

Making Your Business Safe

Smarter Business Guide to Health and Safety

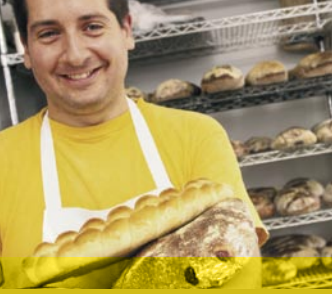


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Contents

Improving safety.....	2
It's the law.....	3
Your business	5
Risk management.....	12
Safety statement.....	15
Health and safety and the law.....	18
Useful links.....	22

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Improving safety

Reducing accidents and losses

Accidents in the workplace can result in financial loss and injury, even death. Many people are affected each year. Eagle Star was delighted to join with Chambers Ireland in launching the ChamberSafe initiative to promote health and safety, to reduce accidents and losses and to help businesses thrive.

Businesses that successfully complete the ChamberSafe course can get substantial savings on their business insurance costs from Eagle Star. These businesses will also attain a higher standard of compliance with the Safety, Health and Welfare at Work Act 2005.

Eagle Star recognises the great efforts made by Chambers Ireland in promoting safe work practices and we are delighted to sponsor this guide. We are sure that you'll find it instructive in terms of improving your business.



It's the law

Your legal responsibility

Improving health and safety within your business is essential not only to make your workplace safe but also to comply with your legal obligations.

There were 70 work-related deaths in 2005 compared to 49 in 2004, with construction (23 deaths) and agriculture (17 deaths) the most dangerous when it comes to unsafe work places.

The most common accident that resulted in death was a 'fall, collapse or breakage of material' (16 fatalities), followed by 'falls from height' (9 fatalities) and 'loss of control of other transport or handling equipment' (9 fatalities).

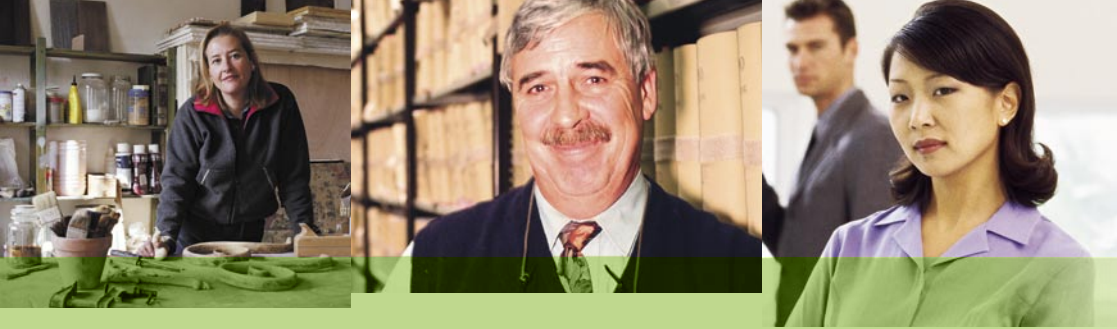
The most common non-fatal accidents reported in 2005 for all sectors were handling, lifting and carrying (31.2%), and slips, trips and falls (15.1%). These have been the two most common accident triggers every year since 2000.

All employers need to proactively review and revise their health and safety procedures, and to fully comply with the new Safety, Health and Welfare at Work Act 2005.

Legal framework

This legislation has significantly altered the legal framework for employers in relation to health and safety. It puts an expanded duty on employers and means that companies need to revise their risk assessments, safety statements and health and safety procedures to bring them into line with the new law.

Research shows that employees of SMEs (small to medium enterprises) can be at a greater risk than those working in larger organisations, which typically have formalised and well resourced health and safety processes. SMEs account for 82% of all occupational injuries and 90% of fatal accidents. Yet, SMEs can tend not to have formal health and safety management practices in place. It is in their own, and in their employees' interests, for companies to work to comply with this legislation.



But it is not only from a legal perspective that focusing on health and safety makes sense. Accidents and work-related illnesses caused through poor implementation of health and safety practices are costing Irish businesses at least €300m per annum.

