32(1)(n) contrary to Section 77(2)(c) and Section 80 of the Safety Health and Welfare at Work Act 2005	Safety Health and Welfare at Work (General Applications) Regulations 2007	Guilty plea entered	Taken into account
Regulation 32(1)(a) contrary to Section 77(2)(c) and Section 80 of the Safety Health and Welfare at Work Act 2005	Safety Health and Welfare at Work (General Applications) Regulations 2007	Guilty plea entered	Taken into account

See also Derry White Skip Hire Ltd

Enterprise Managed Services Ltd

On Indictment

On the 12th of March 2012, this case was heard in the Central Criminal Court, Dublin. Enterprise Managed Services Ltd pleaded guilty to one charge. On the 29th of August 2007, two employees of Enterprise Managed Services Ltd suffered burn injuries when working on a live gas main on the Oscar Traynor Road, Dublin.

Contravention	Legislation	Verdict	Fine
Section 8(1) as it relates to Section 8(2)(a) contrary to Section 77(9)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€40,000



Corden Pharma Ltd

On Indictment

On the 26th and 27th of April 2012, this case was heard in Cork Circuit Criminal Court. Corden Pharma Ltd pleaded guilty to four charges. On the 28th of April 2008 one employee was killed and another employee suffered serious injury as a result of a chemical explosion on the second floor of a production building at Little Island, Co. Cork.

Contravention	Legislation	Verdict	Fine
Section 8(1) as it relates to Section 8(2)(h) contrary to Section 77(9)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€300,000
Section 8(1) as it relates to Section 8(2)(d) contrary to Section 77(9)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 8(1) as it relates to Section 8(2)(j) contrary to Section 77(2)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 8(1) as it relates to Section 8(2)(c)(iii) contrary to Section 77(2)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account

Cartrose Limited t/a Artane Windows

Summary

On the 18th of April 2012, this case was heard in Blanchardstown District Court. Cartrose Limited t/a Artane Windows pleaded guilty to two charges in relation to failing to provide a safe system of work and have a risk assessment in relation to the use by employees of a circular saw.

Contravention	Legislation	Verdict	Fine
Section 8(2)(e) contrary to Section 77(2)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€1,000
Section 19 (1) contrary to Section 77(2)(a).	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account

Patrick Rooney (Sole Trader)

On Indictment

On the 24th of May 2012, in the Central Criminal Court, Parkgate Street, Dublin 7 this case was heard. Patrick Rooney (Sole Trader) pleaded guilty to two charges. On the 17th of July 2007, two employees fell from the roof of a grain shed at Sunnymede, The Ward, Co. Dublin sustaining injuries.

Contravention	Legislation	Verdict	Fine
Section 8(2)(e) contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	18 months suspended custodial sentence
Regulation 5(3) contrary to Section 77(9)(a) of the Safety Health and Welfare at Work Act 2005	Safety Health and Welfare at Work (Construction) Regulations 2006 Safety Health and Welfare at Work Act 2005	Guilty plea entered	18 months suspended custodial sentence



Global Steel Manufacturing Ltd

On Indictment

On the 18th of July 2012, sentencing was handed down in Gorey District Court. Global Steel Manufacturing Ltd pleaded guilty to one charge. On the 23rd of November 2010 an employee amputated the middle finger of her right hand when the glove she was wearing became entangled in a cutting blade.

Contravention	Legislation	Verdict	Fine
Section 8(1) as it relates to Section 8(2)(a) contrary to Section 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€1,000

Hilton Foods (Ireland) Ltd

Summary

On the 12th of July 2012, sentencing was handed down in Drogheda District Court. Hilton Foods (Ireland) Limited pleaded guilty to two charges in relation to failing to provide a safe system of work and failing to improve access to a gantry from a conveyor belt.

Contravention	Legislation	Verdict	Fine
Section 8(1) as it relates to Section 8(2)(e) contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€2,000
Section 19(4) contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€2,000

Ross Oil Company

Summary

On the 11th of July 2012, sentencing was handed down in Macroom District Court. Ross Oil Company pleaded guilty to two charges. On the 24th of January 2011, an employee slipped and fell from the roof of a tanker he was loading and suffered injury.

