



# **A GUIDE TO HEALTH & SAFETYMANAGEMENT**

An Employer's Handbook

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## INTRODUCTION

Health and Safety in the workplace is essential in today's modern business environment and it is imperative that first class procedures are introduced and maintained as a pivotal part of the management process, in order to provide protection for a business and its employees.

There is now considerable evidence, borne out by practical experiences, that effective workplace health and safety management actually contributes to business success, whereas accidents and ill health have costs, often hidden and underestimated. Companies who demonstrate a genuine concern, and interest in, their employees' health and safety will be seen as good places to work with resulting higher productivity and employee loyalty.

The best approach therefore is to cultivate a culture of health and safety awareness within the organisation through the implementation of a comprehensive and genuine health and safety programme, driven from the top. This will generate a pro-active rather than a re-active approach and lead to the implementation of a health and safety management system.

This guide will assist companies to proactively manage health and safety issues and to provide information and guidance on the main areas of workplace health and safety that impact SME employers. The international standard OHSAS 18001 defines a system for safety management and a company can be certified to it. Extracts are used in this guide.

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## SECTION 1

### LEGAL REQUIREMENTS

The main legal basis in Ireland is the Safety, Health and Welfare at Work Act, 2005 and 2010, which replaces the 1989 Act, the Safety, Health & Welfare at Work (Misc Welfare Provisions) Regulations 1995 and the Safety, Health and Welfare at Work (General Application) Regulations 2007. There are also a number of other acts and regulations which apply in specific cases. (A full list is given in Appendix F)

<b>1</b>	<b>Safety, Health and Welfare at Work Act, 2005 and 2010</b>	<b>Page</b>	<b>8</b>
<b>2</b>	<b>Safety Health and welfare at Work (Misc Welfare Provisions) Regulations 1995</b>	<b>Page</b>	<b>17</b>
<b>3</b>	<b>Safety, Health and Welfare at Work (General Application) Regulations 2007</b>	<b>Page</b>	<b>18</b>

IRISH SMALL AND MEDIUM ENTERPRISES ASSOCIATION

## 1. Safety, Health and Welfare at Work Act, 2005 and 2010

The Safety, Health and Welfare at Work Act 2005, which came into force on 1<sup>st</sup> September 2005, is one of the main piece of legislation that deals with health and safety in the workplace. The Act repealed and replaced the Safety, Health and Welfare at Work Act 1989 and was brought in to make further provision for the safety, health and welfare of persons at work. This Act clarifies and enhances the responsibilities of employer's, the self-employed, employees and various other parties in relation to safety and health at work. The Act also details the role and functions of the Health and Safety Authority, provides for a range of enforcement measures that may be applied and specifies penalties that may be applied.

The 2010 amendment concerned Part 9 of the 2005 Act in relation to the control of artificial optical radiation in the workplace, introduced exposure limits, determined exposure and assessment of risks and gave provisions aimed at avoiding or reducing exposure.

### 1.1 General Duties of the Employer

- a. Employers have an obligation:
  - To ensure the safety, health and welfare at work of his or her employees.
  - To manage and conduct work activities in such a way as to ensure the safety, health and welfare at work of all employees.
  - To manage and conduct work activities in such a way as to prevent any improper conduct or behaviour likely to endanger employees.
- b. As regards the place of work concerned, the employer must ensure the design, provision and maintenance of:
  - A safe, risk-free place of work.
  - Safe means access to and egress from it.
  - Plant and machinery that are safe and without risk to health.
  - To ensure safety and the prevention of risk arising from the use of articles or substances or the exposure to noise, vibration, radiation or any other ionizing agent.
  - To provide systems of work that are planned, organised, performed, maintained and revised as appropriate so as to be safe and risk free.
  - To provide and maintain facilities and arrangements for the welfare of employees at work.
  - To provide information, instruction, training and supervision, where necessary.



- To implement the safety, health and welfare measures necessary for protection of employees, as identified through risk assessments and ensuring that these measures take account of changing circumstances and the general principles of prevention.
  - To provide protective clothing and equipment where risks cannot be eliminated or adequately controlled.
  - To prepare and revise emergency plans and procedures.
  - To report accidents and dangerous occurrences to the relevant authority.
  - To obtain where necessary the services of a competent person for the purpose of ensuring safety and health at work.
  - To ensure that all safety measures take into account both fixed term and temporary workers and that that any measures taken do not involve financial cost to his or her employees.
- c. Provision of Information to Employees  
When giving information to employees, employers must:
- Ensure that it is given in such appropriate form, manner and language that it is likely to be understood by the employees concerned,
  - Ensure that the information includes the workplace hazards and risks identified, the protective and preventive measures taken and the names of the safety representative and all other persons named in evacuation procedures etc.
  - Where persons from other employment are engaged in work activities in an employer's undertaking, the employer must ensure that the person's employer receives the above information.
- d. The employer must ensure that the safety representative and designated competent persons have access to:
- The risk assessment,
  - Information relating to reportable incidents and accident,
  - Information arising from protective or preventative measures.
- e. The employer must provide information relating to the following before a fixed term or temporary employee commences work:
- Any potential risks, - Health surveillance,
  - Any special occupational qualifications or skills required
  - Any increased specific risks which the work may involve.
- f. Instruction, training and supervision of employees, Employers must ensure that:

- All instruction, training and supervision is provided in a manner, form and language that is reasonably likely to be understood.
  - Employees receive, during time off from their work but without loss of pay, adequate health, safety and welfare training including, in particular, information and instruction relating to the specific task to be performed and measures to be taken in an emergency.
  - The employee's capabilities in relation to safety, health and welfare are taken into account.
  - In the case of a class or classes of sensitive employees or groups of employees exposed to risks expressly provided for in the relevant statutory provisions, the employees are protected against the dangers that specifically affect them.
  - Training must be adapted to take account of new or changed risks in the workplace.
  - Training must be provided:
    - On recruitment
    - When an employee is transferred or tasks change
    - On the introduction of new or changed work equipment or work systems,
    - On the introduction of new technology
- g. In relation to Personal Protection Equipment (PPE) employers should consider demonstrations of use.
- h. All contractors etc, carrying out work in the employer's premises must receive relevant safety instructions.
- j. Emergencies, serious and imminent dangers:
  - The employer must provide adequate plans and procedures to be followed and measures to be taken in the case of emergency or serious and imminent danger.
  - These plans should:
    - Provide measures for first aid, fire-fighting and premises evacuation taking into account of the nature of the work being carried out and the size of the place of work.
    - Arrange necessary contacts with appropriate emergency services (first aid, emergency medical care, rescue work and fire-fighting). These contacts should be displayed in visible areas.
    - Designate employees who are required to implement these plans, procedures etc.

- Ensure that all designated employees have adequate training and equipment available to them.
- Sign posted over all exits and emergency exits.
- In the event of an emergency or serious and imminent danger the employer must:
  - Inform all employees of the risk and steps taken to protect them.
  - Refrain from requiring employees to carry out or resume work where there is still a threat to their safety.
  - Ensure that, in the absence of appropriate guidance or instruction, based on the employee's knowledge and technical means at his or her disposal, the employee must take appropriate steps to avoid the consequences of the danger.
  - Take action and give instruction for employees to stop work and remove themselves to a safe place.
  - Ensure that an employee who leaves the place of work in the case of emergency is not penalised because of such action.
  - Ensure that access to specifically hazardous areas is restricted only to employees who have received appropriate training.

## 1.2 Duties of Employees

Employees are compelled to:

- Comply with all relevant statutory provisions
- Take reasonable care to protect the safety of themselves and others who might be affected by their acts and omissions
- Ensure they are not under the influence of an intoxicant or in such a state that they might be a danger to themselves or others
- Submit to reasonable, appropriate testing, if reasonably required by the employer

The Act gives scope for Regulations to be made that provide for employees to be required to undergo tests for intoxicants to be carried out by or under the supervision of a registered medical practitioner. However at the time of writing these Regulations are yet to be developed and until they are made, an employer may not require such testing although local agreements may apply.

The employer may, however, prevent an employee from working if it is apparent that he or she:

- Would be a danger to themselves or others
- Co-operate with his or her employer so far as is necessary to enable compliance with the relevant statutory provisions

- Not engage in any improper conduct or dangerous behaviour
- Attend training and undergo such assessment as may be necessary
- Make correct use of any article or substance provided for use or for the protection of the employee, including protective clothing and equipment

Report to his or her employer as soon as practicable:

- Any work being carried out which might endanger themselves or others
- Any defects in the place of work, the system of work, any article or substance
- Which might endanger themselves or others
- Any contravention of the relevant statutory provisions of which he/she is aware.

Notify the employer or the employer's nominated registered medical practitioner if they become aware that they are suffering from any disease or physical or mental impairment which affects their performance of work activities that could give rise to risks to the safety, health and welfare of persons at work. The duty is on the employer to protect themselves and others.

*An employee may not:*

- Ignore something dangerous.
- Misrepresent himself or herself to an employer with regard to their level of training,
- Interfere, misuse or damage anything provided for the safety, health and welfare of employees,
- Place at risk the safety, health and welfare of persons in connection with work activities.
- Ignore informing employer of pregnancy.

### 1.3 **Protective and Preventive Measures**

The employer must:

- Appoint an adequate number of competent persons to perform the functions relating to the protection of employees and give them adequate time and means to perform those functions.
- Make arrangements for co-operation between the competent person and the safety representative.
- Give preference to competent persons within their employment when appointing a competent person.

### 1.4 **Hazard identification and risk assessment**

The employer must:

- Identify all hazards in the work place

- Keep a written assessment of the risks associated with each hazard (known as a risk assessment) Review the risk assessment if:
  - There is a significant change to the matters it relates to or
  - There is any other reason to believe that it is no longer valid
- Implement any control measures or improvements which are identified by the risk assessment

### **1.5 The Safety Statement**

Employers must have a written safety statement, based on the hazard identification and risk assessment carried out, which specifies how they are going to manage and secure the safety, health and welfare of all employees at work.

### **1.6 The safety statement should specify:**

- The hazards identified and risks assessed.
- The protective and preventive measures taken and the resources provided.
- The emergency plans and procedures. The duties of the employees.
- The names, job titles and positions of anyone assigned with safety responsibilities.
- The safety statement should be brought to the attention of:
  - Employees at least annually or when there are any changes.
  - Newly recruited employees upon the commencement of employment.
  - Other persons at the place of work who may be exposed to any specific risk.

### **1.7 The employer must review the safety statement if:**

- There is a significant change to the matters it relates to.
- There is any other reason to believe that it is no longer valid. An inspector directs the statement to be amended.

### **1.8 Every employer must ensure that:**

- All contractors providing services to the employer have an up to date safety statement.
- A copy of the safety statement is kept available for inspection at or near the place of work.
- If an employer who employs 3 or fewer employees is engaged in an activity for which there is a code of practice for that type of activity, they can fulfill their duty in relation to safety statements by complying with such code of practice.

### **1.9 Duty of employers to co-operate**

Where employers share a place of work, they must:

- Co-operate in complying with and implementing the relevant statutory provisions
- Co-ordinate their actions in relation to prevention and protection of employees
- Inform each other, respective employees, safety representatives etc. of all risks, including the exchange of safety statement and relevant extracts relating to hazards and risks.

### **1.10 Health Surveillance and Medical Fitness to Work**

Employers are required to ensure that health surveillance appropriate to the risks that may be incurred in the place of work is available to all employees. The Act requires an assessment of the medical fitness to work of employees involved in certain work activities or occupations.

Particular requirements include sensitive risk groups i.e. night/shift workers, those who are pregnant in the workplace and children and young persons.

Employees are required to inform their employer or their employer's Registered Medical Practitioner if they are unfit to carry out a prescribed work activity. If an employer is notified of the unfitness of the employee they must immediately take appropriate action to comply with the general duties of employers to ensure the safety, health and welfare of all employees at work.

### **1.11 Safety Representative**

The employer must:

- Agree with the safety representative the frequency of inspections to take place
- Consider any representations made to him or her by the safety representative and so far as reasonably practicable take any action that he or she considers necessary or appropriate with regard to those representations
- Allow the safety representative such time off from their work, without loss of pay, as is reasonable to enable the safety representative to acquire the knowledge and training and time to discharge their functions
- Inform the safety representative when an inspection is taking place
- Give the safety representative a copy of the written confirmation, required under the Act and sent to the inspector that an Improvement or Prohibition notice has been complied with.

### **1.12 Consultation and participation with employees**

Employers are required to:

- Consult with employees for the purpose of making and maintaining safety arrangements
- Consult with their employees and safety representatives in good time regarding:
- Protective measures proposed

- The designation of employees with safety responsibilities
- Activities arising from or relating to the protection from and the prevention of risks
- The hazard identification and risk assessment
- The safety statement
- The information to be provided to employees (as outlined above)
- The information required to be kept or notified to the Authority in respect of accidents or dangerous occurrences
- The appointment of competent persons
- The planning and organisation of training
- The planning and organisation of new technologies particularly in relation to the choice of equipment, working conditions and the work environment

### **1.13 Protection against Dismissal & Penalisation**

Employers are prohibited from penalising (defined as dismissal, demotion, transfer, imposition of duties, coercion or intimidation) or threatening to penalise employees, who are performing any duty, exercising rights or who make any complaints relating to safety and health or who give evidence in enforcement proceedings.

The dismissal or penalisation in such manner can be deemed to be an unfair dismissal within the meaning of the Unfair Dismissals Acts of 1997 and 2005 and employees may also complain to the Rights Commissioner that their employer has penalised them for exercising their rights under the safety and health legislation.

### **1.14 Offences and Penalties**

The Act allows for summary penalties including 'on the spot' fines for breaches of the 2005 Act. Among the less serious offences are:

- Failing to consider representations made by safety representatives,
- Failing to inform a safety representative that an inspector is carrying out an inspection,
- Failing to consult with employees on safety arrangements, and
- Failing to allow safety representatives time off to acquire the knowledge and training to perform their duties and the time off to discharge their duties.

Among the offences classified as serious are failure by an employer to discharge general duties and providing information, instruction, training and supervision for employees.

Other serious offences include obstructing an HSA inspector and recklessly or knowingly making false statements to an HSA inspector.

Charges for less serious offences shall be brought in the District Court by way of summary proceedings and if convicted, the person charged shall be fined a sum not exceeding €3,000 per offence and/or imprisonment for a period not exceeding six months.

In relation to serious offences, if summary charges are brought in the District Court, a person convicted may be fined up to €3,000 and/or imprisoned for a period not exceeding six months. If the charges are brought on indictment in the Circuit Court, a person convicted may be fined up to €3m and/or sentenced to imprisonment for a period not exceeding two years.

The Act provides that Regulations may be made under it empowering an inspector to issue on "the spot fines" where he or she has reasonable grounds for believing that a person is committing or has committed certain prescribed offences under occupational safety and health legislation e.g. the transport of dangerous goods by road.

The Act allows for fines of up to €1000 per offence although the Regulations may set a lower level.

On the spot fines can apply to employers, employees, persons in control of workplaces, importers and suppliers etc - all duty holders under the Act.

IRISH SMALL AND MEDIUM  
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## **2. Safety Health and Welfare at Work (Misc Welfare Provisions) Regulations, 1995**

### **2.1 Cleanliness**

It shall be the duty of every employer to ensure that:

- 2.1.1. Every place of work shall be kept in a clean state and accumulations of dirt, refuse, trade refuse and waste shall be removed at least once every day by a suitable method and
- 2.1.2. The floor of every workroom shall be cleaned at least once every week by a suitable method.

### **2.2 Workplace facilities for sitting**

It shall be the duty of every employer to ensure that where any employed persons have in the course of their employment reasonable opportunities for sitting without detriment to their work or where a substantial portion of any work done by employed persons can properly be done sitting, there shall be provided and maintained for their use suitable facilities for sitting. Pregnant employees should be provided with a facility to lie down.

### **2.3 Supply of drinking water**

It shall be the duty of every employer to ensure that an adequate supply of wholesome drinking water is provided and maintained at suitable points conveniently accessible to all employed persons.

### **2.4 Workplace facilities for taking meals etc.**

- 2.4.1 It shall be the duty of every employer to ensure that:
- 2.4.2 Suitable and adequate facilities for boiling water and taking meals are provided and maintained for the use of employed persons  
or
- 2.4.3 Employed persons have reasonable access to other suitable and adequate facilities for the taking of meals.
- 2.4.4 The taking of meals by employed persons at any location in the place of work where there is likely to be a risk to safety or health is hereby prohibited.

### 3. The Safety, Health and Welfare at Work (General Application) Regulations 2007

The General Application regulations came into force on the 1<sup>st</sup> of November 2007. The regulations which cover all workplaces and employments are designed to consolidate changes that had been made to the existing General Applications Regulations 1993 and to incorporate other sets of Regulations which have been introduced in recent times such as Working at Heights, Noise and Vibration.

These regulations are as follows:

- Part 1 Interpretation and General
- Part 2 General Safety & Health Provisions
- Part 3 The Workplace
- Part 4 Use of Work Equipment
- Part 5 Provision of Personal Protective Equipment
- Part 6 Manual Handling of Loads
- Part 7 Work with Display Screen Equipment
- Part 8 Electricity
- Part 9 First Aid
- Part 10 Notification of Accidents and Dangerous Occurrences.

A full list of the regulations and associated schedules is in Appendix F.

The following is a summary of the contents of the regulations;

#### **Part 1: Interpretation and General**

As the name suggests this is concerned with technical legal matters

#### **Part 2: General Safety & Health Provisions**

Employers (including self-employed persons) are primarily responsible for creating and maintaining a safe and healthy workplace.