Tackling bad work practices will help reduce costs for Irish SMEs. This can be achieved through lower insurance costs and a reduction in claims due to accidents and injuries.

For example, under Chambers Ireland's health and safety programme ChamberSafe, which is partnered by Eagle Star Insurance, SMEs receive subsidised health and safety training. Upon successful completion of the course, company representatives receive the international professional health and safety, standard Safety Management OHSAS 180011.

Once companies have achieved this standard, they will be eligible for average reductions of between 10% and 20% in their insurance rates from Eagle Star Insurance. Other insurance schemes offer similar discounts for companies who can demonstrate a proactive focus on improving their health and safety standards.



Your business

Meeting your obligations

Health and safety can no longer be an afterthought for owner-managers. It is therefore vital that both managers and their employees are aware of their obligations.

What is health and safety all about?

Preventing people being harmed or being made ill at or by work by taking the right precautions. The vital element in achieving this is providing a satisfactory working environment.

Do health and safety laws apply to me?

The law is there to protect individuals from workplace dangers. It applies to all businesses, the self-employed and to employees. This is regardless of whether a business employs 10,000 people or just one.

What is a workplace hazard and risk?

A hazard is anything that can cause harm (e.g. chemicals, electricity, working from a ladder, etc). A workplace risk on the other hand is the chance, no matter how great or small, that someone will be harmed by the hazard.

What is the most common hazard?

The most common cause of accidents at work, and resulting injuries, occurs through slipping or tripping. The falls as a result can be very serious. Slips and trips can happen no matter what the business.

However, sectors such as food and catering generally report higher than average numbers.

If you do not think this applies to you or your business, simply ask yourself the following questions and if you answer yes to any you need to think about implementing a health and safety policy to manage the risk:

- Do you have floors that are, or can become slippery when wet, for example?
- Can spillage occur and is there a system in place to deal with it quickly?
- Are there areas of your premises that are unlit, such as paths or side entrances?
- Do you use floor-cleaning materials to wash floors?

Is asbestos a problem?

Many people come in close contact with asbestos without even realising it. Asbestos can be found in buildings built from 1950 to 1985 in many forms. It may also be found in some vehicle brake pads and clutch linings. If you come into contact with it you are at risk.

Ask these questions to assess the risk:

- Do you know whether there is asbestos in your premises?
- Does your work involve the maintenance and repair of premises?



- Do you know what the rules are about removing asbestos?
- Do you know whether there is asbestos in any of the materials you work with?

What are hazardous substances?

Hazardous substances in the workplace obviously include chemicals, but dust, fume and bacteria, which can be present in the workplace, can also be classified as such. Breathing in these substances, letting them make contact with the skin, splashing them into the eyes or swallowing them can cause serious injury. If exposure is not prevented or properly controlled, illnesses such as cancer, asthma and dermatitis can occur and, ultimately, even death.

It is important to ascertain:

- What chemicals you use at work (including cleaning materials)
- If you use hazardous substances, do you have safety information regarding handling, including safety data sheets and proper labelling?
- If there is dust or fumes present in your workplace
- If you have any water systems that could cause an outbreak of Legionnaires' disease
- If you work with animals or their products, and are aware these may cause skin or respiratory sensitisation or be infected with bacteria or viruses.

Why is height safety so important?

Falling from a height is one of the main causes of workplace fatalities and injuries every year. The main culprit is the use of ladders. To help prevent such accidents you need to consider the risks your employees are exposed to and ensure they are properly trained, have suitable and safe equipment for the tasks, and are properly managed and supervised while they are working at height.

You need to ask the following questions to safely manage the risk:

- Do any tasks in your workplace require working at heights?
- Do you have the right equipment for the task? It may often be safer to use an access tower or mobile elevating work platform rather than a ladder
- Do you know what work is done at height and how it is performed? For example, does anyone ever have to work on the roof, or on or near fragile surfaces?
- Are your employees trained in the use of the equipment they use for working at height?



Why play it safe when it comes to lifting?