Contravention	Legislation	Verdict	Fine
Section 8(1) as it relates to Section 8(2)(a) contrary to Section 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€1,000
Regulation 103(2) contrary to Section 77(2)(c) of the Safety Health and Welfare at Work Act 2005.	Safety Health and Welfare at Work (General Applications) Regulations 2007 Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account



Tesco Ireland Ltd

Summary

On the 26th of September 2012, sentencing was handed down in Navan District Court. Tesco Ireland Limited pleaded guilty to one charge in relation to failing to ensure that individuals not being their employees were not exposed to risks to their safety health and welfare.

Contravention	Legislation	Verdict	Fine	Probation Act
Section 12 contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	No fine €1,000 donation to Irish Society for the Prevention of Cruelty to Children.	18 months suspended custodial sentence 18 months suspended custodial sentence

Braun Oral B Ireland Ltd (formerly Procter and Gamble (Manufacturing) Ireland Ltd)

On Indictment

On the 9th of October 2012, sentencing was handed down in Nenagh Circuit Court. Braun Oral B Ireland Ltd pleaded guilty to six charges in relation to failing to identify hazards and assess risks associated with the primary screener in the effluent treatment plant, failing to maintain and ensuring that plant and machinery was of robust construction and failing to ensure the safety health and welfare of its employees.

Contravention	Legislation	Verdict	Fine
Section 19(1) contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€10,000
Section 8(1) as it relates to Section 8(2)(c)(iii) contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Section 8(1) as it relates to Section 8(2)(a) contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€5,000
Regulation 31(a) contrary to Section 77(2)(a) of the Safety Health and Welfare at Work Act 2005.	Safety Health and Welfare at Work (General Applications) Regulations 2007 Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Regulation 31(c) contrary to Section 77(2)(a) of the Safety Health and Welfare at Work Act 2005.	Safety Health and Welfare at Work (General Applications) Regulations 2007 Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account
Regulation 31(f)(i) contrary to Section 77(2)(a) of the Safety Health and Welfare at Work Act 2005.	Safety Health and Welfare at Work (General Applications) Regulations 2007 Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account



C & M Construction Limited

On Indictment

On the 19th of October 2012, sentencing was handed down in the Courts of Criminal Justice, Parkgate Street, Dublin 7. C & M Construction Ltd pleaded guilty to one charge. C & M Construction Ltd failed to maintain a bulldozer in proper working order.

Contravention	Legislation	Verdict	Fine
Regulation 37(b) contrary to Section 77(2)(c) of the Safety Health and Welfare at Work Act 2005	Safety Health and Welfare at Work (Construction) Regulations 2006	Guilty plea entered	€10,000

Scafftex Systems Ltd)

On Indictment

On the 26th of October 2012, sentencing was handed down in Letterkenny Circuit Court. Scafftex Systems Ltd pleaded guilty to two charges. On the 23rd of May 2006, an employee of Scafftex Systems Ltd fell from scaffolding at the Colgan Hall Carndonagh Co Donegal and died at the scene as result of his injuries. The employees of Scafftex Systems Ltd were dismantling scaffolding at the time of the incident.

Contravention	Legislation	Verdict	Fine
Section 8(2)(e) contrary to Section 77(9)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€3,000
Regulation 9(4) contrary to Section 77(2)(c) of the Safety Health and Welfare at Work Act 2005.	Safety Health and Welfare at Work (Construction) Regulations 2001 Safety Health and Welfare at Work Act 2005	Guilty plea entered	Taken into account

Hodgins Architectural Facades Ltd

On Indictment

On the 14th of November 2011, sentencing was handed down in Galway Circuit Court. Hodgins Architectural Facades Ltd pleaded guilty to one charge. Hodgins Architectural Facades Ltd was appointed PSCS for the removal and replacement of windows at Scoil Chuimsitheach Chiarain, Carraroe, Co. Galway. During this work the presence of asbestos panels behind the windows was discovered. Asbestos panels were not stored properly and as a result, the rear school yard became contaminated with asbestos debris.