This requires:

- The management of safety and health in the workplace including consulting the workforce.
- A written safety statement, identifying hazards and outlining measures to protect employees, must be prepared.
- Risks must be evaluated periodically and a written record of risk assessment kept as part of the Safety Statement.

- Competent advice on health and safety matters must be obtained. If necessary, outside advice must be taken.
- Responsibilities also include providing a safe place of work, safe access and exits, safe systems, plant and machinery, information, supervision and training.
- The costs of safety and health measures in the place of work cannot be passed on to employees.
- Necessary emergency evacuation plans and contacts with local emergency services must be arranged. Employees who will take on particular responsibilities if an emergency arises must be designated.
- Where a place of work is shared, all of the different employers (and self-employed persons) must co-operate in safety and health matters.

Employees (including full or part-time, permanent or temporary, regardless of any employment or contractual arrangement they may have):

- Employees must be consulted on any matters dealing with health and safety in the workplace.
- Where worker participation operates this should include health and safety matters. Safety Representatives with whom the employer must consult can be appointed.
- Health Surveillance must be available where the risks justify it.
- Proper use must be made of all machinery, tools, substances, etc and of personal protective equipment.

Visitors and passers-by:

- Other people present in the place of work e.g. visitors must also, be protected.

Manufacturers and Suppliers (including designers, installers and erectors):

- Manufacturers and suppliers of equipment and machinery, articles or substances used at work have the responsibility of ensuring safety and health concerning the materials they supply.

### **Part 3: The Workplace**

*These provisions apply to all buildings used as places of work except for transport, building sites, mines and quarries, fishing boats and work on the land (these are covered by specific laws).*

Construction sites are exempt from the workplaces section. They do, however apply to office accommodation including construction site offices.

- A minimum temperature of 17.5°C is now set for offices and for other sedentary work.
- If such temperatures cannot be maintained, then appropriate Personal Protective Equipment must be provided.

- Employers are obliged to prevent access to roofs or suspended ceilings made of materials of insufficient strength unless work can be carried out safely and appropriate warning signs have been erected at access points.
- The employer must ensure that the physical environment of the place of work is adequate.
- This regulation requires employers to facilitate employees to sit while working rather than stand, if this is feasible.
- Work areas should be large enough to be safe and healthy. This must include general stability, ventilation and fresh air, temperature and lighting.
- Pedestrians and vehicles must be able to circulate safely.
- Traffic routes, entrances and exits must be kept clear.
- Floors, walls, ceilings, roofs, doors and gates, loading bays and ramps must be safe.
- Toilet, washing and welfare facilities must be provided. In addition, rest rooms, changing rooms and sanitary facilities, facilities for pregnant women, nursing mothers and employees with disabilities must be provided.
- Employees working outdoors should be protected against bad weather, noise, slippery conditions, etc.
- Fire and emergency exits must be signposted and accessible to employees at all time.
- This new regulation specifically requires employers to provide firefighting equipment in places of work and as necessary, fire detectors and an alarm system, which is properly maintained. Non-automatic firefighting equipment must be easily accessible and indicated by signs.
- Signposts in the workplace must include symbols only and must not include any words. Where a signboard however contains words and is already in place, an employer may leave it in place until January 1<sup>st</sup> 2011.

#### **Part 4: Use of Work Equipment**

*Employers must ensure that all equipment is suitable or properly adapted for the work concerned. It must not impair the health and safety of employees or place them at risk.*

- Essential warnings and markings should be placed on work equipment.
- Employees must be given adequate information and training on its use, including written instructions if these are necessary.
- Repairs, modifications, maintenance or servicing should be carried out only by competent persons. There should be safe means of access for production work and for maintenance or adjustments.
- All equipment must have proper control devices for starting and stopping.
- Guards should be placed on equipment where there is a risk from contact, or where there are high or very low temperatures.
- Any equipment from which objects might fall must be fitted with safety devices.
- The containment or extraction of gas, vapor, liquid or dust emissions must be provided for.

- Equipment must be maintained during its working life so that it continues to comply with these requirements.
- New equipment must meet with any EC Product Directive which applies. Where no EC Directive exists, the equipment must comply with the requirements set out above.
- Scaffolds are required to be of good design and construction and that the material is of adequate strength for the purpose it is to be used for.
- Schedules for the inspection of lifting equipment are outlined on section 1 page 22.

#### **Part 5: Provision of Personal Protective Equipment**

*Personal Protective equipment (PPE) can include protective headwear, footwear and eyewear, respirators and breathing equipment, ear protectors, protective clothing, gloves, safety harnesses and ropes and barrier creams.*

- Wherever possible, employers must eliminate hazards in places of work at source. If these cannot be eliminated totally, they must be reduced to a minimum and adequately controlled.
- PPE must be provided free of charge by the employer and must be used by the employee.
- The personal protective equipment must comply with any relevant EC standards. It must be suited to the risks involved, take account of the conditions of the place of work, be suitable to the wearer and for the work to be done.
- Before choosing PPE, an employer must assess its suitability in relation to the risks involved.
- The employer must also decide on the frequency of use of PPE. This will take into account the seriousness and frequency of the risk.
- PPE must be properly maintained and stored.
- Normally, only one employee will use any individual piece of personal equipment. Employees must be specifically informed of the risk for which the PPE is provided.
- They must be properly instructed and trained in its use, using demonstrations if appropriate.
- Information, training and consultation on safety and health must take these requirements into account
- PPE must be properly maintained and stored
- PPE does not include ordinary working clothes and uniforms not specifically designed to protect employees.

## **Part 6: Manual Handling of Loads**

*This includes all pushing, pulling, lifting, carrying, putting down or moving any loads involving a risk to employees.*

- Employers must organise work so that manual handling of loads is avoided wherever possible. Where handling is unavoidable, the work must be planned or equipment provided to reduce the risks to a minimum. (There is no longer a defined maximum limit on the weights that employees may handle)
- In planning how the work is to be done, the employer must assess the risks presented by the working environment, the particular load, the physical effort required, the distance involved and the frequency of the task.
- Employees should be given all relevant information on loads, including weight, centre of gravity and special handling requirements.
- Employers must take account of whether the employee is physically suited and has adequate knowledge or training for the job to be done.
- Employers are required to take particular care of employees who are particularly at risk due to manual handling of loads i.e. young persons and children, night workers, shift workers and pregnant and post natal employees.

## **Part 7: Work with Display Screen Equipment (DSE)**

*Minimum requirements for work with display screen equipment (DSE) are set down. These do not apply to the small screens on machines such as bank ATM machines, calculators, cash registers, etc.*

The regulations cover not just the DSE itself but the operator, the desk, chair and the surrounding area.

- All workstations must be designed to suit the tasks carried out at them.
- The employer must analyse each workstation including the environment (space requirements, lighting, reflections, glare and radiation) and the equipment itself - the display screen, the keyboard and the software in use.
- Adequate breaks from screen work must be arranged.
- All employees using DSE's will be entitled to eye tests and spectacles if they are needed for their work. These will be paid for by the employer if normal spectacles cannot be used. Social welfare entitlements may also apply.

## Part 8: Electricity

*The regulations are concerned with general electrical safety requirements rather than with detailed specifications and they will be backed up by approved codes of practice. The regulations apply to all electrical equipment and installations in all workplaces, except for mines and quarries, and to all work activities related to the use of electricity.*

- All electrical equipment must be constructed, installed, maintained, protected and used so as to prevent danger.
- Equipment must be suitably identified and marked, including the maker's name and its electrical ratings. Earthing and automatic disconnection of supply or other means must be provided to prevent danger from exposed parts becoming live.
- Adequate protection must be given to equipment which is exposed to the elements, to adverse conditions such as damp, dust, flammable atmospheres etc. or subject to risk of mechanical damage.
- Residual current devices (30 milliamps maximum sensitivity) must protect circuits supplying sockets at voltages between 125 and 1,000 volts AC. Lower voltages must be used where there are increased risks of electric shock when using portable equipment.
- Over current protection must be provided as well as switching and isolation facilities.
- Precautions must be taken to prevent equipment made dead becoming live while work is going on.
- All new electrical installations must be tested by a competent person and certified.
- Suitable precautions must be taken when working to overhead lines.
- Employers are required to ensure that electrical installations are designed so as to prevent danger.
- All electrical installations, including distribution boards, sockets and transformers are required to be protected, e.g. the ingress of moisture, mechanical damage etc.
- Electrical circuits are required to be identified at source so they can be safely deactivated.
- Backup protection of a circuit is required when a fault arises that may override a RCD.
- Also all circuits supplying water heaters, electrically heated showers or pumps to showers, must be protected by an RCD.
- Cables on construction sites and quarries are required to be protected to prevent danger.
- Emergency lighting is required to be fitted in all switch rooms.
- Existing electrical installations are required to be inspected and tested on a regular basis.
- Employers are required to act on the results of the test to prevent danger and to do so promptly.

### *Overhead and Underground Cables*

Virtually all of this legislation is new in comparison to the 1993 regulations.



Underground electricity cables are required to be placed in ducting, that is;

- a. Coloured red
- b. Of high impact resistance and
- c. Covered with warning tape.

*Definitions:*

*Overhead line - line carrying voltage greater than 80 volts.*

*Underground cable - line carrying voltage greater than 80 volts.*

When working in close proximity to an underground cable, the regulation calls, where reasonably practicable, for the power to be isolated, the location to be determined and for safe excavation techniques to be used.

This regulation also puts an onus on the owner of a new or known underground cable to determine its position and record it on a plan.

### **Part 9: First Aid**

*This applies to all places of work and replaces earlier requirements.*

- All places of work where working conditions require it must have adequate first aid arrangements.
- Where injuries to workers are frequent, where there are large numbers of employees or where there are significant risks to health and safety, sufficient trained occupational first aiders must be available.
- A first aider under the new regulations is defined as a person that is trained and qualified in first aid.
- A first aider is no longer required to hold certification from a qualified body or required to renew this qualification every three years. Their training must include dealing with accidents resulting from the specific hazards in their place of work.
- If the size of the workforce, the type of activity and the likely frequency of accidents merits it, then first-aid rooms must be provided and properly fitted out.
- The employer must record the first aid arrangements and the names of the occupational first aiders in the Safety Statement.
- The names, addresses and telephone numbers of local emergency services must be clearly displayed at each place of work.
- The employer has a duty to risk assess the need for the provision of a first aid room.
- The risk assessment must be based upon the size of the undertaking, type and scale of work and the frequency of accidents.



## Part 10: Notification of Accidents and Dangerous Occurrences.

The law now requires that all accidents at work must be notified to the Health and Safety Authority on the approved forms. The details must include what occurred, how it occurred and the type of injury caused.

### New Regulations for Lifting Equipment

New regulations governing the use of lifting equipment come into effect on November 1<sup>st</sup> 2007 with the introduction of the *General Application Regulations 2007*. The regulations will apply across all workplaces and, therefore, they replace existing sectoral law and in particular, Regulations 80 -123 of the Construction Regulations 2001, which deal specifically with lifting appliances and lifting gear in construction.

#### Definitions

Definitions with reference to lifting operations include:

- 'Work Equipment' - any machinery, appliance, apparatus, tool or installation at work.
- 'Lifting Equipment' - work equipment for lifting lowering loads or pile driving, and includes anything used for anchoring, fixing or supporting such equipment. (Examples include cranes, excavators, telehandlers, hoists, a passenger lift in an office blocks and a vehicle inspection hoist in a workshop).
- 'Lifting Accessories' - include clamps and similar attachments, chain slings, rope slings, rings, hooks, shackles, swivels, spreader beams, spreader frames and any other item placed between lifting equipment and the load or on the load in order to attach it, but excluding features of the load used for its lifting.
- 'Load' includes a person.
- 'Non-integrated cage' or 'basket' means one which is not equipped with controls that control its movement.

#### New Requirements

For the most part the requirements relating to the use of lifting equipment remain familiar. In summary new requirements include:

- *Forms*  
The CR forms for recording the results of tests, thorough examinations and inspections (CR3, 4a, 4b, 6 etc) are no longer prescribed. Any form may be used provided the correct information is specified on the form. For the time being it is anticipated that current CR forms will continue to be used. For mobile plant, records / forms must be kept on the machine in addition to any office.

- *Thorough Examination and Inspections*

The previous requirement to thoroughly examine lifting appliances every 14 months has been changed to every 12 months. Where lifting equipment is to be used to lift persons it must be thoroughly examined every 6 months. See tables below regarding the periods for thorough examination and testing.

The requirement to inspect lifting equipment weekly remains unchanged.

Excavators, Telehandlers, or Loaders used as Cranes.

The requirements relating to the use of these machines as cranes, for example using an excavator to lift a pipe, have been simplified:

- The SWL of the machine must be marked on the machine or displayed in the cab
- Where applicable SWLs at different operating radii must be provided
- Hydraulically operated machines with a maximum rated lifting capacity of more than 1000 kg, must be fitted with check valves on the cylinders
- In the case of a telehandler with a maximum rated lifting capacity of more than 1000 kg, it must be fitted with an automatic safe load indicator

*Conditions Regarding the Lifting of Persons*

*Regulation 48* states that work equipment 'not specifically designed' for the purpose of lifting persons is not to be used other than in exceptional circumstances. A teleporter or a crane used with a non-integrated man-rider cage falls into this category. Where exceptional circumstances prevail some of the conditions that apply include:

- The control position must be manned at all times
- The cage basket must be properly secured to the lifting machine
- The total load must be half the rated capacity of the lifting equipment
- The lifting equipment has a capacity not less than 1000kg unless the manufacture indicates that the machine is suitable for such use
- Lifting equipment in free fall mode must not be used for lifting persons

*Duty of Persons Who Hire Lifting Equipment to Others*

Under *Regulation 59* a hire company has a duty to ensure that when lifting equipment is hired out, physical evidence in the form of test and examination certificates must accompany it. Circumstances requiring testing of lifting equipment (part of a thorough Examination)

## Description of Equipment

All lifting equipment

Fixed lifting equipment

Tower Crane

Mobile Crane

Winch

Self Erecting Crane

Pulley block, gin wheel, sheer legs  
used with loads weighing 1,000 kg +

### Period when testing is required

After any substantial alteration or repair  
affecting its strength or stability

Before first use

After each assembly

### Period of Thorough Examination of Lifting Equipment & Lifting Accessory

DESCRIPTION	PERIOD (MONTHS)
Tower Crane	12
Dock-side Crane / Ship-building Crane	12
Excavator	12
Forklift truck (incl. accessories)	12
Telehandler (incl. accessories)	12
Mobile Elevating Work Platform	12 (6 if used for people)
Passenger Hoist or Lift	12 (6 if used for people)
Suspended access equipment	6
Mast climbing work platform	6
Lifting accessories (Including chains, ropes, rings, hooks, shackles, clamps, swivels, Spreader beams and frames, and vacuum lifting devices)	6
Tower Crane Climbing Rig	6
Items provided for support of lifting equipment	6
Winches used for lifting loads	6
Vehicle Lifting Table	12
Tailboard Goods Lift	12
Other machines for lifting (e.g. Lorry Loader)	12
Other machines for lifting people	12

Note:

*Lifting equipment is also subject to thorough examination after substantial alteration or repair  
A thorough examination is not required for new lifting equipment which is accompanied by an EC  
declaration of conformity and certificate of test, issued no more than 12 months before the lifting  
equipment was put into use.*

## SECTION 2

### THE SAFETY STATEMENT

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ISME

IRISH SMALL AND MEDIUM  
ENTERPRISES ASSOCIATION

## 1. GENERAL POLICY POINTS

The Safety, Health and Welfare at Work Act 2005 and the Safety, Health and Welfare at Work (General Application) Regulations 2007 aim to prevent accidents and ill health at work. They apply to all employers, employees and the self employed. The workplace health and safety system required by these laws must be risk based in that the required safety measures must be *proportional to the real risks involved*. The health and safety measures put in place must be *adequate to eliminate, control or minimise the risk of injury*.

### 1.1 The first step is to prepare a Safety Statement

Employers are required to identify the hazards and assess the risks, otherwise known as carrying out a risk assessment, in the workplace they control, and to prepare a written safety statement. This statement must set out the health and safety measures they are implementing to protect their workers.

In turn, employees must co-operate with the employer so that this can be achieved. Consultation on health and safety matters, between employer and employees, must also be part of the health and safety management programme.

A hazard means anything that can cause harm (e.g. dangerous chemicals, electricity, working at heights from ladders).

Risk is the likelihood, great or small, that someone will be harmed by the hazard, together with the severity of harm suffered.

Risk assessment is a careful examination of what, in the 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.

Controlling risk means, and the law requires, that you do all that is reasonably practicable to ensure the hazard will not injure anyone (e.g. by eliminating the hazard, enclosing it in a totally enclosed container, using general or local exhaust ventilation, safe operating procedures or providing personal protection, as a last resort).

### 1.2 What is a Safety Statement?

A Safety Statement is a programme, in writing, for safeguarding the health and safety of your employees while they work. It represents your commitment to their health and safety, and should state how you will ensure their health and safety, and provide the resources you feel are necessary for maintaining and reviewing health and safety and complying with laws and standards. In effect it is the safety policy of the company.

The Safety Statement is based on the principle that safety can be managed, because most accidents and ill health are foreseeable and can usually be prevented. It is basically an action programme setting out how health and safety is managed in your workplace. A

comprehensive Safety Statement is a practical tool for reducing accidents and ill health at work.