Lifting everyday loads can cause many people to hurt their back, arms, hands or feet. The loads do not even have to be overly heavy for this to happen. Lifting any weight incorrectly can cause muscular aches and pains, which may initially be temporary, but can progress to a chronic and disabling disorder if not identified and treated at an early stage.

While cumulative damage can build up over time causing pain and discomfort in people's backs, arms, hands and legs, most cases can be avoided. Employers should ensure suitable lifting equipment is provided and regularly maintained. Importantly, this should go hand-in-hand with regular and relevant training on both manual handling and using the equipment safely.

You need to ask:

- Does any work carried out on or off premises include strenuous lifting, carrying, pushing, pulling, reaching or repetitive handling?
- Do any jobs include repetitive finger, hand or arm movements that are frequent, forceful or awkward?
- Does your work involve any use of excessive physical effort?

What about working with computers?

Working with computer or other kinds of display screen equipment (visual display units) can give rise to back problems, repetitive strain injury and other musculo-skeletal disorders. Such health problems can become serious if no action is taken. The underlying cause is generally poorly designed workstations and chairs, a lack of space, poor or a lack of training or not taking sufficient breaks from display screen work.

While work with a screen has not been proven to cause eye damage, many users can experience temporary eye strain or stress. The result of this can be reduced work efficiency or an increased number of sick days.

If computers or display screens are used in your business you need to ask:

- Does use of display screens form a significant part of the work carried out by any individual employee?
- Does anyone use a keyboard, mouse or other input device?
- Are people complaining of discomfort, aches and pains?



When does noise become a problem?

While high levels of noise at work can cause hearing loss it can take many years to become serious and isolate the original cause. It does not only affect older employees, as young people can equally damage their hearing and suffer premature deafness. The symptoms can first be noticed when people find they cannot keep up with conversations in a group, complain they can't hear other people or when they need to turn up the likes of a television too loud.

Deafness is a serious problem and those affected can feel isolated from people, including their family, friends and colleagues.

This is a hazard that can be easily managed with the right instruction and safety equipment. You need to ask:

- Is there any area in the work place that is so noisy people need to shout to each other in order to make themselves understood?
- Do people complain about going home with ringing in their ears?
- Do you have tools and equipment that could be considered noisy?
- Do people have a need to wear ear protection?

What about exposure to vibration?

This hazard is often overlooked but can cause significant problems. Vibration from work with powered hand-held tools or other equipment can cause damage to the hands and arms of users. This can cause a complaint known as hand-arm vibration syndrome, which is not only painful but irreversible. The effects can be impaired blood circulation, damage to the nerves and muscles, and loss of the ability to grip properly.

Even vibration passing through the seat of a vehicle or machine can cause damage. This is known as whole-body vibration and can cause severe back damage.

To ensure the risk of such injuries is minimised ask:

- Does anyone work with powered hand-held tools, such as angle grinders, hammer drills or concrete breakers?
- Have there been any complaints about staff suffering from tingling or numbness in the fingers or hands?
- Do employees drive off-road machinery, such as tractors, dumper trucks or excavators or unsuspended vehicles, such as fork-lift trucks?



How dangerous is electricity in the normal workplace?

Everyone is aware that electricity can kill, but in the normal working environment few give it a second thought as most deaths are caused by contact with power cables, either overhead or below ground. But even non-fatal shocks in the workplace can cause severe and permanent injury. For example, shocks from faulty equipment can result in falls from ladders or scaffolds.

Poor electrical wiring, installations and faulty electrical appliances can also lead to fires, which can destroy your business premises and lead to death or injury to large numbers of people.

You need to ask:

- Does anyone use electrical equipment or carry out electrical work in your business?
- Is your electrical equipment kept in good working order?
- Is the equipment suitable for the environment it is used in? For example, is it waterproof?
- Do you work near or under overhead powerlines?
- Does your work involve digging where underground powerlines may be disturbed?

What risks do cars, vans or other transport cause?