Contravention	Legislation	Verdict	Fine
Section 12 contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	€10,000



J Harris Assemblers

On Indictment

On the 20th of December 2012, sentencing was handed down in the Central Criminal Court, Parkgate Street, Dublin. J Harris Assemblers pleaded guilty to one charge. In August 2003, J Harris Assemblers bought a lorry and its attachments. J Harris Assemblers then sold the lorry and its attachments to another party. However, prior to the resale the machine was not adequately tested or examined by J Harris Assemblers.

Contravention	Legislation	Verdict	Fine
Section 10(1)(a)	Safety Health and Welfare at Work Act 1989	Guilty plea entered	€20,000

Teagasc Animal & Grassland Research and Innovation Centre

Summary

On the 18th of December 2012, sentencing was handed down in in Navan District Court. Teagasc Animal & Grassland Research and Innovation Centre pleaded guilty to one charge in relation to failing to identify the hazards and assess the risks associated with the taking of blood samples from calves.

Contravention	Legislation	Verdict	Fine	Probation Act
Section 19(1) contrary to Section 77(2)(a)	Safety Health and Welfare at Work Act 2005	Guilty plea entered	N/A	Probation Act



Appendix C: Legislation and Guidance Programme 2012

Table C1: Legislation development 2012

Regulation	Type	Status
Draft Reporting of Accident Regulations	Review	Public consultation concluded on 12 March 2012
Draft Safety, Health and Welfare at Work (Diving) Regulations	Review	Draft Regulations are currently with the Office of Parliamentary Counsel
Draft Safety, Health and Welfare at Work (General Application) (Amendment) Regulations relating to the use of work equipment	Review	Draft Regulations are currently with the Office of Parliamentary Counsel
Draft Safety, Health and Welfare at Work (General Application) (Amendment) Regulations relating to the review of the Safety in Industry Act and Factories Act	Review	Draft Regulations relating to woodworking machinery, abrasive wheels and abrasive blasting of surfaces were submitted to DJEI. The Regulations are currently with the Office of Parliamentary Counsel
Draft Safety, Health and Welfare at Work (Mines) Regulations	Review	Draft Regulations are currently with the Office of Parliamentary Counsel
Draft Safety, Health and Welfare at Work (Biological) Agents Regulations	Review	Draft Regulations are currently with the Office of Parliamentary Counsel
Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2012 (Pressure Systems) (S.I. No. 445 of 2012)	Review	Signed by Minister on 12 November 2012
Draft Safety, Health and Welfare at Work (Prevention of Sharps in the Healthcare Sector) Regulations 2012	New	Draft Regulations submitted to DJEI. The Regulations are currently with the Office of Parliamentary Counsel.
Safety, Health and Welfare at Work (Construction)(Amendment) Regulations 2012 (S.I. No. 461 of 2012)	Review	Signed by Minister on 23 November 2012. Operational on 1 June 2013.
Safety, Health and Welfare at Work (Construction)(Amendment)(No. 2) Regulations 2012 (S.I. No. 481 of 2012)	Review	Signed by Minister on 30 November 2012
Draft Safety, Health and Welfare at Work (Quarries) (Amendment) Regulations	Review	Signed by the Minister on 15 January 2013
Electromagnetic Fields	New	This work was postponed pending a new Directive
Work-related Musculoskeletal Disorders	New	This work was postponed pending a new Directive

Appendix C: Legislation and Guidance Programme 2012 (cont'd)

Table C.2 Code of Practice development 2012

Code of Practice	Status
Code of Practice for the Docks Industry	Draft submitted to the Department of Jobs, Enterprise and Innovation on 2 October 2012 for the Minister's consent to its publication
Code of Practice for Employers with Three or Less Employees in Inshore Fishing	Development of draft Code is ongoing
Code of Practice for Inland Diving and Inshore Diving	To be finalised following formal legal settlement of the draft Safety, Health and Welfare at Work (Diving) Regulations
Code of Practice for Offshore Diving	To be finalised following formal legal settlement of the draft Safety, Health and Welfare at Work (Diving) Regulations