### 1.3 What is risk assessment?

An assessment of the 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 whether you should do more to prevent harm. The aim is to make sure that no one gets hurt or becomes ill.

Risk assessments should be carried out on those work activities that could cause injury or ill health and the results should be written into your safety statement. (See Appendix H: Risk Assessment page 64)

### 1.4 Why prepare a Safety Statement?

Apart from the benefits to be derived from an active attention to safety, the Safety Statement is, *Required by law and every employer and self-employed person must have one. It must be appropriate for the work they do and where they work. You could be prosecuted for not having one. It protects against accidents.*

### 1.5 What a Safety Statement should cover?

The Safety Statement should:

- Specify how the health and safety of your employees will be ensured;
- Give details of how you are going to manage your employees' health and safety including your commitment to complying with your legal obligations, the resources provided and the arrangements you are implementing for this policy;
- Be based on an identification of the hazards and an assessment of the risks in your workplace;
- Specify the co-operation required from your employees on health and safety matters;
- Include the names and job titles of people you are appointing to be responsible for health and safety in your organization;
- Contain the arrangements for consultation with employees on health and safety matters;
- Include details of information available to employees on health and safety.

The Safety Statement should take account of all the health and safety legislation that applies to your workplace.

### 1.6 Who must prepare the Safety Statement?

Both employers and the self-employed are required to prepare a Safety Statement. However, employers employing 3 or less will only have to observe the terms of a code of practice relating to safety statements which applies to the class of employment covering the type of work activity carried on by the employer.

Consultation should take place with your employees, as necessary, when preparing the statement in order to ensure that they understand and take ownership of the health and safety measures proposed. There is a duty on everyone at work to co-operate effectively in developing and promoting health and safety.

### 1.7 Who must have access to a Safety Statement?

All employees must be made aware of the relevant contents of the Safety Statement and have access to it.

The relevant contents of the Safety Statement must also be brought to the attention of any other people in your workplace who may be affected by health and safety risks and who, therefore need to be aware of the necessary safety precautions. These could include outside contractors who are involved in cleaning or maintenance activities or building work, temporary workers, delivery people who stack their goods in your premises and self-employed people who provide a service for you from time to time.

Employers should ensure that the relevant contents of the Safety Statement are brought to the attention of employees at least annually, and whenever it is revised. There is an ongoing responsibility to ensure that employees are aware of the Safety Statement and understand its terms. A programme to discharge this responsibility could include a combination of written and verbal communication, including:

- Distributing the Safety Statement or relevant sections of it to all employees when it is prepared and whenever significant changes are made;
- Verbal communication of the terms of the Safety Statement;
- Inclusion of the Safety Statement in employees' handbook or manual;
- Ongoing training.

A copy of the safety statement, or relevant extract from it, should be kept available for inspection at or near every place of work to which it relates while work is being carried out there. This is particularly important for contractors or sub-contractors working on different sites who may be required to show a copy of the safety statement or the extract that refers to that particular job on request.

A typical set of contents of a Safety Statement is as follows:

#### *SAFETY STATEMENT OF*

.....

#### *CONTENTS*

1. *HEALTH AND SAFETY POLICY*
2. *RESPONSIBILITIES*
3. *CONSULTATION*
4. *TRAINING*
5. *RISK ASSESSMENT*



6. *EMERGENCIES*
7. *MANUAL HANDLING*
8. *DISPLAY SCREEN EQUIPMENT (DSEs)*
9. *FIRST AID*
10. *ACCIDENT INVESTIGATION AND REPORTING*

*A sample of a simple Safety Statement is included in Appendix 3.*

*The Safety Statement should begin with a declaration, signed by the CEO which declares commitment to ensuring a workplace that is as safe and healthy as reasonably practicable and that all relevant statutory requirements will be complied with.*

*Because the Safety Statement must be relevant at all times to the health and safety of your employees, the policy declaration should indicate that the Safety Statement will be revised as changes occur and periodically evaluated at set intervals.*

*Policies may cover a lot of detail and include specific objectives for Safety or alternatively this may be included in the main body of the statement.*

*A typical short Policy Statement is as follows:*

#### **SAFETY POLICY**

*Our objective is to provide a safe place of work for all employees, visitors and outside contractors.*

*This statement sets out the means by which we intend to achieve this objective.*

*It is available to all employees, outside contractors and Health and Safety Authority Inspectors.*

*It will be reviewed annually and updated as necessary.*

*The company will commit both resources and enthusiasm to its health and safety policies and procedures.*

*Signed: ..... Date: .....*

*Title: M.D.*

## **2. RESPONSIBILITIES**

Health and Safety responsibilities must be specified and the organisational structure for carrying out the organisation's policy must be laid down. The people occupying the various roles in the organisational structure must also be named.

### **2.1 Extract from OHSAS 18001:**

#### *Structure and responsibility*

*The roles, responsibilities and authorities of personnel who manage, perform and verify activities having an effect on the Health & Safety (H & S) risks of the organisation's activities, facilities and processes, should be defined, documented and communicated in order to facilitate adequate H&S management.*



*Ultimate responsibility for occupational health and safety rests with senior management up to and including the Owner-Manager. The company should appoint a member of senior management with particular responsibility for ensuring that the OH&S management system is properly implemented and performing to requirements in all locations and spheres of operation within the organisation.*

*Management should provide resources essential to the implementation, control and improvement of the OH&S management system. Resources include human resources and specialised skills, technology and financial resources.*

*The company's management appointee shall have a defined role, responsibility and authority for:*

- a) Ensuring that H&S management system requirements are established, implemented and maintained in accordance with specification;*
- b) Ensuring that reports on the performance of the H&S management system are presented to senior management for review and as a basis for improvement of the H&S management system.*

*All those with management responsibility should demonstrate their commitment to the continual improvement of H&S performance.*

*The degree of detail required in fulfilling this requirement will depend on the size and complexity of the organisation. It can vary from a simple statement to a complex organisation chart. Examples are given on the following page.*

*In the area of hazard identification it is also useful to identify the person responsible for dealing with the hazard or risk.*

*For a small Company the following would be suitable:*

- *The Safety Manager has overall responsibility for safety matters including the following:*
  - *Identification of hazards Engineering hazards out*
  - *Provision of Safety training and Instruction*
  - *Creation of practical and safe working systems*
  - *Consultation with Staff on Safety and Health Matters*
  - *Accident investigation and reporting*
  - *Maintenance of safety notices*
  - *Maintenance of first aid facilities*
  - *Reviewing and updating the Safety Statement*
  - *Maintaining an up to date master copy of the safety statement and any amendments.*

*Responsibilities may be delegated and if so this will be done in writing and a copy attached to this statement.*

*Further responsibilities may be added as necessary and names included in the relevant boxes. One person may carry more than one responsibility. The positions do not have to be full time unless the size and complexity of the organisation requires it. (See 'Responsibility of Employees' Section 4 Appendix G, page 63)*

### 3. CONSULTATION

#### 3.1 Extract from OHSAS 18001:

*The company should have procedures for ensuring that pertinent Health & Safety information is communicated to and from employees and other interested parties.*

*Employee involvement and consultation arrangements should be documented and interested parties informed. Employees should be:*

- *Involved in the development and review of policies and procedures to manage risks;*
- *Consulted where there are any changes that affect workplace health and safety;*
- *Represented on health and safety matters; and*
- *Informed as to who is their employee H&S representative(s)*

The net result of all this is that the Company must practice transparency and accountability with employees in all matters affecting Safety.

The actual mechanisms for achieving this will obviously vary with the size, complexity and safety risks within an organisation.

A small organisation with no unusual safety risks could deal with it by nominating an employee and acting in accordance with the following statement:

*"Mary Robinson is staff safety representative and has been issued with a copy of the Safety Representatives duties. The Company will fulfill all its legal obligations in this respect. The safety representative will be consulted on any major changes impinging significantly on safety and as part of any review of the safety statement".*

The consultation agenda will be as follows:

- Accident record since last meeting
- Provision and use of protective clothing and equipment
- Safety and health training
- Changes to Health and Safety Statement
- Any other business.

A summary of Safety representative's duties is in Appendix L.

#### 3.2 A larger organisation with significant health and safety risks could have a structure including a Safety Committee comprised of elected representatives and some appointed by management. This could be supplemented by departmental committees in specific areas.

The Safety Committee could:

- Meet on a regular basis
- Have the right to be consulted on all matters affecting safety.
- Have access to all relevant information
- Have the right to perform safety audits and make recommendations to management on safety matters.

- Have the right to investigate accidents and make recommendations.
- Have the right to get external advice
- Have the right to liaise with Inspectors.

The functions of the Safety Committee or Safety Representative should be clearly and carefully defined and agreed and Management and all employees should be fully aware of them. Otherwise there is the potential for substantial conflict.

The amount of authority delegated to a Safety Representative or a Safety Committee will reflect the overall management style of an organisation. However it should always be kept in mind that the primary responsibility for safety rests with line management and any mechanisms put in place should not detract from this.

#### 4. TRAINING

The employer must ensure that all employees, including employees of subcontractors, are properly and adequately trained in the health and safety aspects of their jobs and are suitable for the work allocated.

Training should be during time allowed off from duties and without loss of remuneration and must include appropriate information and instructions and job specific training. This does not preclude on-the-job training.

Health and safety training provided to employees must take account of their capabilities to take on a particular task. Training for the manual handling of loads by employees must take account of the factors in the Ninth Schedule as they apply to an individual. Sensitive risk groups would include the following: young workers, pregnant women, new or inexperienced workers, night shift workers and persons with serious particular problems.

Health and safety training must be reviewed to take account of any change in the job and in the risks which are faced and must be provided at different stages during employment e.g. on recruitment, on transfer or a change of job, on the introduction of new equipment or a change in equipment or on the introduction of new technology.

Health and safety training must be repeated periodically, where necessary. When employees of another employer come to carry out work, the employer must check that they have received the right instruction on risks to health and safety inherent in the workplace that they may face. This is particularly important as regards contract cleaners, maintenance staff etc. who should be made aware of hazards they are not familiar with.

The Safety Statement should include a section on training. Again the size, complexity and risks involved will determine the actual content. A simple approach would be as follows:

- **Safety Training:**
  - The Safety Manager has overall responsibility for Safety Training including:
    - Defining training programmes,
    - Ensuring training needs are reviewed
    - Ensuring that training is carried out

- Maintaining records
  - Induction training for all new employees includes safety training. This will include access to the safety statement, a copy of any relevant parts, and instruction in any hazards identified at their proposed place of work and the equipment he/she will be using.
  - All operation training will include training in any associated health and safety issues. Each supervisor is responsible for ensuring that all employees are aware of all known hazards relating to their work and how they are dealt with.
  - Each Supervisor is responsible for ensuring that employees are capable of carrying out the tasks assigned to them, in a safe manner.
  - All employees are informed of their obligation to use the protective equipment provided and the consequences for them if they do not do so.

Specific safety related training is provided as follows to everybody:

- Induction Training
- General Safety Rules
- Fire and emergency procedures
- Housekeeping

Additionally each employee is given training on any hazards and risks associated with his duties.

All Training is recorded on the Safety Training Record, signed by the trainer and trainee and held by the Safety Manager.

## 5. RISK ASSESSMENT

Hazard identification and the measures taken to mitigate the hazards are the central part of the Safety Statement. It is the duty of every employer in preparing a safety statement:

- *To be in possession of an assessment in writing of the risks to safety and health at the place of work, such risks to include any which put groups of employees at unusual risk, and*
- *To decide on any protective measures to be taken and, if necessary, the protective equipment to be used.*

A number of other statutory provisions include requirements for risk assessment. These are concerned with noise, carcinogens, biological agents, chemical agents, pregnant employees, young persons and children, construction. A list is given in Section 4 Appendix H, page 64.

The result of all this is that the employer must be aware of all the hazards, must have a written record of them and of the action taken to ensure there is no damage to the health and safety of employees.

Extract from OHSAS 18001:

*Planning for hazard identification, risk assessment and risk control*

*The Company or Organisation should establish and maintain procedures for the ongoing identification of hazards, the assessment of risks, and the implementation of necessary control measures. These should include:*

- *Routine and non-routine activities;*
- *Activities of all personnel having access to the workplace (including subcontractors and visitors);*
- *Facilities at the workplace, whether provided by the organisation or others.*

*The company should ensure that the results of these assessments and the effects of these controls are considered when setting its H & S objectives. The organisation should document and keep this information up to date.*

*The company's methodology for hazard identification and risk assessment should:*

- *Be defined with respect to its scope, nature and timing to ensure it is proactive rather than reactive;*
- *Provide for the classification of risks and identification of those that are to be eliminated or controlled by measures as defined in 4.3.3 and 4.3.4;*
- *Be consistent with operating experience and the capabilities of risk control measures employed;*
- *Provide input into the determination of facility requirements, identification of training needs and/or development of operational controls;*
- *Provide for the monitoring of required actions to ensure both the effectiveness and timeliness of their implementation.*

A typical section of a Safety Statement covering this area would go as follows:

#### **IDENTIFICATION OF HAZARDS**

*The Safety Manager will undertake regular hazard audits and will use outside expertise and advice where he deems it necessary. All Managers, Supervisors and employees are responsible for reporting any hazards arising in their area of responsibility.*

*Any significant changes in work practices, new equipment, new materials etc. are assessed for hazards by the responsible Manager.*

*Hazards identified will be dealt with by engineering them out if practical and economically feasible. If not they will be dealt with thorough training and precaution and prevention measures.*

*All Hazards identified are listed on the Hazard identification form together with the means of controlling them. The hazard identification form is held with this statement. The risk analysis associated with each hazard is recorded on the Risk Analysis form and these are also held with this statement.*

*Hazard identification forms and Risk Analysis forms are reviewed annually by the Safety Manager and any necessary action or changes are put into place.*

*Accident investigation will also consider if the hazard had been identified and if not, why not and if so, why the measures in place did not prevent it.*



A sample of a hazard identification form is shown in Section 4, Appendix H.

A structured method of dealing with the requirements is as follows:

- STEP 1        *IDENTIFY THE HAZARDS*
- STEP 2        *RISK ASSESSMENT (Use the risk analysis form)*
- STEP 3        *DECIDE ON THE APPROPRIATE ACTION*
- STEP 4        *RECORD THE FINDINGS INCLUDING WHO IS RESPONSIBLE*
- STEP 5        *INFORM ALL RELEVANT PERSONNEL*
- STEP 6        *REVIEW REGULARLY*

**STEP 1:        IDENTIFY THE HAZARDS.**

A hazard means anything that can cause harm (e.g. dangerous chemicals, electricity, working at heights from ladders).

Hazards can be classified as Physical, Chemical, Biological, Health, and Human and typical examples are as follows:

- *Physical hazards*
  - *Some common causes of accidents are:*
  - *Manual handling (e.g. heavy, awkward or hard to reach loads, handling patients)*
  - *Working at a height (e.g. from mezzanine floors or scaffolding)*
  - *Equipment (e.g. which is poorly maintained or whose guards have been disabled)*
  - *Falling objects*
  - *Slipping/tripping hazards (e.g. poorly maintained floors or stairs)*
  - *Introduction of new machinery or work systems*
  - *Fire (e.g. from flammable or combustible materials, hay, waste material)*
  - *Machinery - especially moving parts of machinery (e.g. blades or rollers, power take off shafts on tractors and farm machinery)*
  - *Ejection of material (e.g. from plastic moulding)*
  - *Electricity (e.g. poor wiring or residual current device)*
  - *Special hazards of maintenance of equipment and the workplace itself (e.g. the roof, windows or gutters)*
  - *Internal transport (e.g. forklifts) and at the interface with external transport (e.g. at loading bays)*
  - *Hot substances or surfaces*
  - *Hand tools (e.g. noise, eye injury, and electrocution)*
  - *Poor housekeeping*
  - *Collisions between moving equipment or vehicles and workers Pressure systems (e.g. steam boilers).*
- *Health hazards:*
  - *Noise (e.g. if people must raise their voices to be heard)*
  - *Harmful dusts (e.g. from grinding)*
  - *Unsuitable lighting levels*

- *Some types of light (e.g. over-exposure to ultra-violet light can cause skin cancer)*
  - *Vibration (e.g. from pneumatic rock or concrete breakers)*
  - *Sources of radiation*
  - *Extremes of temperature*
  - *Injury through poor design of tasks or machinery.*
- *Chemical hazards*  
*Chemical substances of some sort are used in nearly all organisations. They range from common everyday products like glues and correction fluids to industrial solvents, dyes, pesticides or acids. In most cases the hazards are well documented and information is available on safety precautions to be taken. Regulations require certain chemicals to be labeled according to their hazards.*

*Manufacturers and suppliers are legally required to provide material safety data sheets, which give information on the health and safety risks of any chemical substances. You should ask for this information. The Code of Practice for the 1994 Chemical Agents Regulations gives a list of several hundred chemical agents which are dangerous and should be consulted if you use chemicals as part of your operations.*

*In order to identify chemical hazards and assess their risks you need data on at least the following:*

- *Immediate problems, (e.g. acute toxic effects or catching fire) Long-term effects of exposure on health, (e.g. cancer-causing)*
  - *Likelihood of explosion*
  - *Likelihood of skin problems, (e.g. skin irritation or sensitizer causing dermatitis)*
  - *Likelihood of chest problems (e.g. respiratory irritation or sensitization, i.e. asthma).*
- *Biological agent hazards*  
*These include viruses and bacteria that can cause infection and substances from plants or animals that can lead to other health problems. These hazards are likely to occur in places such as laboratories, hospitals, farms or abattoirs. They include:*
    - *Tuberculosis from contact with infectious cases*
    - *Brucellosis*
    - *Farmers lung caused by spores from moldy hay*
    - *Hepatitis from unprotected handling of infected body fluids or waste.*

*If you work in or are responsible for any of the above activities you should consult the 1994 and 1998 Biological Agents Regulations for further information on identifying biological agent hazards and their method of control.*

- *Human factor hazards*  
*Apart from physical surroundings, human factors must also be taken into account when identifying hazards. People should be mentally and physically capable of doing their jobs*

safely. The workplace, the work system, the organisation of work and the job should be designed so as to avoid sustained stress.