Accidents involving being struck or run over by moving vehicles or falling from vehicles can be a major hazard and a common cause of injuries in the work environment. Most businesses use vehicles in their day-to-day operations, such as cars, vans, forklifts, heavy goods vehicles or specialised vehicles. There can be significantly more danger from vehicles in the workplace than in public areas, such as roads and motorways, because of confined space and the different working conditions.

Questions to ask include:

- What kinds of vehicles, if any, do you have in operation?
- Are only specified people allowed to drive or operate them?
- Are there specified routes around the workplace that vehicles are only allowed to use?
- Do vehicles have to do reversing manoeuvres on your premises?
- How are loading and unloading operations carried out?
- Are pedestrians separated from vehicle movements as much as possible?
- Are vehicles properly maintained?
- How do you monitor and encourage good driving behaviour?



Why should I be concerned about pressure systems?

When people think pressure systems they think gas cylinders and air compressors. However, pressure cookers, boilers and steam heating systems are also common examples of equipment and systems containing a fluid under pressure. Such systems can cause death or injury to people, and serious damage to property, if they are not maintained correctly and their contents are released unintentionally.

Does this concern me? Well, answer these questions to find out:

- Do you have any pressure systems or equipment in your business that contains a fluid under pressure?
- Do you know that such systems have to be maintained regularly in order to prevent danger?
- Are you aware that as an employer or self-employed person, it's your job to choose a competent person to carry out examinations of the pressure system?

What about fire safety?

Fire poses a threat regardless of whether it's in the home or workplace. However, the working environment can host a wide variety of flammable substances. This ranges from the obvious, such as heating fuel, petrol, paint thinners and welding gases, to the less obvious, such as packaging materials, dusts from wood, flour and sugar. For a fire to start, fuel, air and a source of ignition are needed. A good health and safety routine can help control these and prevent fires.

When developing your health and safety policy here are the questions you need to ask:

- Do you keep or use flammable substances?
- Do you use or store gas in cylinders (e.g. propane)?
- Do you work with flammable dusts?
- Do you work with plastic foams or polyester wadding?
- Do you spray flammable paints?
- Do you know the dangers of putting flammable liquids on fires to make them burn more intensely?
- Do you use oxygen, e.g. in cylinders, for welding?



Did you know stress is also a health and safety issue?

Stress has become an increasing problem in the modern workplace. While it can be hard to define and identify, research has shown there is a clear link between stress caused by work and ill health. Stress can be defined as the adverse reaction people have to excessive pressure or other types of demand placed on them.

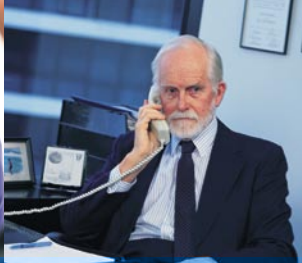
While certain levels of stress are natural and healthy, excessive stress can be a major problem. The first task is to recognise stress exists in the workplace and can be tackled. Stress at work can be dealt with by identifying the hazards, assessing who is at risk and the level of risk, deciding how to manage the risk and putting the plans into action.

Employees that suffer from high levels of unhealthy stress often point to a lack of control over the way they do their work. They also generally feel they suffer from work overload (or underload), a lack of support from their managers, conflicting or ambiguous roles, poor relationships with colleagues (including bullying) or poor management of organisational change.

Benefits of tackling stress in your organisation can include increased productivity and efficiency, lower staff turnover and sickness absence, and increased morale.

To assess the stress in your workplace, ask the following questions:

- Do you have a high staff turnover, low productivity or low morale?
- Have you noticed bullying, changes in behaviour, staff working late or increased sickness absence?
- Do your employees seem happy to come into work?
- Are you aware that there are individual differences in vulnerability to stress and that situations outside work can also affect the ability to cope with excessive pressure at work?



Risk management

So what is risk assessment?

Risk assessment identifies hazards in the workplace and weighs up the extent of that risk and what precautions should be used to prevent that risk causing harm. The aim of a risk assessment is to minimise the possibility, as much as possible, of accidents occurring in the workplace and to make sure that no one gets hurt or becomes ill.