Table C.3 Guidance material published in 2012

Guidance topic	Guidance title
Construction	Definition of Construction Work
Healthcare	Health and Safety at Work in Residential Care Facilities
Healthcare	Health and Safety Management Checklist For Small Healthcare Facilities
Occupational Health	Guidance on Night Work and Shift Work
Occupational Health	Guide on the Prevention of Upper Limb Disorders in the Financial Sector
Physical Agents	Noise in the Music and Entertainment Sectors



Appendix D: Board Sub-committees and Advisory Committees

Legislation and Guidance Sub-Committee of the Board

- George Brett (Chairperson)
- Marian Byron
- Dermot Carey
- Esther Lynch / Eamonn Devoy (alternate)
- Mary Bohan

Finance Sub-Committee of the Board

- Des Mahon (Chairperson)
- Dan O'Connell
- Dessie Robinson

Audit Sub-Committee of the Board

- Des Mahon (Chairperson)
- Dermot Carey
- Dan O'Connell
- Dessie Robinson

Strategic Review and Implementation Sub-Committee of the Board

- Micheal Horgan (Chairperson)
- Francis Rochford (replaced by John Newham from April onwards)
- Marian Byron
- Eamon Devoy
- George Brett
- Martin O' Halloran

Construction Advisory Committee (CAC)

- Dessie Robinson (Chairperson), Health and Safety Authority Board member and IMPACT
- Denis Farrell, Irish Congress of Trade Unions
- Kathy O' Leary, Construction Industry Federation
- Robert Butler, Construction Industry Federation
- Carl Anders, Irish Business and Employers Confederation
- Tony Pearson, FÁS
- James Coughlan, Irish Congress of Trade Unions
- Kevin Rudden, Association of Chartered Engineers Ireland
- Stephen Cunningham, Institute of Occupational Safety and Health
- Brendan MacConville, Royal Institute of Architects of Ireland
- Michael McDonagh, Health and Safety Authority
- Paraig Earley, Health and Safety Authority
- Carol O' Shea (Secretary), Health and Safety Authority



Technical Scientific Advisory Committee (TSAC)

- Marian Byron (Chairperson), Health and Safety Authority Board member
- Darren Byrne (Deputy Chair), Department of the Environment and Local Government
- Frank Barry, Irish Congress of Trade Unions
- Bobby Carty, Irish Congress of Trade Unions
- John Hughes, Department of Jobs, Enterprise and Innovation
- Michael Gillen, Irish Business and Employers Confederation
- Carl Anders, Irish Business and Employers Confederation
- David McGilloway, Pesticide Registration and Control Division
- Peter Webster, Environmental Protection Agency
- Frances Wright, Occupational Hygiene Society of Ireland
- Aisling Murtagh, Consumer Association of Ireland, replaced by Dermot Jewell during 2012
- Peter J Claffey, Health and Safety Authority
- Shara Smith (Secretary), Health and Safety Authority

Farm Safety Partnership Advisory Committee (FSPAC)

- Mary Bohan (Chairperson), Health and Safety Authority Board member
- Brian Carroll, Agricultural Consultants Association
- Jim Dockery, Farm Relief Network
- Declan Gibney, Institute of Occupational Safety and Health
- Pat Kirwan, Veterinary Ireland
- Seán O' Laoide, Veterinary Council of Ireland
- Gerard Mawn, Coillte
- Michael Larkin, Macra na Feirme
- John McNamara, Teagasc
- Dr Patricia Torpey, Department of Agriculture, Fisheries and Food
- Tom Murphy, Professional Agricultural Contractors Association
- Vincent Nally, Irish Rural Link
- Willie O' Donohue, Irish Creamery Milk Suppliers Association
- Dr Noel Richardson, Health Service Executive
- Ciarán Roche, FBD Insurance
- Margaret Healy, Irish Farmers Association
- John Flynn, Irish Cattle and Sheep Farmers Association
- Anne Brady, Agri Aware
- Pat Griffin, Health and Safety Authority
- Anthony Morahan, Health and Safety Authority
- Margaret Egan (Secretary), Health and Safety Authority