Other human factor issues that may need to be reviewed include violence to workers, bullying and the effects of passive smoking.

Some groups are particularly vulnerable:

- Young workers, these have a higher accident rate
- Pregnant women (see the 1994 and 2000 pregnant workers etc. Regulations)
- People with disabilities
- New or inexperienced workers
- Night/ Shift workers
- Older workers.

### Doing the Analysis

If a methodical review is carried out, the chances of missing any significant hazard is small.

Review:

- Accident and incident details, including dates.
- Premises, Floor, ceilings, walls, doors, windows, stairs, lifts etc.
- Machinery and equipment, including office equipment
- Processes, including off site
- Materials, including materials for cleaning, office materials etc People.
- Subcontractors Visitors.

### STEP 2: RISK ASSESSMENT

Risk assessment is a careful examination of what, in the 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.

Most risk assessments can be carried out adequately by personnel who are familiar with the work being carried out or the machinery being used etc and who have a modicum of common sense. There is however an obligation to seek expert advice externally if necessary.

Information may also be available from labelling (in the case of chemicals for instance) and should always be available from the supplier or manufacturer. Other sources include ISME and the Health and Safety Authority (HSA).

All new equipment now comes with documentation which includes a safety section and this will identify any significant risks. Risk assessments should include:

- Who might be harmed?
- The type and severity of the harm.
- The likelihood of harm occurring or risk level. Classify as High, Medium or Low.

### STEP 3: DECIDE ON THE APPROPRIATE ACTION

Having identified the hazard and assessed the risk, you must now decide on what precautions are needed. These will be affected by the severity of the potential harm and the likelihood of it occurring.

Severity can vary from multiple deaths (e.g. in the case of fire) to discomfort. Likelihood can vary from unlikely to continuous. Where the severity is high then action is needed even if occurrence is unlikely.



*There are three questions to be asked:*

1. *Can I get rid of the hazard altogether? This is always the preferred action, but it may not be possible or economically feasible.*
2. *Can I change things to make the job safer? This is often possible but may still leave the necessity for safety precautions.*
3. *What safety precautions are necessary to control risks?*

*There is a wide range of information available on precautionary measures from the sources noted in the previous sections.*

## **6. PRINCIPLES OF PREVENTION**

### **STEP 4: RECORD THE FINDINGS INCLUDING WHO IS RESPONSIBLE**

The most convenient way of doing this is on a standard Risk Analysis form which becomes part of the Safety Statement. A sample of a Risk analysis form is shown in appendix 5. Number and date the forms to make it easier to identify and review them.

### **STEP 5: INFORM ALL RELEVANT PERSONNEL**

Obviously there is no point in going through the exercise if the result is simply a record in a file. You should consult with any relevant personnel, decide on who has to be informed and how, ensure that they are informed and record the fact. There may also be a need for training and if so you should ensure that it is carried out and recorded.

### **STEP 6: REVIEW REGULARLY**

All hazard identification forms should be reviewed on a regular cycle, usually annually. The review should be recorded. (See 'Identification of Hazards' Section 4 Appendix H)

## **7. EMERGENCIES**

The Health & Safety Regulations require the employer to prepare plans and to provide the necessary warning signals, signs, equipment etc. to be followed and used in emergencies. Plans must include emergency procedures including emergency drills, evacuation signs, alarms etc. Employers must also make contact with local emergency services so that effective action can be taken when emergencies occur. The employer must also name an adequate number of employees to help cope with emergencies, depending on the size of the organisation and how serious the hazards are. These employees must be trained and be given the necessary equipment.

Arrangements must be made so that employees can evacuate during unavoidable danger, without being placed at a disadvantage in doing so or being asked to resume work where there is still serious and imminent danger. Examples of situations in which serious and imminent danger might exist are as follows:

- Working in an area where there has been a significant spillage or escape of a hazardous chemical
- Danger from moving vehicles in the workplace

- Working in a trench where shoring is suspect or inadequate
- Working at or near a chemical reaction in a chemical plant which has the potential to overheat, over-pressurise or explode
- Working in dangerous buildings, on a fragile roof where sufficient crawling boards or other equivalent protection is not provided
- Working in other situations of serious and imminent danger, fire, emergency or others equivalent to these examples.

The employer must not ask employees to resume work where there is still serious and imminent danger. In exceptional cases (e.g. where skilled workers must tackle emergency situations at source), the employer must be prepared to justify asking employees to return to the workplace.

The employer must also ensure that employees themselves have flexibility if the immediate superior is not available to take steps to avoid serious and imminent danger to themselves or other persons. Only properly instructed employees should have access to areas of serious and specific danger such as near x-ray or electrical equipment or chemical reaction processes.

Extract from OHSAS 18001:

*Emergency preparedness and response:*

*The organisation should establish and maintain plans and procedures to identify the potential for, and responses to, incidents and emergency situations, and for preventing and mitigating the likely illness and injury that may be associated with them.*

*The organisation shall review its emergency preparedness and response plans and procedures, in particular after the occurrence of incidents or emergency situations.*

*The organisation shall also periodically test such procedures where practicable.*

*The arrangements to be made will obviously vary enormously with the size, type and complexity of the workplace. The following is an extract from a simple Safety Statement.*

### **EMERGENCY NUMBERS**

- **DOCTOR:**
- **AMBULANCE:** 112
- **FIRE BRIGADE:** 112
- **GARDA STATION:** Rathfarnham 4931211
- **FIRST AID:** A N Other
- **EMERGENCY ALERT NUMBER:** 112
- *This information is posted in prominent areas around the workplace and beside telephones likely to be used in an emergency*

### **FIRE SAFETY**

- *Emergency exits are signed and lit by emergency lighting*
- *A fire alarm system is installed and maintained by a specialist subcontractor*
- *A set of instructions on what to do in case of fire is posted at all relevant positions*
- *Fire-fighting equipment is provided and positioned by a specialist subcontractor,*
- *All fire-fighting equipment is maintained to a regular schedule a specialist subcontractor*
- *All employees are trained in the use of fire-fighting equipment*

- *All employees are trained in evacuation procedures.*
- *An evacuation drill is carried out every six months*

(See 'Fire Safety & Emergency Procedures Section 4, Appendix D and 'Fire Marshall' Section 4 Appendix C)

## **8. MANUAL HANDLING**

Manual handling of loads means any transporting or supporting of a load by one or more employees, and includes lifting, putting down, pushing, pulling, carrying or moving a load, which, by reason of its characteristics or of unfavourable ergonomic conditions, involves risk, particularly of back injury, to employees.

### **8.1 Duties of Employer**

Every employer should:

- (a) Take appropriate organisational measures, or use the appropriate means, in particular mechanical equipment, to avoid the need for the manual handling of loads by his employees.
- (b) Where the need for the manual handling of loads by his employees cannot be avoided, take appropriate organisational measures, use appropriate means or provide his employees with such means in order to reduce the risk involved in the manual handling of such loads, having regard to the factors specified in the eighth Schedule.
- (c) Wherever the need for manual handling of loads by his employees cannot be avoided, organise workstations in such a way as to make such handling as safe and healthy as possible, and: assess the health and safety conditions of the type of work involved, and in particular examine the characteristics of loads, having regard to the factors specified in the Eighth Schedule, and take care to avoid or reduce the risk, particularly of back injury, to his employees, by taking appropriate measures, considering in particular the characteristics of the load, the physical effort required, the characteristics of the working environment and the requirements of the activity, taking account of the factors for the manual handling of loads.
- (d) Ensure that those of his/her employees who are involved in manual handling of loads receive general indications and, where possible, precise information on the weight of each load, and the centre of gravity of the heaviest side when a package is eccentrically loaded.

### **8.2 Reference factors for the Manual Handling of Loads**

#### **8.2.1 Characteristics of the Load**

The manual handling of a load may present a risk particularly of back injury if it is:

- Too heavy or too large
- Unwieldy or difficult to grasp,
- Unstable or has contents likely to shift,

- Positioned in a manner requiring it to be held or manipulated at a distance from the trunk, or with a bending or twisting of the trunk, or
- Likely, because of its contours or consistency (or both), to result in injury to employees, particularly in the event of a collision.

#### 8.2.2 Physical Effort Required

A physical effort may present a risk particularly of back injury if it is:

- Too strenuous,
- Only achieved by a twisting movement of the trunk, Likely to result in a sudden movement of the load, or Made with the body in an unstable posture.

#### 8.2.3 Characteristics of the Working Environment

The characteristics of the work environment may increase a risk particularly of back injury if:

- There is not enough room, in particular vertically, to carry out the activity,
- The floor is uneven, thus presenting tripping hazards, or is slippery in relation to the employee's footwear

#### 8.2.4 Requirements of the Activity

The activity may present a risk particularly of back injury if it entails one or more of the following requirements:

- Over-frequent or prolonged physical effort involving in particular the spine,
- An insufficient bodily rest or recovery period,
- Excessive lifting, lowering or carrying distances, or
- A rate of work imposed by a process which cannot be altered by the employee.

#### 8.2.5 Manual handling of loads - individual risk factors

The employee may be at risk if he:

- Is physically unsuited to carry out the task in question,
- Is wearing unsuitable clothing, footwear or other personal effects, does not have adequate or appropriate knowledge or training.

The basic principle is that where there is manual handling, manipulation, lifting etc of loads which involves a risk of injury, particularly to the back, the employer must take measures to avoid the need for such manual handling where possible. Where this is not achievable mechanical aids and/or appropriate organisational methods should be used.

Where manual handling is unavoidable the employer must undertake a risk assessment of any manual handling operation which involves risk of injury or damage to health, particularly back injury. Adequate training for employees who are required to lift loads, whether objects or people or animals, is essential. Employees are entitled to be consulted when protective measures related to manual handling, lifting etc are taken.

The priorities are therefore:

1. RE-DESIGN THE JOB
2. PROVIDE MECHANICAL HANDLING EQUIPMENT
3. TRAIN PERSONNEL IN LIFTING

## 9. DISPLAY SCREEN EQUIPMENT (DSE)

Regulations in relation to display screen equipment (DES's) are governed by the Safety, Health & Welfare at Work Regulations 1993, which define "display screen equipment" as any alphanumeric or graphic display screen, regardless of the display process involved;

- "employee" means an employee who habitually uses display screen equipment as a significant part of his normal work; and
- "workstation" means an assembly comprising display screen equipment, which may be provided with a keyboard or input device or software (or a keyboard or input device and software) determining the operator and machine interface, and includes optional accessories and peripherals such as a diskette drive, telephone, modem, printer, document holder, work chair and work desk or work surface and the immediate work environment of the display screen equipment.

9.1 The regulations do not apply to the following:

- a. Drivers' cabs or control cabs for vehicles or machinery;
- b. Computer systems on board a means of transport;
- c. Computer systems mainly intended for public use;
- d. Portable display screen equipment not in prolonged use at a workstation;
- e. Calculators, cash registers and any equipment having a small data or measurement;
- f. Display required for direct use of the equipment; and
- g. Typewriters of traditional design, of the type known as "typewriter with window";

9.2 Duties of Employer. Every employer should:

- a. Perform an analysis of the workstations in order to evaluate the safety and health conditions to which they give rise for his employees, particularly as regards possible risks to eyesight, physical problems and problems of mental stress;
- b. Take appropriate measures to remedy any risks found, taking account of any additional or combined effects of any such risks so found;
- c. Plan the activities of his employees in such a way that daily work on a display screen is periodically interrupted by breaks or changes of activity which reduce workload at the display screen;
- d. Provide information to his/her employees in relation to the measures applicable to workstations which have been implemented under subparagraphs (2) and (5) above and
- e. Provide training to employees in the use workstations before commencing this work with display screen equipment and whenever the organisation of the workstation is substantially modified;

NOTE: The requirements of Schedules apply only to the extent that the components concerned are present at a workstation and that the inherent requirements or characteristics of the work do not preclude such application.

9.3 Provision of Eye Tests and Corrective Appliances

Every employer should, taking into account any entitlement which an employee may have to any tests appliances provided by the State and relating to eyesight and appliances ensure:

- a. That an appropriate eye and eyesight test, carried out by a competent person, is made available to every employee:
  - (i) Before commencing display screen work,
  - (ii) At regular intervals thereafter, and
  - (iii) If an employee experiences visual difficulties which may be due to display screen work,
- b. That, if the results of a test under this Regulation show that it is necessary, an ophthalmological examination is carried out on the employee concerned,-
- c. That, where the results of a test or an examination under this regulation show that it is necessary and if normal corrective appliances cannot be used the employee concerned is provided with special corrective appliances appropriate to his work.

## 9.4 Minimum requirements for all DSE

### 9.4.1 EQUIPMENT

- a. The general use of the equipment should not be a source of risk for employees.
- b. Display Screen
  - (i) The characters on the screen should be well defined and clearly formed, of adequate size and with adequate spacing between the characters and lines.
  - (ii) The image on the screen should be stable, with no flickering or other forms of instability.
  - (iii) The brightness or the contrast (or both) between the characters and the background should be easily adjustable by the employee and easily adjustable to ambient conditions.
  - (iv) The screen should be free of reflective glare and reflections liable to cause discomfort to a user.
- c. Keyboard
  - (i) The keyboard should have a matt surface to avoid reflective glare.
  - (ii) The arrangement of the keyboard and the characteristics of the keys should be such as to facilitate the use of the keyboard.

### 9.4.2 WORK ENVIRONMENT

- a. Space Requirements: The workstation should be dimensioned and designed so as to provide sufficient space for the user to change position and vary movements.
- b. Lighting



- (i) Lighting (including room lighting, spot lighting or work lamps) should ensure satisfactory lighting conditions and an appropriate contrast between the screen and the background environment, taking into account the type of work and the user's vision requirements.
  - (ii) Possible disturbing glare and reflections on the screen or other equipment should be prevented by co-ordinating the layout of workstations within the place of work with the positioning and technical characteristics of the artificial light sources.
- c. Reflections and glare  
Workstations should be so designed that sources of light, such as windows and other openings, transparent or translucent walls, and brightly coloured fixtures or walls cause no direct glare and, as far as possible, no distracting reflections on the screen.
- d. Radiation  
All radiation, with the exception of the visible part of the electromagnetic spectrum should be reduced to negligible levels from the point of view of the protection of employees' health and safety

#### 9.5 Minimum requirements for all workstations

- a. Display Screen
  - (i) The screen should be able to swivel and tilt easily and freely to suit the needs of the user.
  - (ii) It shall be possible to use either a separate base for the screen or an adjustable table.
- b. Keyboard
  - (i) The Keyboard should be tiltable and separate from the screen so as to allow the user to find a comfortable working position which avoids fatigue in the arms or hands.
  - (ii) The space in front of the keyboard should be sufficient to provide support for the hands and arms of the user.
- c. Work desk or work surface
  - (i) The work desk or work surface should have a sufficiently large, low-reflectance surface and allow a flexible arrangement of the screen, keyboard, documents and related equipment.
  - (ii) The document holder should be stable and adjustable and shall be positioned so as to minimise the need for uncomfortable head and eye movement.
  - (iii) There should be adequate space for users to find a comfortable position.

*There should be clearances for thighs, knees, lower legs and feet under the work surfaces and between furniture components.*

- d. Work chair
  - (i) The work chair should be stable and allow the user easy freedom of movement and a comfortable position.
  - (ii) The seat should be adjustable in height.
  - (iii) The seat back should be adjustable in both height and tilt.
  - (iv) A footrest should be made available to any user who requires one.

#### 9.5.1 ENVIRONMENT

- a. Reflections and glare: Windows should be fitted with a suitable system of adjustable covering to attenuate the daylight which falls on the workstation.
- b. Noise: Noise emitted by equipment belonging to a workstation should be taken into account when a workstation is being equipped, in particular so as not to distract attention or disturb speech.
- c. Heat: Equipment belonging to a workstation should not produce excess Heat which could cause discomfort to employees.
- d. Humidity: An adequate level of humidity should be established and maintained.

#### 9.5.2. EMPLOYEE / COMPUTER INTERFACE

In designing, selecting, commissioning and modifying software, and in designing tasks using DSEs, the employer should take into account the following principles:

- a. Software should be suitable for the task;
- b. Software should be easy to use and, where appropriate, adaptable to the employee's level knowledge or experience;
- c. No quantitative or qualitative checking facility may be used without the knowledge of the employees;
- d. Systems should provide feedback to employees on their performance;
- e. Systems should display information in a format and at a pace which are adapted to employees
- f. The principles of software ergonomics should be applied, in particular to human data processing.

In practice all the requirements should be fulfilled without any problem if modern equipment and workstations are used and if the normal ergonomic principles are followed. The best approach is buy from a reputable supplier and keep up to date. There are however a few points which need to be noted.

- 1. As a general rule an employee is covered by the Regulations:
  - a. If the employee has to use the DSE to carry out her/his work.
  - b. If the employee normally uses the DSE for continuous periods of more than one hour.
  - c. If the DSE is generally used by the employee on a daily basis.
- 2. Listen to employees if they say they are not comfortable and try to fill all reasonable requests.
- 3. Do an analysis of the workstation to ensure that it complies using the following checklist:
  - a. Is the display screen image clear?



