



HEALTH AND SAFETY
AUTHORITY

What to Expect when the Health and Safety Inspector Calls



This leaflet tells you what can happen when one of our inspectors visits your workplace to carry out an inspection or an investigation. It also explains what we do with the personal data we are required to collect during our workplace inspections and accident investigations.

Our legal role

Our job is to regulate and enforce the laws that keep people safe and healthy at work and to safeguard people from the adverse effects of chemicals. We visit thousands of work locations every year as part of our remit which is:

- to regulate and promote the safety, health and welfare of people at work and those affected by work activities, and
- to regulate and promote the safe manufacture, use, placing on the market, trade and transport of chemicals.

Today's inspection is one of the many our inspectors carry out every day under the Safety, Health and Welfare at Work Act 2005, the Chemicals Acts 2008 and 2010 and other relevant laws. Most of our inspections under these laws are unannounced but we may make appointments to ensure we meet the appropriate people.

During these inspections we will ask you questions about health and safety and what information you may have about an accident scene. As a result we may have to collect your personal data including, for example, your name, address, mobile number, email and health records.



During the inspection

Our inspectors will assess how you keep yourself, your workers, and anyone who may be affected by your work, healthy and safe. During an inspection our inspectors may:

- ask you and your workers what they do;
- look at possible health risks arising from your work;
- look at how you handle chemicals so that they are not allowed enter the workplace atmosphere or into the environment;

- review your control of key sectoral risks, for example:
 - on farms - unguarded PTOs, poor animal handling facilities, safe use and maintenance of tractors and other farm machinery, child safety protection,
 - on construction sites - for working at heights or in unprotected trenches, when working under overhead power lines and the adverse effects of construction dusts including asbestos;
 - in hospitals and other healthcare facilities - poor manual handling and patient handling, slips, trips and falls on slippery floors, violence and aggression towards staff;
- assess vehicle, machinery and work equipment safety;
- review your safety statement, risk assessments and safety data sheets;
- review work equipment maintenance logs; and
- take photographs and measurements of work situations.

Our inspectors will want to know about:

- the main health and safety issues in your workplace, and
- your own knowledge and experience of health and safety.

Inspectors will want to speak to your safety representative, where one exists, or members of your safety committee. The safety representative may accompany the inspector during the inspection.

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During an investigation

Our inspectors are required to investigate all fatal accidents which occur at work and which are due to a work activity. We may also investigate the circumstances into certain serious non-fatal incidents at your workplace. We can also investigate complaints that are made to us on unsafe work practices.

During an investigation our inspectors have certain powers under law which allows them to:

- enter, enquire into, search, examine and inspect a place of work;

- obtain information from employers and employees, if required;
- interview employers and employees about work activities which led to an accident;
- take witness statements when undertaking their investigation;
- require the production of records and to make and retain copies of these records;
- test and examine any article or substance at the workplace and to remove or retain them if necessary;
- install and maintain monitoring instruments; and
- take samples of the workplace.

What if there is something wrong?

Our inspectors may give you advice, either verbally or in writing, about how you can make improvements on health and safety in your workplace. They may take action if they find you are breaking the law or stop work which is dangerous. Some of the enforcement actions that can be used include:

- A Report of Inspection setting out areas for improvement and advice about health and safety at work.
- An Improvement Notice or a Contravention Notice for breaches of the legislation giving you a period of time to make improvements.
- A Prohibition Notice where there is a risk of serious personal injury which will stop you doing something until you have made it safe to continue.
- Prosecution through the office of the Director of Public Prosecution (DPP) for failing to comply with the law or not complying with one of the above Notices.

All of the above Notices can be appealed to the District Court if you do not agree with our decision.

What we do with the Personal Data we collect from you

Your contact details may be used to follow up on advice or enforcement notices issued by an inspector. Information collected during an investigation or an inspection may also be used in the preparation of an inspection report or an investigation file.

In certain circumstances we may be required to share your personal data with bodies outside of the Authority, including for example An Garda Síochána, a Coroner or the DPP. Personal data will only be shared where there is an explicit legal basis in legislation and in accordance with the requirements of the Data Protection Act.

Inspection and investigation records are held for 10 years. However, all fatality and serious injury investigation records are held for a longer period of time in accordance with our data retention procedures.

Your legal rights relating to your personal data which we collect

You have the right to request access to the personal data that we hold about you. You also have the right to request from us the rectification or erasure of your personal data. If you wish to exercise any of the above rights, please email your request to the HSA data protection officer at dpo@hsa.ie. Further information is available on our website www.hsa.ie.

If you believe that your rights under the Data Protection Act have been infringed, you may complain to the Office of the Data Protection Commissioner at 21 Fitzwilliam Square, Dublin 2, D02 RD28, or email info@dataprotection.ie.

Complaints about your visit

Our inspectors have a statutory function to undertake inspections and will engage with you in a courteous and respectful manner and in accordance with the values of the Authority.

If, for any reason, you are not satisfied with the process or outcome of the inspection and wish to make a complaint, we promise to deal with it in a fair, thorough and timely manner. If you have an informal complaint about any aspect of the inspection, please phone our helpdesk on 1890 289 389 or email wcu@hsa.ie.

If you consider the matter to be a very serious one and wish to make a formal complaint, you can do this in writing by emailing wcu@hsa.ie or telephone (01) 7997838. Please note that a complaint about a named staff member will always be treated as a formal complaint unless you specifically request it to be treated informally.

Our inspector
called and you
were not in



An inspector from the Health and Safety Authority called today and you were not in. Please contact our inspector, named below, to arrange a revisit.

Inspector Name:

Mobile Number:

E-Mail:

Workplace EIRCODE:

Further Information and Guidance:

Visit our website at www.hsa.ie, telephone our contact centre on **1890 289 389** or email wcu@hsa.ie

Use BeSMART, our free online risk assessment tool at www.besmart.ie

Check out our range of free online courses at www.hslearning.ie



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