Southern Regional Advisory Committee (SRAC)

- Sylvester Cronin (Chairperson), SIPTU
- Anne Keohane, Irish Farmers Association
- Michael Reidy, Limerick County Council
- Austin Noonan, Limerick Institute of Technology
- Conor O'Connell, Construction Industry Federation
- Donal Harte, Irish Creamery Milk Suppliers Association
- Pat O'Flynn, SIPTU
- Eddie Ronayne, Cork County Council
- Gus Connolly, ESB Networks
- Bob Seward, Institute of Occupational Safety and Health
- Maria O'Brien, Health Service Executive
- Mary Keane, National Irish Safety Organisation
- Michael Hanley, West Cork Enterprise Board
- Robert Stuart, Kerry Co. Council
- Tony Briscoe, Irish Business and Employers Confederation
- Sean Hyde, Health and Safety Authority
- Patricia Truscott (Secretary), Health and Safety Authority

South-East Regional Advisory Committee (SERAC)

- Dan O'Connell (Chairperson), Health and Safety Authority Board member
- John Cassidy, FÁS
- Ita Leyden, Institute of Occupational Health and Safety
- Lorraine Casey Power, Deputy, Institute of Occupational Health and Safety
- Eileen Curtis, Kilkenny VEC
- Geraldine Moran, Deputy, Kilkenny VEC
- Zena Keane, Carlow County Council
- James Curran, Construction Industry Federation
- Mary Flynn, Waterford IFA Farm Family & Social Affairs
- Marion Dalton, Deputy, Waterford IFA Farm Family & Social Affairs
- John Hickey, Bord Iascaigh Mhara
- John Hogan, Teagasc
- Mary Kelly, Health Services Executive
- Richard King, Electricity Supply Board
- Kieran Leahy, Garda Representative Association
- Conor O'Reilly, Deputy, Garda Representative Association
- John Mulholland, Kilkenny County Council
- Ray Murray, Bord Iascaigh Mhara
- Frank Nolan, Irish Water Safety
- Sean Hennessy, Irish Water Safety
- Mary O'Doherty, Waterford Institute of Technology
- Paul O'Mahony, Irish Concrete Federation
- Michael Cusack, Inland Fisheries Ireland
- Eddie Taaffe, Wexford County Council
- Mark Cullen, Health and Safety Authority
- Maura Kavanagh (Secretary), Health and Safety Authority



North-West Regional Advisory Committee (NWRAC)

- John Byrne (Chairperson)
- Martin Shields, Irish Business and Employers Confederation
- John Quinn, National Irish Safety Organisation
- Olive Henry, FÁS
- Fintan Byrne, An Garda Síochána
- Darragh Gannon, An Garda Síochána
- Maura Canning, Irish Farmers Association
- Art McGrath, Teagasc
- Tom Farrell, IMPACT
- David Mullarkey, Sligo Institute of Technology
- Tom Currid, Construction Industry Federation
- John McGovern, Coillte
- James Hughes, North West American Chamber of Commerce
- Adrian Maye, Irish Concrete Federation
- Sonya Maguire, Local Authority Safety Advisors Group
- Pat Kelly, ESB Networks
- Bernadette McLoughlin, Irish Countrywomen's Association
- Hilary Byrne, Health and Safety Authority
- Orla Cahalan (Secretary), Health and Safety Authority



Appendix E: Report for 2012 on the Performance of Designated National Authorities on their functions under the Chemicals Acts 2008 and 2010

The Health and Safety Authority was appointed as the principal national authority under the Chemicals Act 2008, No. 13 of 2008, which was amended in 2010 by the Chemicals (Amendment) Act 2010, No. 32 of 2010 (herein referred to as 'the Chemicals Acts 2008 and 2010') and as such has responsibility for coordinating the operation of the Acts. The Acts provide for the implementation and administration of the REACH Regulation (EC 1907/2006), the CLP Regulation (EC 1272/2008), the Rotterdam Regulation (EC 689/2008) and the Detergents Regulation (EC 648/2004).