- Are the characters readable?
  - Is the image free of flicker or movement?
  - Are the brightness and / or contrast adjustable?
  - Does the screen swivel and tilt?
  - Is the screen free from glare and reflection?
- b. Is the keyboard tiltable?
- Is there a comfortable keying position?
  - Is there enough space to rest hands in front of the keyboard?
  - Is the keyboard glare free?
  - Are the characters on the keys easily readable?
- c. Is the surface free of glare reflections?
- Is the chair stable?
  - Can the chair be adjusted?
  - Do the adjustment mechanisms work?
  - Is the posture comfortable?
- d. Is the environment around the workstation risk free?
- Is there enough space within which to work?
  - Are the levels of light heat and noise comfortable?
  - Does the air feel comfortable?
- e. Is the software user friendly?
- Can it be used without undue stress?
- f. Is eyesight screening available to operators?
4. There can be no clandestine measuring of performance
5. As regards radiation, according to the World Health Organisation  
*"THE LEVELS OF IONISING AND NON-IONISING ELECTROMAGNETIC RADIATION WHICH ARE LIKELY TO BE GENERATED BY VDUS ARE WELL BELOW THOSE SET OUT IN INTERNATIONAL ECOMMENDATIONS FOR LIMITING RISK TO HUMAN HEALTH CREATED BY SUCH EMISSIONS AND DOES NOT CONSIDER SUCH LEVELS TO POSE A SIGNIFICANT RISK TO HEALTH. NO SPECIAL PROTECTIVE MEASURES ARE THEREFORE NEEDED TO PROTECT THE HEALTH OF PEOPLE FROM THIS RADIATION"*

## 10. FIRST AID

With reference to the Safety, Health & Welfare at Work (General Application) Regulations, 2007, "first-aid" means:

*In a case where a person requires treatment from a registered medical practitioner or a registered general nurse, treatment for the purpose of preserving life or minimising the consequences of injury or illness until the services of such a practitioner or such a nurse are obtained, or b. In a case of a minor injury which would otherwise receive no treatment or*

which does not need treatment by a registered medical practitioner or registered general nurse, treatment of such an injury;

"occupational first-aider" means a person who is trained and qualified in first aid .

10.1 The provisions of the regulations on 'first aid' apply to every place of work except:

- a. Means of transport used outside the undertaking or a place of work inside a means of transport;
- b. A fishing boat;
- c. A field, wood or land forming part of an agricultural or forestry undertaking which is situated away from the undertaking's buildings.

10.2 Duties of Employer

10.2.1 It should be the duty of every employer:

- a. To provide, or ensure that there is provided and maintained in every place where working conditions require it at each place of work under his/her control such first-aid equipment, suitably marked and easily accessible, as is adequate and appropriate in the circumstances for enabling first-aid to be rendered to persons at the place of work.
- b. To provide, or ensure that there are provided, at each place of work under his / her control such number of occupational first-aiders as is necessary to render first-aid at the place of work concerned, taking account of the size or hazards (or both) of the undertaking or establishment.

10.2.2 Where an occupational first-aider is absent in temporary and exceptional circumstances it should be sufficient if the employer designates a person, or ensures that a person is designated to take charge of an injured or ill person.

10.2.3 Details of arrangements made for the provision of first-aid, including the names of occupational first-aiders and the location of first-aid rooms, equipment and facilities for or at the place of work should be included in the relevant safety statement.

10.3 First-Aid Rooms

Employers have a general duty to provide first-aid equipment at all places of work where working conditions require it. In practice this means all workplaces. Depending on the size and/or specific hazards of the undertaking or establishment, trained Occupational First-Aiders and first aid rooms may also have to be provided.

Information must be provided to employees and/or safety representatives as regards the first-aid facilities and arrangements in place. The organisations arrangements for first aid should be part of the Safety Statement. A simple example is as follows:

***FIRST AID***

*Josephine Bloggs is trained in First Aid. Her telephone extension is 233 or she can be contacted through the switchboard or the PA system.*

*A First aid box is held in the Security Office and is maintained by a specialist subcontractor, Smith & Nephew*

## RECOMMENDED CONTENTS OF FIRST-AID BOXES AND KITS

The following information should be taken as a guide where there are no indications to the contrary. Keep in mind that it is always the specific circumstances which determine the requirements. It is important to note that it is not just accidents which can occur, people can have heart attacks and seizures and the presence of a trained first aider can save a life even though they are not strictly required by the guidelines. The following table shows the recommended contents of first aid boxes.

MATERIALS	FIRST-AID BOX CONTENTS		
	1-5 Persons	6-25 Persons	26-50 (a) Persons
Adhesive Plasters	12	20	40
Sterile Eye Pads	2	2	4
[Bandage attached]			
Individually Wrapped Triangular Bandages	2	6	6
Safety Pins	1	6	6
Medium Individually Wrapped Sterile Un-medicated Wound Dressings [approx. 10 x 8 cms]	8	6	8
Large Individually Wrapped Sterile Un-medicated Wound Dressings [approx. 13 x 9 cms]	1	2	4
Extra Large Individually Wrapped Sterile Un-medicated Wound Dressings [approx. 28 x 17.5 cms]	1	3	4
Individually Wrapped Wipes	1	8	10
Paramedic Shears		1	1
Pairs of Latex Gloves		2	2
Where there is no clear running water, Sterile Eye Wash		2	2

**NOTE:**

- a. Where more than 50 persons are employed pro rata provision should be made.
- b. Where mains tap water is not readily available for eye irrigation, sterile water or sterile normal saline (0.9%) in sealed disposable containers should be provided. Each container should hold at least 300 ml and should not be re-used once the sterile seal is broken. At least 900 ml should be provided. Eye bath / eye cups / refillable containers should not be used for eye irrigation.

The following table shows the recommended number of trained first aiders. It is strongly recommended however that all work places have at least one trained first aider

#### RECOMMENDED NUMBERS OF OCCUPATIONAL FIRST-AIDERS

Type of Workplace	Max. No. of Employees present at any one time	No. of Occupational First-Aiders
Factory premises, construction sites surface mines and quarries.	Up to 49	One if risk assessment shows it necessary
	50 -149	Minimum One
	150 – 299	Minimum Two
	300 plus	One extra for every 150 employees or part thereof.
Underground Mines Other Workplaces	Up to 99	One for every 10 employees or part thereof.
	100 - 399	One if risk assessment shows it necessary
	400 - 699	One
	700 plus	Two
		One extra for every 300 employees or part thereof

Note: These figures should be doubled if the workplace is more than 1 hour away from medical assistance.

The following minimum facilities and equipment should be provided in first-aid rooms:-

- a. Sink with running hot and cold water always available;
- b. Drinking water (when not available on tap) and disposable drinking vessels;
- c. Soap;
- d. Paper towels;
- e. Smooth topped working surfaces;
- f. A suitable store for first-aid materials;
- g. First-aid equipment;

## 11. ACCIDENT REPORTING AND INVESTIGATION

The following is a summary of the requirements in relation to accidents in the workplace and the reporting and investigation requirements.

### 11.1 Accident Reporting

In all companies it should be mandatory that all accidents be reported without delay to a supervisor or designated individual within the company. All accidents and incidents should be reported in writing, including the time, date, injured persons circumstances and all relevant and related issues where known. A set format for reporting incidents, including a detailed form should be made available and communicated to employees.

All employees should be notified of the company's accident and investigations reporting procedure. This procedure should include a declaration statement on all employees to cooperate with an investigation into an accident or incident.

All employees should be notified that they have an obligation to report accidents or incidents to the relevant individuals.

The Health and Safety Authority must be notified using Form IR1 about:

- A work accident causing the death of any employed or self-employed person
- A work accident that prevents an employed or self-employed person from working for more than three days
- An accident caused by a work activity which causes the death of, or requires medical treatment to, a person not at work: e.g. a passer-by.

The Authority must be informed using Form IR3 as soon as possible about any dangerous occurrence involving:

- Lifting machinery
- Pressure vessels
- Electrical short-circuit
- Explosion or fire
- Escape of substances
- Collapse of scaffolding, building or structure
- Unintentional ignition or explosion of explosives
- Failure of a freight container
- An incident occurring from the conveyance of dangerous substances by road
- Failure of breathing apparatus
- An incident involving overhead lines carrying 200 volts or more
- A train crash at a factory or dock
- The bursting of a revolving vessel, mechanically powered wheel or grindstone.

The persons who must report accidents are (for death or injury):

- Employees, the employer
- Person receiving training, the persons providing the training
- Persons not at work which is caused by a work activity, the person in control of the place of work where the death occurred
- Self-employed person, the person in control of the place of work where the death occurred
- Self employed person at a place of work under their own control, their next of kin
- Self employed persons in respect of accidents to themselves

Records containing full details of accidents or dangerous occurrences notified to the Health and Safety Authority must be kept for 10 years.

## 11.2 Accident Investigation

Apart from the need to report serious accidents to the Health and Safety Authority, the organisation should carry out its own investigation into all accidents at work. It should be carried out as quickly as possible and should be as thorough as possible. Photographs and witnesses names and statements can be particularly useful.

There are two reasons for carrying out an investigation:

- a. The first is that serious accidents and those likely to give rise to a compensation claim will have to be reported to the Health and Safety Authority and the relevant Insurance Company and these may wish to carry out their own investigation. The Health and Safety Authority in particular has extensive legal powers and is not slow to use them if it considers it necessary. The Company is on the spot and an extensive and thorough investigation carried out immediately by its own personnel can be very helpful later, in determining exactly what happened and why.
- b. The second is that the results of a thorough and objective investigation can and should be used to improve the overall safety system and prevent future accidents.

The following requirements are a good guide:

Extract from OHSAS 18001:

*Accidents, incidents, non-conformances and corrective and preventive action*

The organisation shall establish and maintain procedures for defining responsibility and authority for:

- The handling and investigation of.
  - Accidents;
  - Incidents;
  - Non-conformances;
  - Taking action to mitigate any consequences arising from accidents, incidents or Non-conformances;
  - The initiation and completion of corrective and preventive actions;
  - Confirmation of the effectiveness of corrective and preventive actions taken.

These procedures shall require that all proposed corrective and preventive actions shall be reviewed through the risk assessment process prior to implementation.

Any corrective or preventive action taken to eliminate the causes of actual and potential non-conformances should be appropriate to the magnitude of problems and commensurate with the Health & Safety risk encountered.

The organisation should implement and record any changes in the documented procedures resulting from corrective and preventive action.

The following is an extract from a typical safety statement covering the subject:

## *ACCIDENT INVESTIGATION AND REPORTING:*

*All accidents involving injury or significant damage are investigated by the Safety Manager and a report is prepared.*

*The report covers at least the following:*

- *What happened, when and where?*
- *Any injuries?*
- *Who was injured and what were the injuries?*
- *The exact work the injured person was doing at the time?*
- *Was personal protective equipment needed for the job and if so was it being worn?*
- *What immediate action was taken, and by whom? The degree of supervision.*
- *What caused the occurrence?*
- *Had hazard been identified? If so, why did the accident occur?*
- *Is any further preventive action required?*
- *Names of any witnesses and statements from them if possible?*

Where possible, the report should be illustrated by photographs. A camera is held by the safety officer.

Accidents or dangerous occurrences are reported as required by S.I. 44 of 1993 on forms IR1 or IR3 as appropriate, or can be done by online reporting. Copies of these forms are available from the Health and Safety Authority, Tel: 01 662 0400.

Finally a good document control system is essential in carrying out a comprehensive accident reporting or investigation process.

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## SECTION 3

### BULLYING AND HARASSMENT IN THE WORKPLACE

#### 1. WHAT IS BULLYING AT WORK?

*Bullying in the workplace is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.*

*An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a once off incident is not considered to be bullying.*

Bullying is a health and safety issue. Examples of behaviour that may constitute bullying are as follows:

- Purposely undermining someone;
- Targeting someone for special negative treatment;
- Manipulation of an individual's reputation;
- Social exclusion or isolation;
- Intimidation;
- Physical abuse or threats of abuse;
- Aggressive or obscene language;
- Jokes that are obviously offensive to one individual by spoken word or email;
- Intrusion by pestering, spying and stalking;
- Unreasonable assignments to duties which are obviously unfavourable to one individual;
- Repeated requests with impossible deadline or impossible tasks

#### 2. WHY IS BULLYING AT WORK, A HEALTH AND SAFETY ISSUE?

- 2.1 The Health and Safety Authority is the central coordinating state agency handling bullying at work. Bullying is considered a workplace hazard alongside more traditional hazards and as such, must be treated within the Safety Management System. Bullying must be identified as a hazard and a risk assessment carried out to eliminate or reduce the risk of its consequences should it occur.
- 2.2 All employers have a responsibility, as far as is reasonably practical, to provide a workplace where accident, disease and impairment of physical and mental health are prevented. The Safety, Health and Welfare at Work Act 1989 states that the employer's duty includes in particular the provision of systems of work that are planned, organised, performed and maintained so as to be, as far as is reasonably practicable, safe and without risk to health.
- 2.3 Where a bullying culture has been identified, employers must take reasonable measures to prevent incidents of bullying occurring and also when and if they do occur, prevent the risk of injury to the health of employees worsening by providing and implementing transparent and just anti bullying policies and procedures.
- 2.4 Employees have a responsibility to ensure that they are not contributing to a bullying culture and it is the duty of every employee to take reasonable care for his own safety,

health and welfare and that of any other person who may be affected by his acts or omissions while at work.

- 2.5 Managers and supervisors have a particular responsibility to promote dignity in the workplace for all. They should be alert to the possibility of bullying behaviour and be familiar with the policies and procedures for dealing with allegations of bullying, as bullying has been identified as a workplace hazard.

### 3. POLICY STATEMENT

Organisations should commit themselves to working together to maintain a workplace environment that encourages and supports dignity at work. Bullying in any form should not be accepted or tolerated. In order to do this, the employer should make it clear, in policy statements and in the operation of these policies, in written form and in appropriate and timely action taken, that he or she is intolerant of workplace bullying and intolerant to behaviour which infringes an individual's right to dignity at work.

#### 3.1 Anti Bullying Policy

One of the first steps in the prevention of workplace bullying is the drawing up of a written Anti Bullying Policy. The policy should be drawn up in accordance with the Health and Safety Authority's, the Labour Relations Commission's and the Equality Authority's Codes of Practice on Prevention of Workplace Bullying and Harassment. It should also be referred to in the organisation's safety statement.

- 3.2 The policy should be drawn up in consultation with staff representatives, unions or others, as appropriate. It should state the management and staff commitment to dignity in the workplace. It should clearly outline what bullying is and the step by step procedure for making an informal or formal complaint.

- 3.3 The policy should be publicised, made visible and all individuals whether permanent or temporary should receive a copy. Organisations should raise awareness of the issue by inclusion in staff bulletins, training, at recruitment stage and using any other appropriate method. A sample guideline for a company policy is included in Section 4, Appendix 8.

- 3.4 Allegations of bullying should be investigated, fairly and thoroughly without reprisals for the complainant. Complaints should be dealt with in a confidential manner and as speedily as possible. Natural justice applies and accused persons are presumed innocent until, and if, proven guilty.

- 3.5 The objectives of this process are to create and maintain a positive work environment where the right of each individual to dignity at work is recognised and protected.

## SECTION 4

### APPENDICES

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## APPENDIX A:

### BULLYING AND HARRASSMENT IN THE WORKPLACE

#### Guidelines for a Company Policy

1. It is the Policy of (Company Name) that the work environment gives all employees the freedom to do their work without having to suffer Bullying, Intimidation or Harassment.
2. All Employees must accept that this form of discrimination creates an intimidating and threatening work environment, which can:
  - Affect the integrity of people at work
  - Adversely affect job performance
  - Make the recipients fearful of going to work Cause recipients to leave their employment
  - Seriously affect recipients health by causing depression, stress, and loss of self esteem
3. All employees should be aware that Bullying, Intimidation or Harassment is unacceptable, will be considered to be a serious disciplinary offence and will be subject to the Company Disciplinary sanctions. Therefore, all Employees are encouraged to be vigilant to prevent this type of conduct, and are required to comply with this Policy.
4. All Managers and Supervisors are required to commit to the Company's Policy on *Bullying and Harassment*, to implement the Policy and to set appropriate standards of behaviour by their own example. A designated person has been appointed to provide advice on the Company's informal or formal procedures for resolving a discriminatory problem, and to offer advice on counseling. This person is \_\_\_\_\_.
5. Please be assured that all complaints received will be treated seriously, and will be attended to immediately.
6. The complaint will be treated confidentially, as far as possible, with due sensitivity, and will be discussed with the complainant in private. The complainant is assured that the complaint will be fully investigated by the Company.
7. At no time will the Company tolerate any victimisation of a complainant or a witness, and will view any such attempts as Serious Misconduct!
8. If, following investigation, the complaint of discrimination is substantiated or otherwise considered will founded, the Company designated investigator will endeavour to arrange a satisfactory resolution of the complaint.
9. Employees who believe they are being subjected to *Bullying, Intimidation or Harassment* should report the problem as early as possible to their immediate Superior. If, for any reason, this is not appropriate, the complaint may be made to \_\_\_\_\_ (Manager or) \_\_\_\_\_ (H.R.M/ M.D).
10. Examples of some forms of Bullying/Intimidation/Harassment:
  - Any aggressive behaviour by a Manager /Supervisor/ Colleague/Employee
  - Any repeated verbal harassment

- Any physical harassment
- Any personal insults and name calling
- Persistent criticism
- Persistent "picking" on a person for the butt of jokes, horseplay, uncomplimentary remarks, or other behaviour likely to cause offence
- The maligning or ridiculing of a person directly to others
- Unfair delegation of duties and responsibilities
- Intimidation and threats in general

11. It should be noted that *Bullying, Intimidation* or *Harassment* may occur outside the workplace, e.g. at a Company Meeting or Company Party in a Hotel, whilst attending at a Conference on behalf of the Company, whilst on a course, etc, and may be of men by women, women by men, or the same sex. (The degree of control available to the Employer in the particular circumstances would be a relevant factor.)

