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Aileen Fallon
Special Committee on Covid-19 Response
Leinster House
Dublin 2
D02 XR20

5 June 2020

Dear Aileen

Thank you for the opportunity to further elaborate on my contribution to the Special Committee on 19 May last. Please find attached our written submission in response to your letter dated 28 May 2020.

Should you require any additional information or clarification please contact me at the above details or directly on (087) 982 4763 or CEO_Office@hsa.ie at any time.

Yours sincerely

A handwritten signature in blue ink, which appears to read 'Sharon McGuinness'.

Dr Sharon McGuinness
Chief Executive Officer



Written Submission to the Oireachtas Special Committee
on COVID-19 Response

Dr Sharon McGuinness, CEO, Health and Safety Authority

Friday 5th June 2020

1. On behalf of the Health and Safety Authority, I welcome this opportunity to provide a written update to the Oireachtas Special Committee on COVID-19 Response, relating to the reopening of the economy and the State's response and support for businesses. This also follows from my submission and attendance before the Committee on 19th May 2020.
2. The Health and Safety Authority wants to see all businesses in Ireland reopening as safely and successfully as possible.
3. The Return to Work Safely Protocol was launched on May 9th and is designed to support employers and workers to put measures in place that will prevent the spread of COVID-19 in the workplace as the economy begins to slowly open up in line with the Reopening Roadmap.
4. The Protocol has been published under the aegis of the Departments of Health, and Business, Enterprise and Innovation and follows collaborative work by these two departments along with the HSA, HSE and with the close involvement of key stakeholders including Congress, Ibec, CIF and Chambers Ireland. The Protocol is a 'living' document and will evolve further as Government policy and guidelines evolve.
5. The Protocol sets out the requirements for employers and workers to implement the necessary public health measures on reducing the spread of COVID-19 in their workplaces. It also provides details on specific occupational health and safety measures that should also be addressed by companies as they reopen over the five phases of the Roadmap.
6. As noted in my submission to the Committee of 19th May, the Authority will provide advice and support to employers and employees on how they are implementing the COVID-19 measures in the workplace as set out in the Protocol through our helpline, website and during site inspections. A range of checklists and templates have been developed and are available on our website for use by employers, workers and worker representatives, and further material is being developed including training for the worker representative.
7. The Health and Safety Authority (HSA) has completed over 1,000 onsite occupational health and safety (as well as Protocol specific) inspections across a range of industry sectors since the economy began reopening under Phase 1 of the Roadmap for Reopening of Business and Society on Monday 18th May. This is in a context where the Authority normally undertakes about 200 inspections per week as part of its workplace health and safety remit. The increase in inspections since May 18th is a result of the redeployment of additional inspectors from across the Authority to augment current field inspection numbers.

8. Where issues have been identified, Authority inspectors have been engaging with the employer and providing verbal and written advice and direction. In addition and in line with the Authority's approach to ensuring compliance with occupational health and safety, additional supports such as the employer and worker checklists and templates have been provided. To date, there have been almost 40,000 downloads of these further guidance documents and feedback to date from employee and employer groups indicate that these are also proving to be a useful aid in ensuring compliance with the Protocol.

9. Additional resources have been provided to the Authority primarily in relation to administration supports to the Workplace Contact Unit. The Government, as part of the Roadmap, has indicated that other existing monitoring and enforcement mechanisms which exist across a number of State Departments and Agencies will also have a role as the process of restarting economic activity develops over the five phases. The Department of Business, Enterprise and Innovation is coordinating the provision of these additional inspection and monitoring mechanisms with the Departments of Health and Agriculture and they are at present arranging an appropriate level of inspection resources across these other Government departments and agencies to support overall requirements for the Protocol.

10. We expect that all businesses, management and employees will be minded to reopen on an entirely responsible basis in line with the Return to Work Safely Protocol. The Protocol should be used by all workplaces to adapt their workplace procedures and practices to comply fully with the COVID-19 related public health protection measures identified as necessary by the relevant health authorities.