Accidents not only affect employees and members of the public, but can also directly damage business through lost output, damaged machinery, rises in insurance costs or through legal action against your firm.

Employers are legally required to assess the risks in their workplace. It is important to decide what the hazards are in your working environment, which pose a significant risk, and whether you have satisfactory precautions in place so that the risk is minimised.

How can I assess the risks in my workplace?

The answer is simple — prepare a health and safety policy by following these six steps:

1 Prepare to draw up a health and safety policy

The health and safety policy should be a simple statement of how the company is managing its workplace safety. It should include a commitment to comply with all relevant health and safety legislation and provide a framework for continual improvement by setting targets and objectives.

2 Identify the hazards

Remember a hazard means anything that can cause harm, e.g. chemicals, electricity, working from ladders, etc.

When carrying out the assessment don't be overcomplicated. In most firms in the commercial, service and light industrial sector, the hazards are few and simple. Checking them is commonsense, but a necessary task that must be gone through.

If you are doing a hazard identification and risk assessment yourself, walk around your workplace and look afresh at what could reasonably be expected to cause harm. Ignore the trivial and concentrate only on significant hazards that could result in serious harm or affect several people. Ask your employees or their representatives what they think. They may have



noticed things that are not immediately obvious. Manufacturers' instructions or datasheets can also help you spot hazards and put risks in their true perspective, as can accidents and ill-health records.

3 Risk assessment

Risk is the chance, great or small, that someone will be harmed by a hazard. An assessment of risk is nothing more than a careful examination of what, in your work, could cause harm to people so that you can weigh up whether you have taken enough precautions or should do more to prevent harm.

The aim is to make sure that no one gets hurt or becomes ill. Accidents and ill health can ruin lives and affect your business too if output is lost, machinery is damaged, insurance costs increase or you have to go to court.

If you use dangerous chemicals, the assessment of the risks to health and the precautions you need to take may have already been set out on the label or safety data sheet. If so, you can consider them 'checked' and write that down when making a written assessment. For other hazards, you probably already know whether you have machinery that could cause harm, or if there is an awkward entrance or stair where someone could be hurt. If so, check that you have taken what reasonable precautions you can to avoid injury.

Decide who might be harmed and how. Apart from employees, think about people who may not be in the workplace all the time, e.g. cleaners, visitors, contractors, maintenance personnel, etc. Include members of the public or people you share your workplace with, if there is a chance they could be hurt by your activities.

4 Decide what precautions are needed

You may already have in place some safety measures. Your risk assessment will tell you whether these are adequate or if more should be done. You also need to ask yourself if you have done all the things that the law says you have to. Remember, all health and safety laws provide guidance on how to assess the potential risks and the appropriate safeguards. For example, there are legal requirements on prevention of access to dangerous parts of machinery.

Then ask yourself whether generally accepted industry standards are in place. But don't stop there — think for yourself, because the law also says that you must do what is reasonably practicable to keep your workplace safe. Your real aim is to make all risks small by adding to your precautions if necessary.

Improving health and safety need not cost a lot. For instance, placing a mirror on a dangerous blind corner to help prevent vehicle accidents or putting some non-slip material on slippery steps, are inexpensive precautions considering the risks.



If you find that something needs to be done, ask yourself:

- Can I get rid of the hazard altogether?
- What safety precautions are necessary to control the risk?

Controlling the risk means, and the law requires, that you do all that is reasonably practicable to ensure the hazard will not injure anyone. Commonsense tells us that life cannot be totally risk free. However, you are required to do all that is reasonably practicable to minimise the risk of injury.

If you share a workplace, tell the other employers and self-employed people there about any risks your work could cause them and what precautions you are taking. Also, think about the risks to your workforce from those who share your workplace.

5 Record your findings

The safety statement is the place to record the significant findings of your risk assessment. This means writing down the more significant hazards and recording your most important conclusions. For example: “Electrical installations insulation and earthing checked and found sound” or “Fumes from welding – local exhaust ventilation provided and regularly checked.”