12. Discipline

In deciding upon appropriate action, full cognisance will be taken of the feelings and sensitivities of the complainant.

12.1 Disciplinary action may involve dismissal, suspension, or relocation of the Bully / Harasser, together with an apology from the harasser for his/her conduct to the complainant - if the complainant so wishes. The complainant will not be relocated except at his/her own request.

12.2 Disciplinary action will also be taken against any person found to be victimising or otherwise bullying or harassing a complainant or a witness, with appropriate records placed on that person's Personnel File!

12.3 Details of any Action taken will be entered on the Bully's / Harasser's Personnel File, and appropriate records of the complainant and the resolution of same will be maintained.

12.4 The Disciplinary Procedure applies to *every* employee at *every* level throughout the Company.

*Signed, for & on behalf of the (Company Name)*

.....  
*(Name and position of Manager)*

I, (EMPLOYEE NAME) having read and understood the above Policy as set out by the Company, do hereby accept that Bullying / Intimidation / Harassment in the workplace, as outlined, will not be condoned by the Company, and do hereby agree to comply with this Policy.

Signed: .....

Date:.....

## APPENDIX B:

### DEFINITIONS

#### *Article*

Means any plant, machinery, appliance, apparatus, tool or other work equipment (or a component of such) for use or operation by persons at work, whether used exclusively or not in connection with work.

#### *Competent person*

A person is deemed to be competent where, having regard to the task he or she is required to perform and taking account of the size or hazards (or both of them) of the undertaking or establishment in which he or she undertakes work, the person possess sufficient training, experience and knowledge appropriate to the nature of the work to be undertaken. Account shall be taken, as appropriate of the framework of qualifications referred to in the Qualifications (Education and Training) Act 1999.

#### *Construction work*

Means the carrying out of any building, civil engineering or engineering construction work as may be prescribed.

#### *Contract of employment*

Means a contract of employment, service or apprenticeship, whether the contract is express or implied and, if express, whether oral or in writing.

#### *Dangerous occurrence*

Means an occurrence arising from work activities in a place of work that causes or results in: the collapse, overturning, failure, explosion, bursting, electrical short circuit discharge or overload or malfunction of any work equipment, the uncontrolled or accidental release, the escape or ignition of any substance, a fire involving any substance or any unintentional ignition or explosion of explosives.

#### *Director*

Includes a person under whose directions/instructions the directors of an undertaking are accustomed to act, but does not include a person on whose instructions the directors act by reason of the fact that they are doing so because of professional advice given by the person.

#### *Employee*

Means a person who has entered into or works under a contract of employment (includes a fixed-term employee and a temporary employee). Persons training for employment or receiving work experience (other than present at a study course in a university, school or college) shall be deemed to be employees.

#### *Employer*

Means in relation to an employee the person with whom the employee entered into or for whom the employee works under a contract of employment. The employer includes a person under whose control and direction and employee works and, where appropriate, may include the employer's successor or an associated employer of the employer

#### *Intoxicant*

Includes drugs, alcohol and any combination of same.

#### *Joint health and safety agreement (defined in s24)*

The term 'joint health and safety agreement' shall be read in accordance with section 24 of the Bill. Basically this means an agreement affecting safety, health and welfare issues, entered into by a trade



union of employers on one hand and by a trade union or trade unions representative of the employees to whom the agreement relates on the other hand.

*Penalisation*

Penalisation includes dismissal, suspension, demotion, transfer to other duties, reduction in wages, changes in hours, coercion, intimidation, discipline, reprimands or penalties.

*Place of work*

Includes any place, land, or other location at, in, upon or near which work is carried on, whether occasionally or otherwise, and particularly extractive industries locations, tents, trailers, temporary or moveable structures and vehicles, vessels and aircraft.

*Reasonably practicable*

Means, in relation to the duties of an employer, that an employer has exercised all due care by putting in place the necessary protective and preventative measures, having identified the hazards and assessed the risks to safety and health likely to result in accidents or injury to health at the place of work and where the putting in place of any further measures is grossly disproportionate, having regard to the unusual, unforeseeable and exceptional nature of any circumstances or occurrence that may result in an accident at work or injury to health at that place of work.

*Record*

Record includes any memorandum, book, report, statement, register, plan, chart, map, drawing, specification, diagram, pictorial or graphic work or other document, any photograph, file or recording (whether of sound or images or both), any form in which data (as defined in the Data Protection Acts 1988 and 2003) are held, any form or thing in which information is held or stored manually, mechanically or electronically and anything that is a part or copy, in any form, of any part, or any combination of, the foregoing.

*Substance*

Defined as including any natural or artificial material preparation or agent in solid, liquid, gas or vapour, or as a microorganism.

*Undertaking*

Means a person, being an individual, a body corporate or an unincorporated body of persons engaged in the production, supply or distribution of goods or provision of services.



## APPENDIX C:

### FIRE MARSHALL DUTIES

1. Fire Marshall duties include:
  - To be familiar with the location of all fire alarm points, fire exits, fire extinguishers and fire blankets.
  - Be familiar with the location of main cut off switches/valves for the electrical system (including fireman's switch, if installed) and gas supply system so that you can advise the attending Fire Brigade crew.
  - To have first priority, in the event of discovering a fire, of raising the alarm.
  - To have the second priority in the event of an extremely minor fire, of using a suitable extinguisher provided this does not compromise the safety of yourself or other persons.
2. In the event of a fire alarm being sounded to ensure that:-
  - All members of staff, visitors and contractors in your defined area leave the building immediately by using the main route or if this is blocked for any reason, by way of alternative escape routes.
  - Staff do not waste valuable time collecting personal belongings and there is a calm and orderly evacuation of the premises.
  - Staff do not use the lifts.
  - Any necessary precautions are taken for the safe evacuation of disabled or pregnant persons and no persons remain in the toilet areas.
  - You are the last person to leave your defined area.
  - A roll call/head count is conducted at the designated assembly point to ensure all staff (and visitors) are evacuated.
  - You generally advise attending Fire Brigade crew of the situation.

## APPENDIX D:

### FIRE SAFETY & EMERGENCY PROCEDURES

1. All staff are to be trained in their duties and responsibilities in the event of fire. Fire doors should never be locked or blocked when the premises is occupied. Fire escapes are to be kept clear at all times.
2. Staff should be shown the location of fire-fighting equipment, including break-glass alarm points and under no circumstances interfere with or block access to such equipment.
3. Fire detection or fire-fighting equipment should not be interfered with or moved out of its position. Company policy is that smoking is only allowed in certain areas of the premises and this should be observed at all times. Visitors should be asked to put out cigarettes etc. if seen smoking in prohibited areas.
4. Fire Drills:
  - The drill is intended to make sure by training and rehearsal that in the event of a fire, staff can evacuate the premises in a calm and orderly manner.
  - A minimum of two fire drills per year will be held. The Safety Manager is responsible for organising them.
  - The drill is intended to ensure that the means of escape are used in accordance to a pre-determined and well practised plan.
  - A designated external assembly point has been created.
  - Fire Marshalls have been appointed and their instructions should be heeded. Suitable notices are erected.
  - Records of such drills and all fire safety checks and arrangements will be kept by the Safety Manager.
  - Records of service/maintenance checks in relation to detection and fighting equipment and other fire safety checks will be kept by the appointed sub contractor
5. **IN THE EVENT OF DISCOVERING A FIRE:**
  1. Sound the alarm.
  2. If you have been trained to use fire-fighting equipment, you should
    - a. Advise the nearest person to alert a Fire Marshall of the situation.
    - b. Attack the fire with the appropriate fire-fighting equipment providing there is no danger to yourself or others in doing this.
6. **ON HEARING THE FIRE ALARM:**
  - Advise the nearest Fire Marshall
  - Immediately walk to the nearest fire exit. Do not stop or go back to collect personal belongings
  - Do not use passenger lifts.
  - Assemble in your designated area for a head count.
  - Do not re-enter the premises until instructed by your Fire Marshall.
  - Do not move vehicles from the car park.
  - Staff who have visitors with them, should ensure that their visitors are evacuated safely.

## APPENDIX E:

### FORKLIFT SAFETY RULES

1. No untrained drivers. Training must be recorded. Driving while untrained is a serious disciplinary matter.
2. Always report damage or defects. Do not operate a damaged or defective unit.
3. Never lift passengers or use as a lifting platform for others.
4. Never lift unstable loads
5. Avoid excessive speed.
6. Watch for overhead hazards
7. Wear protective headgear when handling small objects.
8. Always use reversing horn or signal
9. Do not drive across a slope or gradient
10. Never put hands or feet through the mast assembly
11. Watch surroundings carefully
12. Know the load capacity and observe it.
13. Do not operate the truck if you are ill, taking medication (unless specifically agreed by a doctor), under the influence of alcohol, under the influence of mood altering substances.
14. Observe travelling rules as follows:
  - Forks 100mm to 150mm above the ground.
  - Mast tilted backwards to cradle the load
  - No sudden starting, stopping or turning except in emergencies
  - Always face direction of travel
  - Watch out for hazards or problems on the travelling surface
  - Allow for tail end swing
  - Always travel with load facing uphill
  - If load impedes your vision, get assistance Drive on the left hand side.
  - Allow three truck lengths between you and any vehicle in front Stop completely before changing between forward and reverse
  - Never drive with the reach extended
  - Always sound the horn when approaching blind corners or doorways. Do not drive over loose objects.
  - Never drive directly at anyone
  - Check around you before moving off
  - Cross drains or rails at an angle.

## APPENDIX F:

### LEGAL INSTRUMENTS

#### 1. ACTS

Boiler explosion Act 1882  
Boiler explosion Act 1890  
Carriage of Dangerous Goods by Road Act 1998  
Chemical Weapons Act 1997  
Dangerous Substances Acts 1972  
Dangerous Substances (Amendment) Act 1979  
Employment Equality Acts 1998 - 2011  
Factories act 1955  
Mines and Quarries Act 1965  
Maternity Protection Act 1994  
Non-Fatal Offences Against the Person Act 1997  
Organisation of Working Time Act 1997  
[Personal Injuries Assessment Board Act 2003](#)  
Safety in Industry Act 1980  
Safety Health and Welfare (Offshore Installations) Act 1987  
Safety Health and Welfare at Work Act 1989 (Partly amended by the Organisation of Working Time Act 1997)  
Safety, Health and Welfare at Work Act 2005 and 2010

#### 2. REGULATIONS

Safety, Health and Welfare at Work Act, 1989, Commencement Order 1989  
Safety, Health and Welfare at Work Act, 1989, Repeals Order 1989  
District Court (Safety Health and Welfare at Work Act, 1989) Regulations 1989  
Safety, Health and Welfare at Work Act, 1989, Repeals Order 1990  
Safety, Health and Welfare at Work Act, 1989, (Control of specific substances and activities) Regulations 1991  
Safety, Health and Welfare at Work (General Application) Regulations, 1993  
Safety, Health and Welfare at Work (General Application) Regulations, 1993  
Safety, Health and Welfare at Work (Carcinogens) Regulations, 1993  
Safety, Health and Welfare at Work (Biological agents) Regulations, 1994  
Safety, Health and Welfare at Work (Chemical agents) Regulations, 1994  
Safety, Health and Welfare at Work (Pregnant Employees etc) Regulations, 1994  
Safety, Health and Welfare at Work (Signs) Regulations, 1995  
Safety, Health and Welfare at Work (Construction) Regulations 1995  
Safety, Health and Welfare at Work (Repeals and Revocations) Order, 1995  
Safety, Health and Welfare at Work (Miscellaneous Welfare) Regulations, 1995  
Safety, Health and Welfare at Work (Extractive Industries) Regulations, 1997  
Safety, Health and Welfare at Work (Biological agents) (Amendment) Regulations, 1998  
Safety, Health and Welfare at Work (Children and Young Persons) Regulations, 1998  
Safety, Health and Welfare at Work (Fishing Vessels) Regulations, 1999  
Safety, Health and Welfare at Work (Night Work and Shift Work) Regulations, 2000  
Safety, Health and Welfare at Work (Pregnant Employees etc) Regulations, 2000

Safety, Health and Welfare at Work (Carcinogens) Regulations, 2001  
Safety, Health and Welfare at Work (General Application) (Amendment) Regulations, 2001  
Safety, Health and Welfare at Work (Confined Spaces) Regulations, 2001  
Safety, Health and Welfare at Work (Repeal of section 38 of Factories Act, 1955)  
(Commencement), Order 2001  
Safety, Health and Welfare at Work (Construction) Regulations, 2001  
Safety, Health and Welfare at work (Chemical Agents) Regulations, 2001  
Safety, Health and Welfare at Work (General Applications) Regulations 2007  
Safety, Health and Welfare at Work (General Applications) (Amendment) Regulations 2010  
Safety, Health and Welfare at Work (Biological Agents) Regulations 2013  
Safety, Health and Welfare at Work (Quarries) (Amendment) Regulations 2013  
Safety, Health and Welfare at Work (Construction) Regulations 2013

Repeals the following:

Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006)  
Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2008 (S.I. No. 130 of 2008)  
Safety, Health and Welfare at Work (Construction) (Amendment) (No. 2) Regulations 2008 (S.I. No. 423 of 2008)  
Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2010 (S.I. No. 523 of 2010)  
Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2012 (S.I. No. 461 of 2012)  
Safety, Health and Welfare at Work (Construction) (Amendment) (No. 2) Regulations 2012 (S.I. No. 481 of 2012)  
Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2013 (S.I. No. 182 of 2013)

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## APPENDIX G:

### RESPONSIBILITIES OF EMPLOYEES

#### 1. MANAGERS

- Carry out Company Policy to ensure safety of all employees and visitors as appropriate. In particular pay attention to providing:
- Safe systems of work
- Safe equipment
- Safe methods of handling
- Supervision and Training as necessary
- Safe places of work
- Safe and healthy working environment

#### 2. SUPERVISORS

- Read and understand the Safety statement.
- Ensure that Safety and protective equipment is used and worn. Know any applicable regulations and ensure they are observed
- Consider safety when giving routine instructions and orders
- Do not allow people to take unnecessary risks
- Ensure new employees are trained in correct methods and safety precautions
- Apply disciplinary procedures for unsafe behaviour
- Report any defects in equipment and take it out of service if dangerous
- Report accidents
- Set personal example by observing all safety rules
- Look out for hazards and eliminate them

#### 3. OPERATIVES

- Read and understand the Safety statement as it applies to you
- Carry out your work in a safe manner and in accordance with the safety statement
- Use the correct tools and equipment
- Wear any protective clothing or equipment specified
- Report any defects or hazards to your Supervisor
- Do not use the wrong equipment
- Do not use equipment for which you are not trained
- Report any accidents to your Supervisor
- Report any damage to equipment to your Supervisor
- Watch out for hazards and report them or eliminate them.



## APPENDIX H:

### RISK ASSESSMENT (IDENTIFYING HAZARDS)

CHECK LIST. This is an indicator and is not complete.

*(Hazards in bold type and possible ways to deal with them in normal type)*

Access / Exits:	Identified, kept clear, barriers, emergency lighting
Floors:	Smooth and even, steps marked, spillages cleared up, non slip surfaces, non-slip footwear
Ladders, Steps etc:	In good condition, correct size and capacity, metal/electrics.
Lighting:	Adequate level, maintained and cleaned, lead/lag, emergency
Ventilation:	Fumes/dust, changes per hour, alarms, supervision
Noise Level:	Ear protection, high noise areas
Vibration:	Danger of machine failure, falling material
Heat:	Temperature controls, ventilation, alarms
Humidity:	Ventilation, air conditioning
Welfare:	Toilets, washing, canteen.
Housekeeping:	A place for everything and everything in its place.
Storage / stacking:	Properly and safely stacked. Ease of access and placement handling equipment, gloves, protective clothing, protective footwear.
Portable tools:	Safe condition. Maintenance, trailing leads,
VDU's:	Up to safety standards. Consult suppliers
Machinery:	Guarding to BS 5304. Responsibility. Training. Protective equipment,
Maintenance,	Regular review, incident reports
Transport machinery:	Adequate capacity, planned servicing / inspection / certification / tests, training, warning devices / cutouts, clearways, barriers, incident reports
Manual handling:	Define maximum weights, training, gloves, protective clothing, protective footwear
Cranes / hoists/lifts:	Adequate capacity, planned servicing/inspection/ certification/ tests, training, warning devices, safety cutouts, incident reports
Pressure vessels:	Adequate capacity, planned servicing/inspection/ certification/ tests, training, warning devices, safety cutouts, incident reports.
Chemicals / paints:	Follow health and safety data sheets and insurance requirements.
Electrical:	Low voltage, Trailing leads, Secure connections, earthing, RCDs, Identification, Certified installer, incident reporting.
Protective equipment:	Define for each hazard. Must be used. User specific.
Maintenance:	Planned schedule. Always include safety check
Fire safety:	Exit routes. Exit lights. Extinguishers, Hoses, Fire buckets, training, drill, alarms, emergency procedure
Outside contractors:	Control. Own safety statements or follow yours. Informing
Posters:	Get from H & S Authority

Hazards specific to your industry?