Five other national authorities have administrative and/or enforcement obligations under the 2008 and 2010 Acts, namely the Department of Agriculture, Food and the Marine (DAFM); the Environmental Protection Agency (EPA); Beaumont Hospital Board; the Customs Service of the Department of the Revenue Commissioners; and the Irish National Accreditation Board (INAB). This addendum summarises the performance of the functions of these Authorities for 2012, details of which were submitted to the Authority in reports as required under Sections 8(4) and 8(5) of the 2008 Act. 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.

For 2012, each national authority was asked to respond in relation to the following: key MSCA activities; provision of stakeholder support and advice; enforcement programmes, if relevant; participation in national and European advisory committees and working groups; cooperation arrangements in place between national and/or European authorities and key issues arising in the course of the year related to legislation or resources made available to support work under the relevant regulations, plus any other comments that might be relevant. Details received from the individual national authorities are provided below.

a. The Department of Agriculture, Food and the Marine (DAFM)

DAFM is responsible for matters related to pesticides and biocides under the REACH, CLP and Export-Import Regulations.

With respect to key activities, DAFM reported that in 2012 they submitted information on the operation of the REACH Regulation in relation to pesticides to the HSA for the period 1/1/12 to 31/12/12. Relevant work undertaken for the plant protection products (PPP) and Biocides legislation that relates to the registration of substances/mixtures under REACH was performed as per this sector-specific legislation. Notification/authorisation/registration of pesticide products to DAFM included a check on the REACH compliance of safety data sheets (SDS). In relation to CLP, DAFM checked labelling and classification requirements of pesticide products during the notification, authorisation and registration process. In addition, inspections carried out in 2012 regarding plant protection products (as reported below) also involved checks on the compliance of pesticide product labels. Two dossiers proposing harmonised classification and labelling (CLH) were submitted (Warfarin and Sulfoxaflor) to ECHA in 2012 for public consultation and consideration by the Risk Assessment Committee (RAC).

No notifications were processed under the Rotterdam Regulation during 2012, as no applications related to pesticides were received. Reporting was carried out where appropriate.

With respect to stakeholder support and advice, DAFM does not host a specific REACH/CLP



helpdesk. However, all queries referred by the REACH and CLP national helpdesk as provided by the Authority are dealt with by DAFM. The first Biocides Symposium was held in April 2012 and the Authority attended and presented a talk on the topic of borderlines between detergents and biocidal detergents.

DAFM did not report any specific REACH, CLP or Prior Informed Consent (PIC) enforcement activity under the Chemicals Act in the course of 2012. However, as part of their annual enforcement programme of pesticide legislation, which is conducted by the Pesticide Registration and Control Division (PRCD) of DAFM, approximately 350 inspections of distributors (wholesale and retail), local authorities, HSE stores and sports clubs were conducted. Compliance Notices were issued in accordance with inspection procedures. A total of 25 Compliance Notices outlining a use-up or sell-by date were issued during 2012. Some 1,296 farms were also inspected by DAFM Single Payment Scheme (SPS) Inspectors to determine compliance with pesticide regulations, as part of the EU SPS inspection programme.

Although DAFM has already signed up to access REACH-IT, it has not currently any plans to access RIPE (the REACH Information Portal for Enforcement).

With respect to participation in advisory committees, DAFM participated in the Technical and Scientific Advisory Committee (TSAC) of the Authority as well as the Chemicals Interdepartmental Agency Group meetings held during 2012. A DAFM toxicological expert, representing Ireland, is a member of the ECHA RAC. DAFM has also nominated experts to a number of EU working groups in the emerging areas of endocrine disruptors, mixture assessment and nanomaterials, but these are not under ECHA.