11. Any worker, employer or other stakeholder can submit a query or a complaint to the Authority's helpline, the Workplace Contact Unit (WCU). This helpline is confidential and can be contacted by phone 1890 289 389 or wcu@hsa.ie. Every contact, whether a query or a complaint, is acknowledged and receives a reference number for tracking. Each complaint is initially followed up with the relevant company or employer by the WCU. If there is no response, or the response is not satisfactory or in the event of receipt of multiple or serious allegations at any one time, an inspector will follow up with the employer. The inspector may then decide that a pre-arranged or unannounced inspection is warranted. As a general rule, inspections are unannounced.

12. Employers and workers can also access advice, guidance, templates, checklists and other documents relating to COVID-19 and workplace health and safety at www.hsa.ie.

13. On a general note, the Authority's mission to regulate and promote work-related safety, health and welfare remains a constant and ongoing requirement even as we work to meet the challenges that COVID has brought. We continue to address occupational health and safety issues arising in workplaces. As of May 22nd this year, a total of 22 fatalities have been reported to the Authority, including nine in the agriculture sector. Sadly, of these 9 fatalities in agriculture, three of these involved young children. Any one such incident or injury to any person is one too many and we will remain continuously active and vigilant with regard to our role in education, advice, prevention and enforcement across all of our operations covering multiple workplace sectors in the economy.

14. The Health and Safety Authority operates under the provisions of the Safety, Health and Welfare at Work Act 2005 and associated regulations. It is the national body with responsibility to secure occupational safety, health and welfare for all persons at work. We also advise in the creation of legislation and regulations in this area. In addition, we have a role in market surveillance of products such as chemicals and PPE and also provide the national accreditation service through the Irish National Accreditation Board (INAB).

15. The Authority has a challenging ongoing role and that is to develop and maintain a culture of safety and health for all people at work in Ireland. The areas of work that we cover are as diverse as the economy itself. Our remit covers every type of workplace and every kind of work in the public and private sectors. This ranges from places where just one or two people are employed to large corporations with many locations and thousands of people on their payroll.

16. The Authority has a duty to ensure that safety and health in the workplace is a key priority for everyone. This involves a multi-faceted and strategic approach by us. Our strategy has two principal strands – on the one hand it involves a focus on prevention, education and training, and on the other it involves enforcement of the law. In this regard, the Authority currently carries out approximately 10,000 workplace inspections annually across multiple sectors.

17. Reflective of this role, our Board comprises of the social partners, representative bodies and industrial, State and public interests. We also engage in regular public consultation to ensure that our actions and interventions are timely and relevant. Each year, in line with our statutory obligations, we formulate a demanding programme of work across multiple sectors and we report annually on the progress of that work.

18. As mentioned above, one of the key functions of the Authority is to promote, encourage and foster the prevention of accidents, dangerous occurrences and personal injury at work. In this regard, we also encourage, foster and provide education and training as well as a range of measures promoting health, safety and welfare of persons at work. We provide codes of practice, guidance, information and advice as well as a wide range of programmes of engagement and information for health and safety, tailored for specific industries and sectors.

19. Our flagship and dedicated online BeSMART.ie platform (the Business Electronic Safety Management and Risk Assessment Tool) provides the means for businesses and in particular SMEs in services, manufacturing, retail, hospitality, construction and agriculture to be able to prepare and provide their own tailor made risk assessments and safety statements. In 2019, a total of 66,296 users logged on and used BeSMART.ie. We also provide other online tools providing education and training to workers and students (hsalearning.ie) which has some 31 courses which were taken by 32,210 people in 2019. In addition, we provide a risk management tool to address stress in organisations (WorkPositive^{CI}). All of these tools provide a range of free supports to workers and businesses, and in particular the SME sector as they reopen and return to work over the next number of weeks

20. Thank you for the opportunity to provide this information.

Dr. Sharon McGuinness
CEO
Health & Safety Authority
Friday 5th June 2020