First priority is to engineer the hazard out. If not practical, then implement precautions and prevention and protection measures.



**RISK ASSESSMENT AND CONTROL**

FORM NO.	HAZARD	ACTION TO CONTROL	RESPONSIBLE

---

**RISK ANALYSIS**

DESCRIBE THE HAZARD .....

.....

.....

WHO IS AT RISK? .....

WHAT IS THE RISK? .....

WHAT CONTROLS/PRECAUTIONS ARE IN PLACE?

.....

.....

.....

WHAT IS THE LEVEL OF RISK? HIGH  MEDIUM  LOW

WHAT ACTION CAN BE TAKEN? .....

ELIMINATE IT? .....

NEW CONTROLS? .....

RISK LEVEL AFTER ACTION HIGH  MEDIUM  LOW

WHO WILL BE TAKING ACTION? .....

ACTION COMPLETED ON (DATE):.....

**REVIEWS**

DATE:..... OUTCOME:.....

DATE:..... OUTCOME:.....

DATE:..... OUTCOME:.....

DATE:..... OUTCOME:.....

## APPENDIX I:

### RULES FOR COMPANY VEHICLES

- Company vehicles must display current Insurance and Tax Discs.
- Company cars/vans must be serviced and maintained in accordance with the Manufacturers Service Manual.
- Tyre condition must be checked regularly and tyre pressures must be kept at the pressure recommended by the Manufacturers Service Manual.
- Drivers must adhere to the breaks/rest periods laid down in the Statutory Regulations or in accordance with relevant codes of practice, as appropriate.
- Vehicle load weight limits should be observed.
- Vehicle loading and deliveries: -
  - Ensure that all loads are evenly distributed by weight and bulk.
  - Retaining straps should be checked regularly and replaced immediately if found to be worn or defective.
- Straps should be checked before departure to ensure that they are tightened correctly and secure.
- All Drivers must ensure that their vehicles are kept clean, neat and in road worthy condition. Any defects must be immediately reported to the Company.
- If a Driver considers his vehicle to be in an un-road worthy condition, he should stop driving and report it to the Company.
- Any accidents no matter how minor should be reported to the Company immediately.
- Drivers should ensure that they hold an appropriate licence and that it is kept current. If incurred, any court imposed driving bans or licence endorsements must be reported to the Company.
- Drivers must observe legal driving rules including permissible alcohol consumption limits.
- Drivers must not drive whilst under the influence of non prescribed or illegal drugs.
- Drivers must not drive whilst under the influence of prescribed drugs which affect driving ability.

## APPENDIX J:

### SAFETY GUIDELINES

#### CHEMICALS

- Follow the instructions on the label or container
- Observe any hazard warning labels
- If in doubt, ask the Supervisor or consult the Data sheet.
- Wear protective gloves at all times
- Never mix chemicals
- Do not put chemicals into unmarked containers
- Tightly close all lids
- Store in a safe place and away from unauthorised access

#### ELECTRICITY

- Check leads and equipment before use
- Report malfunctions to your Supervisor
- Do not leave trailing leads around the floor
- Unplug equipment by pulling the plug, not the lead
- Unplug equipment when finished with it
- Do not use equipment for work it is not intended for Remember: Water and electricity do not mix. Should be checked by competent person.

#### LIFTING

- Check your path before lifting
- Inspect the load for nails, splinters, protrusions
- With feet shoulder width apart, place one foot beside the load and the other behind you
- Squat down, bending at the knees
- Keep your back straight and bend your chin a little forward
- Grip opposite corners with one hand close to you and one far.
- Tip load away from you and then pull it close
- Push off with your leg muscles to stand straight
- Keep your elbows close to your side
- Pivot on your feet. Do not twist your waist
- Be careful not to knock or pinch your hands when carrying or putting the load down
- Do not move objects by yourself if they block your view of the path
- Do not attempt to lift or move a load unless you are confident it is within your capability

## QUANTITATIVE REQUIREMENTS

a. Minimum temperature of workplace:  
Light Physical work 16 Deg C. Office Work 17.5 Deg C. Manual Work 10 Deg C.

b. Lighting;  
Consult Lighting Designer. Equipment suppliers will design free.

c. Noise  
When noise level is high it must be measured:

Levels above 80 DBA

Reduce Noise  
Advise workers.  
Advise use of hearing protection  
Provide hearing checks  
Provide training

Levels above 85 DBA

Reduce the noise  
Sign the high noise areas  
Advise workers of potential damage to hearing  
Provide ear protection and insist on use  
Provide hearing checks  
Provide training

d. Space

Office: 4.65 square metres per head

Other: 11.3 cubic metres per head. Height above 4.3 metres to be disregarded.

e. Sanitary facilities

Male & Female

Employees

Number of WC's

1 to 5

1

6 to 25

2

26 to 50

3

51 to 75

4

76 to 100

5

Males only

Employed

Number of WC's

1 to 15

1

16 to 45

2

46 to 75

3

76 to 100

4

For each additional 25 add 1 WC or in the case of men only 1 WC and 1 urinal for each additional 50.

**Washing:**

Offices: 1 wash basin for every 20 employees up to 100 and 1 for every 40 after that.

Industry: 1 wash basin for every 15 employees up to 100 and 1 for every 25 after that.



## APPENDIX K:

### SAFETY INDUCTION TRAINING

#### NOTES FOR INDUCTION TRAINING

Training is carried out by the Safety Manager or his nominee. Trainer must be familiar with Safety Statement and all relevant matters, including hazard identification, risk analysis and accident investigation and reporting.

The following is the minimum content:

- Relevant general responsibilities of employees, as per the safety statement (Section 3). Employees should be given a copy of all relevant materials.
- General safety rules.
- Take employee through the safety statement and let them know where it is kept. Give them a copy if they want one.
- Tour the work area and point out all identified hazards and actions to control.
- Identify any immediate need for protective equipment and issue it, stress that it must be used.
- Record training and sign and date training record and get employee to sign.
- Define and arrange for any further safety related training required for the employees' job.

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## APPENDIX L:

### SAFETY REPRESENTATIVES

Employees have the right to decide on a Safety Representative to represent them in consultations with the employer.

The Safety Representative can:

- Inspect the place of work having given reasonable notice
- Inspect immediately if there is an accident or imminent danger
- Investigate accidents and dangerous occurrences provided they do not interfere with another person carrying out duties under Health & Safety law
- Investigate complaints
- Accompany an Inspector carrying out an inspection
- Be present when an Inspector is interviewing an employee. (At the Inspectors discretion)
- Make representations to the Employer
- Make representations to Inspectors and receive advice & information from them
- Consult & liaise with other Representatives in the same undertaking
- The Employer must inform the Representative when an Inspector arrives



# SAFETY TRAINING RECORD

TRAINEE NAME	INDUCTIO TRAININ		MANUAL LIFTING CARRYIN		FORKLIFT OPERATIO		CIRCULAR OPERATIO		BAGGING OPERATIO		PAINT MIXING		HANDLING CHEMICALS & PAIN		OPERATION FIRE FIGHTING EQUIPMEN		OPERATION BATTERY CHARGE		OPERATION STEAM CLEANER		OPERATION KEY MACHIN		
	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	Trainer & Date	

## APPENDIX N:

### SAMPLE SAFETY STATEMENT

SAFETY STATEMENT OF

.....

#### CONTENTS

1. POLICY
2. GENERAL INFORMATION
3. RESPONSIBILITIES
4. CONSULTATION
5. RISK ASSESSMENT
6. SAFETY TRAINING
7. FIRE AND EMERGENCY
8. FIRST AID.
9. ACCIDENT INVESTIGATION AND REPORTING

## 1. POLICY

Our objective is to provide a safe place of work for all employees, visitors and outside contractors. This statement sets out the means by which we intend to achieve this objective. It is available to all employees, outside contractors and Health and Safety Authority Inspectors. It will be reviewed annually and updated as necessary.

Signed:..... Date:.....

Position:.....

## 2. GENERAL INFORMATION

DOCTOR:.....

AMBULANCE:.....

HOSPITAL:.....

FIRE BRIGADE:.....

GARDA STATION:.....

FIRST AID:.....

EMERGENCY ALERT NUMBER:.....

This information is posted in prominent areas around the workplace and beside telephones likely to be used in an emergency.

A master copy of this statement, its associated forms, any amendments, and a record of any reviews is held by the person nominated in 3 below. Each page of the statement and all amendments are dated as a means of control.

## 3. RESPONSIBILITIES

..... has overall responsibility for safety matters including the following:

- Identification of hazards
- Engineering hazards out
- Provision of Safety training and Instruction
- Creation of practical and safe working systems
- Consultation with Staff on Safety and Health Matters

- Accident investigation and reporting
- Maintenance of safety notices
- Maintenance of first aid facilities
- Maintaining an up to date master copy of the safety statement and any amendments.

Responsibilities may be delegated and if so this will be done in writing and a copy attached to this statement.

#### **4. CONSULTATION**

..... is staff safety representative and has been issued with a copy of "Guidelines on safety consultation and safety representatives" issued by the Health and Safety Authority. The Company will fulfill all its legal obligations in this respect. The safety representative will be consulted as part of any review of the safety statement.

The consultation agenda will be as follows:

- Accident record since last meeting
- Provision and use of protective clothing and equipment
- Safety and health training
- Changes to Health and Safety Statement
- Any other business.

#### **5. RISK ASSESSMENT**

The Safety Manager will undertake regular hazard audits and will use outside expertise and advice where he deems it necessary.

All Managers, Supervisors and Employees are responsible for reporting any hazards arising in their area of responsibility.

Any significant changes in work practices, new equipment, new materials etc. are assessed for hazards by the responsible Manager.

Hazards identified will be dealt with by engineering them out if practical and economically feasible. If not, they will be dealt with through training and precaution and prevention measures.

All Hazards identified are listed on the Hazard Identification form together with the means of controlling them. The risk associated with each hazard is assessed using the Risk Analysis form. Hazard Identification forms and Risk Analysis forms are held with this statement.

Hazard Identification forms and Risk Analysis forms are reviewed at least annually by the Safety Manager and any necessary action or changes are put into place.

Accident investigation will also consider if the hazard had been identified and if not, why not and if so, why the measures in place did not prevent it.

## 6. SAFETY TRAINING

The Safety Manager has overall responsibility for Safety Training including:

- Defining training programmes
- Ensuring training needs are reviewed
- Ensuring that training is carried out
- Maintaining records.

Induction training for all new employees includes safety training. This will include access to the safety statement, a copy of any relevant parts, instruction in any hazards identified at their proposed place of work and the equipment he/she will be using, and any need for Personal Protective equipment and instruction on its use, any other relevant issues.

All operation training will include training in any associated health and safety issues. Each supervisor is responsible for ensuring that all employees are aware of all known hazards relating to their work and how they are dealt with.

Each Supervisor is responsible for ensuring that employees are capable of carrying out the tasks assigned to them, in a safe manner.

All employees are informed of their obligation to use the protective equipment provided and the consequences for them if they do not do so. Specific safety related training is provided as follows as appropriate:

- Manual lifting and carrying
- Working with DSE's
- Operation of transport machinery
- Handling of chemicals & paints
- Operation of fire-fighting equipment
- What to do in the case of an accident Etc. etc.

All Training is recorded on the Safety Training Record signed by the trainer and trainee and held by the Safety Manager.

## 7. FIRE SAFETY

- Emergency exits are signed and lit by emergency lighting
- A fire alarm system is installed and maintained by a specialist subcontractor
- A set of instructions on what to do in case of fire is posted at all relevant positions
- Fire-fighting equipment is provided and positioned by a specialist subcontractor
- All fire-fighting equipment is maintained to a regular schedule a specialist subcontractor
- All employees are trained in the use of fire-fighting equipment
- All employees are trained in evacuation procedures.

## 8. FIRST AID

First aid training is provided as follows: .....

First aid boxes are maintained at the following locations. They are maintained by.....



## 9. ACCIDENT INVESTIGATION AND REPORTING

The Safety Manager investigates all accidents involving injury or significant damage and a report is prepared.

The report covers at least the following:

- What happened, when and where?
- Any injuries? Who was injured and what were the injuries?
- What immediate action was taken, by whom?
- What caused the occurrence?
- Had hazard been identified? If so why did it the accident occur?
- Is any further preventive action required?
- Names of any witnesses and statements from them if possible?

Where possible, the report should be illustrated by photographs. The safety officer holds a Polaroid camera.

Accidents or dangerous occurrences are reported as required by S.I. 44 of 1993 on forms IR1 or IR3 as appropriate.

Copies of these forms are available from the Health and Safety Authority, Tel 1890 289 389 or website [www.hsa.ie](http://www.hsa.ie).

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## APPENDIX O:

### WORKING WITH LADDERS - GUIDELINES

1. This guidance covers the most common types of ladders such as straight ladders, stepladders/A-frame ladders.
2. Every time you use a ladder you must comply with the Work at Height Regulations:
  - a. You must plan and organise the work
  - b. You must carry out a Risk Assessment
  - c. You must only use a ladder where a risk assessment shows the use of other work equipment is not practical
  - d. You must select and use the most appropriate work equipment
  - e. People working at height must be competent
  - f. You must ensure that equipment used for work at height is inspected and maintained.
3. What is a Risk Assessment?

A risk assessment is a careful examination of what could cause harm to people as a result of a work activity. It allows you to take the necessary precautions to prevent harm occurring.
4. How do I do a risk assessment?

There are five steps to a risk assessment:

  - a. Look at the hazards.
  - b. Decide who might be harmed and how.
  - c. Evaluate the risks and decide whether the existing precautions are adequate or whether more should be done.
  - d. Record your findings.
  - e. Review your assessment
5. What do I need to consider if I am doing a risk assessment?

If you are doing a risk assessment you need to consider the following:

  - a. The work activity
  - b. The equipment to be used
  - c. The duration of the work
  - d. The location of the work activity i.e. presence of hazards such as excavations, underground services, overhead power lines etc
  - e. The working environment, e.g. weather conditions, lighting
  - f. Condition and stability of existing work surfaces
  - g. Physical capabilities of the workers

6. What is required when planning to do work at height?  
Any work at height needs to be planned in advance of the work activity. Careful consideration should be given to the selection and use of the work equipment so that a safe system of work is adopted. This safe system of work needs to take account of;
- Any supervision of workers that may be necessary, e.g. work equipment selected lower down the hierarchy of control, such as fall arrest equipment, will require a high level of supervision;
  - Any weather conditions workers may be exposed to, e.g. carrying out work on a sloped roof in icy or rainy conditions;
  - Any emergency or rescue procedures that may be required, e.g. if persons fall how will they be rescued.
7. What do I need to consider when selecting equipment for working at height?  
When selecting work equipment for use at height, the following need to be taken into account:
- The working environment: What are the ground conditions, are there space constraints, are other people working in the same area, will members of public be affected?
  - The duration and frequency of use: Is the work activity of short duration, is it repetitive?
  - The risks associated with the equipment during erection, maintenance and dismantling of such equipment.
8. When can I use a ladder?  
Ladders should only be used as work equipment where a risk assessment shows the use of other work equipment is not justified. The work at height regulations do not ban ladders but do require careful consideration to be given to their use. As a guide, only use a ladder or stepladder:
- Where the work is of short duration – ladders are not suitable where they are in one position for 30 minutes or more;
  - Where the risk is low, i.e. because the nature of the work makes a fall unlikely or where there is a fall that the nature of the fall would be unlikely to cause injury;
  - For ‘light work’ - ladders are not suitable for strenuous or heavy work;
  - For work that does not involve carrying heavy or awkward tools or equipment;
  - Where a handhold is available both for climbing the ladder and in the working position;
  - Where you can maintain three points of contact (hands and feet) at the working position. On a ladder where you cannot maintain a handhold, other than for a brief period of time, other measures will be needed to prevent a fall or reduce the consequences of one. On stepladders where a handhold is not practicable a risk assessment will have to justify whether it is safe or not.
9. Safe use of ladders  
Many falls from ladders occur due to incorrect use of ladders such as:
- Overreaching

- b. Overloading
  - c. Not maintaining three points of contact
  - d. Poor positioning of ladder
  - e. Not securing the ladder.
- a. Avoid overreaching
- Many accidents occur due to the ladder moving unexpectedly during use. This is often caused by the user overreaching. Set up your ladder so as to avoid having to overreach. Position yourself correctly on the ladder. If working on a stepladder, face the ladder towards the work activity, this will avoid side loading. On a ladder do not use the top three rungs, on a stepladder do not use the top two steps unless an appropriate handrail is fitted. Never straddle a stepladder/ A frame ladder.
- b. Don't overload
- Ladders like most equipment used to support a load have load capacities. Ensure that the manufacturer's instructions are followed in this regard. Avoid carrying heavy or awkward loads on a ladder. Often it is found that ladders are not robust enough for the proposed work. Ensure ladders are of sufficient strength/class for the job. Seek information from the supplier or manufacturer on whether your ladder is up to the job.
- c. Maintain Three Point Contact
- Overreaching may cause the user to lose the three point contact which is required. Keep your belt buckle (navel) inside the stiles and both feet on the same rung throughout the task
- On a stepladder where you cannot maintain a handhold (e.g. putting a box on a shelf), the use of a stepladder will have to be justified by taking into account:
- The height of the task;
  - Whether it is light work;
  - Whether it avoids side loading;
  - Whether it avoids overreaching;
  - Whether the user's feet are fully supported; and
  - Whether you can tie the stepladder.
- d. Positioning of your ladder
- Set up the ladder on firm level ground or use leveling device if fitted. Do not lean the ladder against a surface that may be slippery or not robust enough (gutter or glass) to sustain the weight of the ladder and you. Alternatively, you can use effective spreader bars or effective stand-offs. Set up your ladder at the right angle and in the right location (avoid overreaching). The correct angle for a ladder is 75 degrees or the 1 in 4 rule. Again, refer to manufacturers' instructions and risk assessment before any set up of a ladder. Other factors to be considered in relation to set up are:
- Supporting structure
  - Weather
  - Work environment
  - Overhead lines

- Other work activities.
- e. Securing your ladder  
Both ladder stiles should be tied to a structure capable of restraining the ladder. Securing ladders at the top is best; securing at the bottom or middle is not very effective to prevent sideways slip, unless it is done properly with equipment designed for this purpose. Alternatively use an appropriate ladder stabilising device as per manufacturers' instructions.
10. Maintenance and Inspection  
Detailed Inspection: You must inspect and maintain the ladder at regular intervals to ensure the equipment is in safe working condition. The time between inspections should be based on risk assessment and the manufacturer's instructions. Where exceptional circumstances have occurred (e.g. impact to ladder or tampering) the ladder should be inspected as soon as possible. You should keep a record of all maintenance and inspections carried out. Records should be kept of all maintenance and inspections carried out. Schedule 7 of the Work at Height regulations details the particulars to be included in a Report of Inspection.
- The aim is to establish a system that is robust enough to intervene before ladders become dangerous. The record of inspection should include the following:
- The name and address of the person for whom the inspection was carried out.
  - The location of the ladder.
  - A description of the ladder (type and identification).
  - Date and time of the inspection.
  - Details of anything that may be a risk to any employee.
  - Details of any action taken
  - Details of any further action considered necessary.
  - The name and position of the person making the report.
11. Pre-use checks  
Before using the ladder you must visually check it at least daily. To enable the user to carry out checks training is required in relation to what to look for. A person should only use a ladder if competent to do so. The inspection does not have to be recorded but should pick up obvious defects such as:
- Cracked or bent stiles or rungs;
  - Corrosion;
  - Defective or missing fittings or ties.
12. Training and Supervision
- 12.1 Training  
Training is a key element to the safe use of ladders. Employers must ensure that employees are provided with training and information in relation to safe ladder use. Ladder users must be competent in their use. They must know how to check it, carry it, erect it, use it, and move it all in a safe manner.