You must also inform your employees about your findings. Keep the written document for future reference or use. It can help you if an

HSA inspector questions your precautions or if you become involved in any action for civil liability. It can also remind you to keep an eye on particular matters and helps to show that you have done what the law requires.

6 Review your programme and update as necessary

You will need to have some system of checking that your safety measures are working effectively. Monitor them on a regular basis, as sooner or later you will bring in new machines, substances and procedures, which could lead to new hazards. If there is any significant change you should add to the assessment to take account of the new hazard. In any case, it is good practice to review your assessment from time to time.

Don't amend your safety statement for every trivial change or for each new job. If a new job introduces significant new hazards, you will want to consider them in their own right and do whatever you need to do to keep the risks down.



Safety statement

What is a safety statement?

A safety statement is the key document in your health and safety policy. In essence it is an organisation's written programme for safeguarding the health and safety of all employees. It represents the employer's commitment to health and safety and should state how employees' health and safety will be ensured. It should also detail what necessary safety equipment and procedures will be provided to protect and prevent accidents and ill health in the workplace comply with the Safety, Health and Welfare at Work Act 2005.

Who is responsible for preparing a safety statement?

Both employers and the self-employed are required to prepare a safety statement. The Act requires every employer and self-employed person to prepare a written safety statement.

What should be covered in a safety statement?

The safety statement should:

- Be based on a written identification of hazards and an assessment of risks
- Specify how the health and safety of all employees will be ensured
- Specify the systems/procedures that are in place for identifying hazards, assessing risks and their control and review
- Give details of management's commitment to comply with the legal obligations, the resources available and the arrangements being implemented in order to manage staff's health and safety
- Specify the responsibilities of employees to co-operate with health and safety matters in order to ensure their safety and health and that of others
- Include the names and responsibilities of those appointed for certain health and safety activities in the workplace
- Set out the means by which information and advice on health and safety is communicated to all employees
- Set out the arrangements to ensure regular consultation with employees on health and safety matters
- Include all relevant legislation applying to the workplace
- Include a review mechanism.



Who has access to a safety statement?

Employers must bring the safety statement to the attention of all employees in a way that is likely to be understood. Other people coming onto the premises e.g. outside contractors who are involved in cleaning or maintenance tasks or building work, temporary workers, delivery people, and the self-employed who supply a service should all be made aware of the safety statement and have access to it.

Why do I need a safety statement?

Preparing and implementing a safety statement is a positive step in managing health and safety in the workplace. It is a commitment to promoting safety and health and specifying the health and safety measures and resources to prevent accidents and ill health in the workplace.

A safety statement is required by the law and every employer and self-employed person must have one. An employer could be prosecuted for not having a safety statement. An inspector from the HSA can inspect a workplace and request a safety statement.

How often should a safety statement be revised?

A safety statement should be revised at least annually and whenever a significant change occurs in the workplace e.g. new machinery or an operation that might affect workers' safety and health.

Where will I find a checklist of hazards?

A checklist of hazards can be found in the HSA Guidelines on Preparing Your Safety Statement, available from HSA Publications Unit 01 6147030 or website www.hsa.ie. The checklist provides a systematic, though not exhaustive, approach to identifying hazards in workplaces. The checklist covers physical (manual handling, electricity, working at a height, etc) health (harmful dusts, vibration, temperature extremes, etc) chemical (toxic effects, likelihood of explosion, etc), biological and human factor hazards.



Am I qualified enough to prepare a safety statement correctly?

The employer has ultimate responsibility for health and safety. If you are a small firm and you are confident that you understand the work, you could probably do the hazard identification and risk assessment yourself. If you are a larger firm, you could ask a competent employee or safety officer to help you. If you are not confident, get a competent source. Walk around your workplace and look afresh at what could reasonably be expected to cause harm. Concentrate initially on the significant hazards that could result in serious harm. In house, rather than out-sourced expertise is preferred. It is the view of the Health and Safety Authority that for most workplaces the preparation of a safety statement should be quite straightforward. There are many information sources such as codes, guidelines, legislation and standards available to support employers when compiling safety statements. Consultation should always take place with your employees, as they are the ones doing the work and dealing with the hazards on a daily basis.