Meetings and communications took place between DAFM and the other national authorities as the need arose during 2012. A Memorandum of Understanding (MoU) between DAFM, HSA and Customs in relation to the Rotterdam Regulation continues to be in place since 2011. An MoU between DAFM and the HSA in relation to REACH/Chemicals Act was agreed in 2011 and continues to be in place. DAFM reported that there are currently no future plans for further developing such MoUs outside of the agreed review period, nor were there any plans for additional MoUs with other national and/or external authorities. It was also noted that there are no mutual cooperation arrangements between DAFM and other external bodies/authorities that do not have a statutory role.

DAFM noted that current resources for the Chemicals Acts (and the associated EU legislation) have been static since 2011.

2. Revenue Commissioners – Revenue's Customs Service

Revenue's Customs Service has no active role in assisting in the implementation of the REACH, CLP or Detergents Regulations. However, the Revenue Commissioners are the designated national authority under Article 17 of the Rotterdam Regulation and Revenue's Customs Service is responsible for the control of the import and export of dangerous chemicals as listed in that Regulation. For this purpose, profiles have been set into Revenue's Automated Entry Processing (AEP) Customs clearance system. This means that the AEP system is programmed to flag various export declarations to Customs staff. Where there is any question regarding the Reference Identification Number (RIN), the requirement for a RIN, or the export of a certain chemical, Customs contacts the appropriate designated national authority for clarification on the status of the chemical in question. 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 during 2012. The public can access the staff manual via the Revenue website: Dangerous Chemicals Manual. In addition, the Revenue Website also sets out general information in respect of prohibited/restricted goods, including



information in respect 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 dangerous chemicals on the AEP system and the validation by Customs staff of RINs at exportation where relevant. An information manual has issued to all Customs staff which outlines the procedures to be used in the exportation of chemicals specified by the Rotterdam Regulation.

A Memorandum of Understanding was signed in July 2010 between Revenue (Customs), the Health and Safety Authority and Department of Agriculture, Fisheries and Food (now Department of Agriculture, Food and the Marine). This MOU sets out respective roles and responsibilities in the implementation of the Rotterdam Regulation. A Customs representative attends the Joint Irish DNA meetings along with representatives from the Health and Safety Authority and Department of Agriculture, Food and the Marine. Terms of reference have been agreed and signed.

Revenue has, in its 2012 report, again raised the issue of use of Combined Nomenclature (CN) codes in profiling to the Authority. Profiling can be initiated using various identifiers; in this case, CN codes of chemicals or trader names. CN codes cannot, however, identify in all cases the specific chemicals that are subject to the Rotterdam Regulation. In many instances the chemicals concerned do not correspond to individual CN codes. A particular CN code could relate to as many as 300 different chemicals, a small number of which may require a RIN, most of which may not require a RIN, and possibly some for which export is prohibited. Accordingly, it is not possible to properly target all the declarations of interest under the EC Regulation, as many other non-relevant declarations could also be affected. This is an issue for all member states. In 2011 Customs, via the HSA, submitted a proposal to the EU Commission for the mandatory use on Customs declarations of a unique number to identify specific chemicals (e.g. CUS number). We are awaiting the outcome of considerations of this proposal but to date no progress has been reported. The Authority will once again raise the issue with the Commission and its parent department, Department of Jobs, Enterprise and Innovation, in 2013.

3. Beaumont Hospital Board

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

In 2012 the NPIC answered 2,135 enquiries about suspected human poisoning/exposure incidents involving household chemical products, including 1,009 detergent products (preliminary data). Fabric cleaning products (particularly liquid detergent sachets/capsules), bleach, toilet cleaners/fresheners and dishwasher products were the most frequently implicated detergent products.

In fulfilment of its role in identifying where improved risk management measures may be needed, the NPIC raised concerns in 2012 to the Authority, the Competent Authority for the Detergents Regulations, about the disproportionate number of incidents involving children who ingested or were exposed to the contents of laundry detergent capsules ("liquid tabs"). The Authority subsequently chaired meetings with individual manufacturers and industry representatives to ask what measures they intended to put in place to reduce the number of such incidents. Industry has responded by developing a voluntary Product Stewardship Programme for such products which introduced additional packaging and labelling measures. The NPIC will continue to monitor incidents involving these products to assess the impact of these measures. For further details, please refer to the achievements section on chemicals in the main report.