## 12.2 Supervision

A lack of adequate supervision can lead to deterioration or misuse of equipment. Supervisors should ensure that inspection and maintenance regimes are implemented and recorded. Supervisors should ensure that misuse of ladders is not taking place and that all users have received the appropriate training in relation to safe use of ladders.



## APPENDIX P:

### WORKING AT HEIGHTS - GUIDELINES

1. The guidance given in this document is intended as general advice based on present understandings of the Regulations, the 2005 Act and HSA's publications. While legal advice has been sought and taken into account in preparing the guide, the advice given should not be regarded as a legal interpretation of the Regulations or of the Act (No. 10 of 2005). Advice given here must be considered in the context of professional judgment being exercised by competent persons; it is not intended to provide the definitive approach in any situation. In all circumstances those best placed to decide on the appropriate action will be the parties undertaking the particular risk assessment and resulting control measures. Appropriate legal and insurance advice should be sought as necessary.
2. The purpose of this guide is to inform clients (i.e. building owners, facility managers, etc.) of the issues surrounding employees, suppliers or sub-contractors who will be working at height on buildings, with a particular focus on building roofs.
3. The guide also aims to outline the legislative duties placed on clients and those in control of the workplace with regard to working at height. Separate guides will be made available for other working at height topics.
4. Legislation is also in place that requires everyone involved in the design, construction and maintenance of a building to consider how falls from heights are prevented. The potential consequence of ignoring legislation and/or an operative getting injured, fatally or otherwise, is jail or a hefty fine and a loss of reputation as a minimum. Applicable legislation includes the Safety, Health and Welfare at Work Act 2005, Safety, Health and Welfare at Work (Construction) Regulations 2006-2010 and the Safety, Health and Welfare at Work (General Applications) Regulations 2007. The Health and Safety Authority have also published a Code of Practice for Safety in Roof Works, which came into effect on the 1st of September 2011, which imposes requirements on duty holders.
5. The most basic requirement of Irish work at height legislation can be summarised in two words "Risk Assessment". You must consider the risks to your employees, third parties on your building, or others working in an area under your control. Upon consideration of the risks you must determine appropriate control measures to be applied and implemented for works at height.
6. You may need help and advice with this process and this is readily available through competent and adequately resourced safety professionals. Section 15 of the 2005 Act places onerous duties on those in control of the workplace including the access and egress to the workplace. If you are the person in control of the building or work being undertaken, then ultimately the primary responsibility is yours. You are not able to sub-contract your legislative duties. However, employees and other third parties have a role to

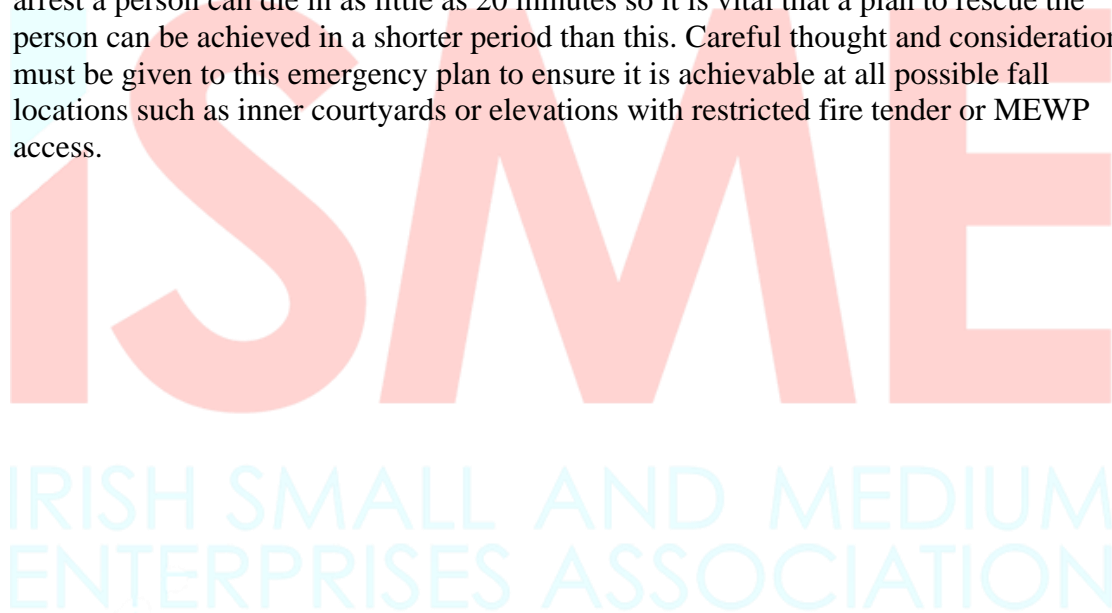


- play as well. Contractor's etc, must have their own insurance, carry out their own Risk Assessment and produce Method Statements for the work. They must provide appropriate training to their direct employees.
7. There are some key steps that can be taken to ensure an appropriate and comprehensive risk assessment is undertaken and documented. The most fundamental question is to consider –  
“How often do I or someone under my control need to access my roof or work and what tasks are being undertaken once there?”
  8. To answer the question you must first look at the type of roof you have and what is on it: If you have a flat roof with lots of plant and equipment that needs maintenance regularly then you will need to have different maintenance people up there at different times throughout the year. Therefore a high frequency of access to the roof will be required with a varying degree of tools and spare parts required to be brought to the roof. Given the high frequency of access the possibility of an accident occurring is high, a risk assessment will likely determine that the installation of collective protection measures is required. This means a system that protects all persons on the roof, not just an individual, which is in place without requiring user intervention to make it work. This type of system would include a high parapet or permanent guardrails around the edge of the roof.
  9. On the opposite end of the scale if you have a curved barrel vault roof with no frequent access requirements (i.e. no plant, smoke vents or roof-lights, etc. on it) and the gutters are easily accessed by a mobile elevated working platform (MEWP) from the perimeter of the building, then your risk assessment is likely to conclude that you should restrict access to the roof and adopt a suitable system to maintain the gutters from the safety of the basket of an MEWP. However, if the roof guarantee requires you to clean down the roof at regular intervals, then you may need a permanent safety system.
  10. If you have a high frequently access roof with a high chance of a fall similar to item 1 above then the first thing you need to consider is initial access onto the roof. Access must be easily achievable; you cannot access a roof similar to this with a ladder, as operatives will need to carry tools and spare parts to the roof.
  11. You must have a stairs (internal or external) leading on to the roof. The roof edge itself must be protected (i.e. 1100mm high parapet or free standing guardrail system). This is known as “collective protection” as it protects all on the roof area. No special training or equipment is required as the system works “passively”, meaning no measures are required to be taken by the individual to make the system operable. Should a passive collection measure be provided the chance of an accident are low.
  12. Given the frequency of access is low, a full passive collective protection system may not be required and the risk assessment may determine that a fall prevention cable system be reasonably practicable. A cable system is a permanent fall prevention system whereby operatives tie off with their harnesses. This is known as “individual protection” and also

as being “active” which means the system only covers the person attached to it and it requires users to manually engage the system. With this type of system the risks are much higher as there is so much more that can go wrong. You need to ensure that the equipment is certified and fit for purpose. You must also make sure the operatives are trained in harness systems; they have the right equipment and are competent in its use. Professional safety advice is a must when dealing with individual and active protection.

It also important that, where possible, the fall prevention system implemented is a restraint system rather than an arrest system. A restraint system will stop users from falling over a roof edge. An arrest system will allow a user to fall over the edge and will then stop their fall.

13. Should an arrest system be employed, then an emergency plan must be in place to rescue the person from their arrested position on the building elevation. Following a fall and arrest a person can die in as little as 20 minutes so it is vital that a plan to rescue the person can be achieved in a shorter period than this. Careful thought and consideration must be given to this emergency plan to ensure it is achievable at all possible fall locations such as inner courtyards or elevations with restricted fire tender or MEWP access.



## APPENDIX Q:

### INJURIES BOARD - GUIDELINES

1. InjuriesBoard.ie, previously known as the Personal Injuries Assessment Board, is an independent statutory body, established in 2004 with the following aims:
  - To assess how much compensation is due to an injured party;
  - To reduce costs and fees involved in the administration of personal injury claims, and
  - To reduce the amount of time it takes to finalise a claim for compensation.
2. InjuriesBoard.ie awards the same level of compensation as the Courts but within a faster timeframe and without associated litigation costs. These costs are a major factor in the cost of insurance premiums. Under the Personal Injuries Assessment Board (PIAB) Act 2003 anyone seeking compensation for a personal injury must apply to InjuriesBoard.ie. If someone makes a claim against an employer, the following information outlines the InjuriesBoard.ie process, from responding to a claim, to agreeing and accepting the assessment.
3. What is a Respondent?  
A Respondent is the person or entity against whom a claim is made.
4. What happens if someone makes a claim?  
When the board receives a completed Application from a Claimant initiating a claim, the board will write to the Respondent with details of this claim. This correspondence is referred to as a Formal Notice. It is recommended that the Respondents' Insurance Company is advised of the claim immediately. If the insurance company agree to handle the claim they will deal with InjuriesBoard.ie directly.
5. What happens next?  
The company or insurers, have 90 days from the date of the Formal Notice to confirm in writing to InjuriesBoard.ie whether or not they consent to the board assessing the claim. On consenting to the assessment of the claim a statutory fee for dealing with the Claimant's Application is payable. If the insurers have agreed to handle the claim, they will pay this fee.

If consent to an InjuriesBoard.ie assessment is not given by the employer, they must advise the board in writing within 90 days. The board will then issue the Claimant with an Authorisation which allows them pursue their claim through the Court system.

If the board does not receive a reply in writing within the 90 days from the employer, they will be deemed by default to have consented to the assessment of the claim and become liable for payment of the statutory fee for dealing with the Claimant's Application.

Where consent to the assessment of the claim is given, the board will assess the amount of compensation due to the Claimant, and will formally notify the Respondent (or insurer) and the Claimant of the assessment.

6. How is an assessment made?

InjuriesBoard.ie assesses Damages on the same basis and by reference to the same principles as Damages measured by the Courts. We base our assessment on the medical report(s) submitted by the Claimant's treating doctor and the report(s) of the independent medical examiner(s), when sought by InjuriesBoard.ie, having regard to the Book of Quantum.

7. Evaluation of medical information

When the Claimant submits an application they must also provide a copy of their treating doctor's medical assessment form (Form B) in relation to the injury sustained. A copy of this medical assessment form is sent to you, the Respondent, with the Formal Notice. When necessary, we arrange an independent medical examination for the Claimant, the cost of which is borne by the Respondent, or their insurance company. We then assess the claim based on the medical evidence provided and having regard to the Book of Quantum. Normally an assessment comprises General Damages and Special Damages.

8. What are General Damages?

General Damages cover compensation for pain and suffering resulting from injuries which were sustained by the Claimant in the accident. The Book of Quantum (available on our website [www.injuriesboard.ie](http://www.injuriesboard.ie) or through the Government Publications Sales Office) will provide a guide to the Damages a Claimant may receive.

9. What are Special Damages?

Special Damages cover areas such as loss of earnings, medical expenses, out of pocket expenses and vehicle damage costs. In serious cases there may also be future loss of earnings, future expenses, etc.

10. What is the Book of Quantum?

The Book of Quantum is a general guide as to the amounts that may be awarded or assessed in respect of specified types of injury.

11. What happens when the InjuriesBoard.ie completes the assessment?

On completion of the assessment we will issue to the Respondent (or insurer) and the Claimant a Notice of Assessment confirming the amount of the assessment i.e. level of compensation being awarded. Respondents (or insurer) have 21 days from the date of receipt of the Notice of Assessment to confirm whether they accept or reject the assessment.

If the assessment is accepted: The Respondent must acknowledge this in writing to InjuriesBoard.ie within 21 days of receipt of the Notice of Assessment.

If the Claimant also accepts the assessment the board will issue an 'Order to Pay'. This has the same status as an award of Court.

If the board does not receive a reply in writing within the 21 days, the Respondent will be deemed to have accepted the assessment. In the event that the Claimant has accepted the assessment the Respondent will be liable to pay the Claimant the amount of the assessment.

If either of the parties rejects the assessment then the board will issue an Authorisation which allows the Claimant to pursue their claim through the Court system.

If a Respondent does not consent to an assessment being made by InjuriesBoard.ie, or if the Respondent rejects the assessment when made and legal proceedings issue, there may be cost implications for them and/or the Claimant.

12. What happens when the assessment is accepted by both parties?  
InjuriesBoard.ie will issue the Respondent or insurance company with an Order to Pay. This Order is legally binding and has the same effect as an award of Court. If the Respondent or insurance company fail to pay any or all of the assessment, as indicated in the Order to Pay, it is open to the Claimant to enforce payment through the courts.
13. What is an Authorisation?  
An Authorisation is issued to the Claimant in order that they can pursue their claim through the Court system, if they so wish. An Authorisation is issued if:
- The Respondent has declined to let the claim proceed to assessment from the outset or
  - The assessment has been rejected by either Respondent or the Claimant.
- An Authorisation may also be issued in exceptional cases and InjuriesBoard.ie will advise both you and the Claimant if the claim falls within this category. Both parties should be aware that if legal proceedings issue, there may be cost implications for both parties.
14. Fees  
The Respondent must pay the processing fee as detailed in the Formal Notice if they have consented or are deemed to have consented to InjuriesBoard.ie assessing the claim. If the claim has been passed to the insurance company and they have agreed to handle the claim, they will pay this fee. The fee payable is as detailed on the Formal Notice and this fee is due on the date of consent or deemed consent (if failed to reply in writing within the 90 days).

#### PLEASE NOTE

– There are two occasions during the process when Respondents must contact InjuriesBoard.ie in writing:

1. The first is prior to the expiry of the 90 days allowed to consent or not consent to the making of an assessment by InjuriesBoard.ie.
2. The second is prior to the expiry of the 21 days allowed to accept or reject the assessment when made.

IF EITHER OR BOTH OF THESE TIME LIMITS ARE MISSED THERE CAN BE FINANCIAL CONSEQUENCES FOR RESPONDENTS. AT ALL TIMES, IT IS OPEN TO THE PARTIES INVOLVED TO AGREE SETTLEMENT OF THE CLAIM AND YOU SHOULD ADVISE InjuriesBoard.ie IF THIS OCCURS.

## AT A GLANCE

### How InjuriesBoard.ie works

1. Claim submitted to InjuriesBoard.ie either online at [www.injuriesboard.ie](http://www.injuriesboard.ie) or by post to InjuriesBoard.ie, P.O. Box 8, Clonakilty, Co. Cork.
2. InjuriesBoard.ie sends Formal Notice of Claim to Respondent (a Respondent is the term we use to describe the person or entity against whom a claim is made).
3. Respondent consents to an InjuriesBoard.ie assessment.
4. Assessment is made and Claimant and Respondent are notified of assessment i.e. level of compensation being awarded.
5. Both parties accept the assessment and InjuriesBoard.ie issues an Order to Pay.

IRISH SMALL AND MEDIUM  
ENTERPRISES ASSOCIATION

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