Who approves a safety statement?

The safety statement is required by law, under the Safety, Health and Welfare at Work Act 2005. A HSA inspector may review a safety statement during an inspection of a workplace. If it is found to be inadequate, an employer can be requested to revise it within 30 days.

My insurance company is requesting a safety statement can you send me one?

Guidelines on preparing your safety statement can be obtained from the HSA Publications Unit 01 6147030 or www.hsa.ie These guidelines are designed to help employers or self-employed to manage health and safety at workplaces. Further information and advice on general workplace health and safety issues may be obtained from the Health and Safety Authority by calling 1890 472 472.



Health and safety and the law

The law explained

The Safety, Health and Welfare at Work Act 2005 represents a modernisation of our occupational health and safety laws and it sets the scene for achieving further improvements in the national record on safety and health over the next few decades.

Its primary focus is on the prevention of workplace accidents, illnesses and dangerous occurrences and it provides also for significantly increased fines and penalties aimed at deterring the minority who continue to flout safety and health laws.

Regulations for owner-managers

The Act also provides that directors and managers in companies can be held liable to prosecution if they are complicit in deaths and accidents at work.

The legislation includes some additional new duties on both employers and employees, and strikes a balance between the roles and duties to be placed on both employers and workers. It includes important new protection for employees against penalisation for exercising rights or duties related to safety and health at work. It contains new provisions on safety consultation between employers and employees, including new supports for safety representatives and the recognition of safety committees.

The Safety, Health and Welfare at Work Act 2005 is the result of a review of health and safety legislation by the Health and Safety Authority.

Under the legislation, for the first time, employers and senior managers will be potentially personally liable for breaches and could face either two years imprisonment or a maximum fine of up to €3,000,000 on conviction on indictment.

Key changes

The main changes brought about by the Act include:

“Competent person”

Employers are obliged to engage at least one competent person to assist in the formulation and development of health and safety policy, or to ensure that a “competent” health and safety expertise is outsourced. A person is deemed to be a competent person where they possess sufficient training, experience and knowledge appropriate to the nature of the work undertaken and having regard to the task in which he or she is engaged.



“Reasonably practicable”

The Act contains the first statutory definition of the words “reasonably practical”, a key term in the general duties imposed in the legislation. The definition states that “every employer shall ensure, so far as it is reasonably practicable, the safety, health and welfare at work of his or her employees. This definition imposes a high standard on employers by obliging them to prove that they have taken all reasonably foreseeable steps against risk.”

Penalties — civil and criminal

The 2005 Act introduces new significant penalties for breaches of the duties contained within the Act. Amongst the specific penalties are:

- Term of imprisonment of up to 6 months and a maximum fine of two years imprisonment and/or a maximum fine of up to indictment
- The Act introduces on the spot fines for offences to be prescribed which will carry a maximum penalty of resulted)
- Personal liability for those in senior management positions in corporate bodies which include directors or persons whose duties included making decisions that could have affected the management of the undertaking and the Act introduces a presumption that a director consented or was neglectful in their duties under the Act unless he/she can disprove this.

The Act provides that the Health and Safety Authority can compile a list of persons who have been convicted or served with a prohibition notice or in respect of whom an interim or interlocutory order was made by the court (i.e. “name and shame”).

The duties of employers to employees

The Act places a heavy obligation to review safety statements on an annual basis, and to determine and implement measures when identifying hazards in carrying out a risk assessment when preparing a safety statement. It also provides that protective equipment shall be provided at no costs to the employee and that all employers are to provide employers with information in a language that “is reasonably likely to be understood by the employee” which clearly anticipates the requirements of non-nationals.