Under Article 45 of the CLP Regulations the European Commission carried out a review to assess the possibility of harmonising the information to be submitted to poisons centres and appointed bodies, including establishing a format for the submission of information by importers and downstream users. At the CARACAL meeting in March 2012 the Member States Competent Authorities supported the harmonisation of product notification, and work on this project is continuing. The European Association of Poison Centres and Clinical Toxicologists (EAPCCT) is a stakeholder in this process. As members of the EAPCCT the Director and Manager of the NPIC have contributed to ongoing discussions with the Commission and industry which aim to finalise the harmonised data set.

Finally, it should be noted that NPIC has no enforcement duties under CLP nor is it involved in any specific cooperation arrangements with other national or European authorities, other than the ongoing cooperation as outlined above. NPIC noted no additional staff was provided for Chemical Act duties and that their current complement of 4.5 full-time equivalents worked on a range of areas, not just the legislation in question.

4. Irish National Accreditation Board (INAB).

The Irish National Accreditation Board is a Competent Authority under the Detergents Regulations, but only for the purposes of Articles 8(2) and (3) of that Regulation. In its 2012 submission to the Authority, INAB noted that it has no GLP facilities or laboratories (ISO 17025) providing laboratory services under the REACH or Detergents Regulations. INAB continues to participate in the Organisation for Economic Development (OECD) Good Laboratory Practice (GLP) and European Commission working groups.

5. National Advisory Committees

The Authority's Technical and Scientific Advisory Committee (TSAC) is the principal forum for consultation with external bodies on chemicals, and representatives from both the EPA and the DAFM participate in this forum. Three meetings were held in 2012 following developments in relation to the REACH and CLP Regulations, as well as the development of Authority guidance in relation to safe chemicals management.



Appendix F

Overview of energy usage 2012

The main energy uses at the Health and Safety Authority are our headquarters in James Joyce Street, seven regional offices and two warehouses. Most of the energy consumption is for lighting, air conditioning, office equipment and catering equipment.

In 2012 the Health and Safety Authority consumed 700,000 kWh of energy, consisting of:

- 68,000 kWh of natural gas
- 632,000 kWh of electricity

Actions undertaken in 2012

The Health and Safety Authority undertook a range of initiatives to improve our energy performance in 2012:

- Installation of more energy-efficient lighting in regional offices;
- Reduced office space in our Kilkenny site;
- Relocated disaster recovery site to shared service facility, thus reducing energy consumption;
- Continued participation in recycling schemes;
- Ongoing service and maintenance of air conditioning system to improve energy efficiency.

Actions planned for 2013

The Health and Safety Authority plans to undertake a range of initiatives to further improve energy performance in 2013:

- Review operation of ICT server bank to achieve energy savings;
- Review of energy plans and change service providers, where possible, to achieve savings;
- Ongoing service and maintenance of all air conditioning and heating systems;
- Recycling or reduction of waste where possible;
- Upgrade of systems as appropriate.

Appendix G: Statement on compliance with the requirements of the Code of Practice for the Governance of State Bodies – additional to the Statement on Internal Financial Control

This Statement of Compliance must be read in conjunction with the Statement of Internal Financial Control that appears in both the Annual Report and Financial Statements of the Authority. This Statement seeks to provide assurance in connection with a range of items detailed in Paragraph 13.1 of the Code that are not addressed in the Statement of Internal Financial Control.

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

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

Government guidelines on the payment of Directors' fees and expenses are being complied with. The fees and expenses paid to Board members during 2012 are detailed in a note to the Financial Statements and in the Annual Report.

There have been no significant post-balance sheet events.

The Authority has complied with the Government travel policies in all respects and all appropriate procedures for financial reporting, internal audit, travel, procurement and asset disposals are being carried out.

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

On behalf of the Board.

Michael Horgan

Chairperson

March 2013



*A country where
worker safety, health
and welfare and
the safe management
of chemicals are
central to successful
enterprise*

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