General duty of employees

Employees also need to comply with relevant safety and health laws. They must:

- Not to be under the influence of an intoxicant at a place of work
- To submit when requested to an appropriate test when reasonably required to do so by an employer
- Not to engage in improper conduct or behaviour
- To attend such training as may be reasonably required by the employer



- To report to his or her employee any work that is carried on or likely to be carried on in a manner, which may endanger the safety, health and welfare at work of that employee or any other person
- Report any contravention of the relevant statutory provisions which he or she is aware.

Questions and Answers

What you need to know...

What type of accidents must be reported?

- a** The death of any employed or self-employed person, which was caused by an accident during the course of their work
- b** An injury sustained in the course of their employment, which prevents any employed or self-employed person from performing the normal duties of their work for more than three calendar days, not including the date of the accident. Calendar days include Saturdays and Sundays. (For example, if an employee, who is injured on Wednesday, and does not normally work on Saturdays, Sundays and bank holidays, returns to work the following Monday, the accident is reportable)
- c** A death, or an injury, that requires treatment by a registered medical practitioner, which does not occur while a person is at work, but is related to either a work activity or a place of work.

Deaths or injuries caused by normal medical treatment (e.g. surgery or medication) do not need to be reported

- d** A road traffic accident that meets the criteria (a) and (b) above, excluding an accident that occurs while a person is commuting either to or from work
- e** A road traffic accident that meets the criteria (c) above as a result of construction work on or adjacent to a public road.

Who is responsible for reporting accidents?

The following persons are responsible for reporting accidents:

- a** Employers (in the case of the death or injury of employees at work)
- b** Persons providing training (death or injury of a person training for employment)
- c** Self-employed persons (in relation to accidents to themselves)
- d** Persons in control of places of work in relation to: the work-related death or injury of a person not at work or the death of a self-employed person
- e** The next of kin (in the event of the death of a self-employed person at a place of work under that person's control).



How do I report an accident?

Accidents can be reported online at www.hsa.ie. Click on the Report an Accident section on the HSA home page. Accidents can also be reported on the pre-printed form IR1 available from HAS Publications.

Do I need a qualified first-aider in my Workplace?

The best indicator as to whether you need a qualified first-aid person, will become clear when carrying out a risk assessment, identifying the hazards and assessing the risks arising in the context of the safety statement. Consider the numbers employed, the nature of the work, the degree of hazard, the level of accidents arising, the size and location of the workplace, the distribution of the employees, shift working, availability of an occupational health service with the workplace and the distance from external medical services, etc.



Useful links

ConsultNet.....	www.consultnet.ie
National Disease Surveillance Centre.....	www.ndsc.ie
European Network for HandS Practitioners (IOSH).....	www.iosh.co.uk
FAS Safe Pass Scheme.....	www.fas.ie
Enterprise Ireland.....	www.enterprise-ireland.com
Irish Heart Foundation.....	www.irishheart.ie
Irish Water Safety.....	www.iws.ie
The Royal Society for the Prevention of Accidents.....	www.rosopa.com
National Standards Authority of Ireland.....	www.nsai.ie
National Irish Safety Organisation.....	www.niso.ie
The Women’s Health Council.....	www.whc.ie
The Institute of Public Health in Ireland.....	www.publichealth.ie
Health and Safety Review.....	www.healthandsafetyreview.ie
National Safety Council.....	www.nsc.ie
The Personal Injuries Assessment Board.....	www.piab.ie
Health and Safety Authority.....	www.hsa.ie
Labour Relations Commission.....	www.lrc.ie
National Centre for Partnership and Performance.....	www.ncpp.ie
Radiological Protection Institute of Ireland.....	www.rpii.ie
European Foundation for Improvement of.....	www.eurofound.eu.int
Living and Working Conditions European Commission	
Health and Safety at Work.....	www.europa.eu.int/comm/employment_social
Construction Industry Federation.....	www.cif.ie
Health and Safety Executive.....	www.hse.gov.uk
Irish Cancer Society.....	www.cancer.ie
Department of Enterprise, Trade and Employment.....	www.entemp.ie
European Agency for Health and Safety at Work.....	www.europe.osha.eu.int

www.chambers.ie

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