

National Irish Safety Organisation

# Update!



*NISO is a not-for-profit voluntary body,  
dedicated to the promotion of health  
and safety in Irish workplaces*

AUTUMN 2010

## INSIDE

**CONFINED SPACE  
ACCIDENTS AND  
ORGANISATIONAL  
INFLUENCES**

**NISO NORTH EAST**



**PROTECT YOUR  
EMPLOYEES  
WHO DRIVE  
FOR WORK**

National Irish Safety Organisation

# Update!

## IN THIS ISSUE

|                           |   |
|---------------------------|---|
| Editorial/                |   |
| President's Message ..... | 2 |
| NISO/National News .....  | 3 |

## FEATURES

|                                                                               |   |
|-------------------------------------------------------------------------------|---|
| Learn How to Protect Your Employees Who Drive for Work – And Save Money ..... | 5 |
| Confined Space Accidents and Organisational Influences .....                  | 6 |
| NISO Annual Conference & Safety Awards Dinner 2010 ...                        | 8 |

## FORUM

|                                                                                       |    |
|---------------------------------------------------------------------------------------|----|
| Update from the Health and Safety Authority .....                                     | 9  |
| The Relevance of Section 80 of the Safety, Health, and Welfare at Work Act 2005 ..... | 10 |
| Safety and Health at Work Programme, D20165, FETAC Level 5 .....                      | 12 |
| Helpline .....                                                                        | 13 |
| Regional Focus – North East .....                                                     | 15 |
| Upcoming Events .....                                                                 | 16 |



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# NISO President Reports

**This time last year I made reference to the 'An Bord Snip Nua Report' which stated that five million euro could be saved annually by merging the Health and Safety Authority (HSA) and the National Employment Rights Authority (NERA).**

The merger of the two authorities still has not happened. Earlier this year, a working group was scheduled to review the regulatory burden placed on businesses in compliance with health and safety. This has now been postponed. However, we cannot be complacent when it comes to health and safety legislation.

In the Irish workplace, there has been 33 fatalities and 4,098 non fatal incidents reported (to September 16th 2010). While construction fatalities are low in comparison to previous years, the 21 fatalities in agriculture, forestry and fishing to date is extremely high. I would urge everybody to support and assist the agricultural community. At national level, NISO is seeking meetings with both the IFA (Irish Farmers Association) and the ICMSA (Irish Creamery Milk Suppliers Association) to see what assistance and support our organisation can provide through our network of regions.

## Annual Conference

NISO's 47th annual conference will take place at the Radisson Blu Hotel in Athlone on October 1st

2010. The theme of this years conference is 'Maintenance of Health and Safety Through Prevention'. A panel of national and international speakers will address conference delegates and discuss various maintenance topics. These topics include, 'stopping noise-induced hearing loss through good maintenance', 'how the bite-back campaign changed legislation in the UK' and 'how the safe and sustainable management of chemicals can be achieved'.

Poor maintenance of workplaces can lead to poor standards in health and safety. This can be a real cause of concern, not least because of the cost involved to both employer and employees. Good maintenance standards contributes to a safe, healthy and productive workplace and will improve the standards of health and safety in the workplace.

I look forward to welcoming you to the conference.

## Safety Awards

On the evening of October 1st, our gala dinner and safety awards will take place. Submissions to this



*Pauric Corrigan, President, National Irish Safety Organisation*

years awards were of a very high standard and for the third consecutive year, the number of entries has increased. In these difficult times, it is very satisfying to see this increase in award submission numbers. Due credit will be given to these organisations when they receive their award.

While time and effort is taken in preparing the submissions by the organisations, one must not forget the adjudicators who take the time to mark the submissions in a voluntary capacity. On behalf of NISO, I would like to personally thank them (the adjudicators) for their hard work.

*Pauric Corrigan, President, National Irish Safety Organisation.*



# Tower and Self-Erecting Cranes

The National Standards Authority of Ireland (NSAI) has launched a public consultation on a new draft code of practice for the use of tower and self erecting cranes. The code of practice gives recommendations for the safe use of tower cranes, including self erecting tower cranes. Subjects covered include: selection of tower cranes, planning the installation, erection, extension, maintenance, operation and dismantling. It also covers the appropriate selection and training of personnel involved in the safe installation and use of tower cranes.

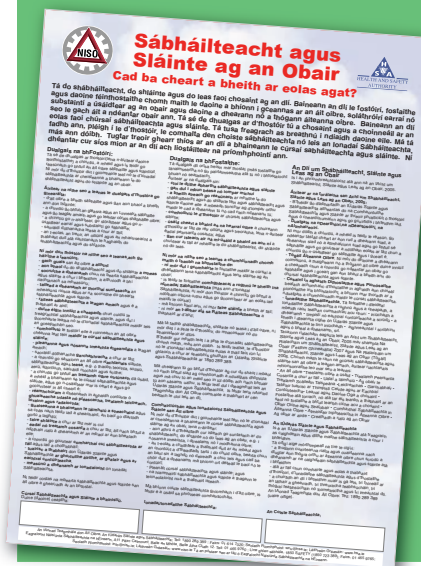
The consultation period on the new draft code of practice closes on the 1st of October and details of the publication and the process for making submissions can be found on the NSAI website: [www.nsai.ie](http://www.nsai.ie). Comments can be made on the draft from that page link.



NISO has produced its first poster in the Irish language, the Health and Safety Law Poster.

The poster is entitled *"Sábháilteacht agus Sláinte ag an Obair - Cad ba cheart a bheith ar eolas agat?"*

The poster is available from the sales department of NISO.



## Workplace Health Promotion improves productivity and well-being



**Workplace Health Promotion (WHP) leads to better health, reduced absenteeism, enhanced motivation, and improved productivity: that is the message behind the Workplace Health Promotion project of the European Agency for Safety and Health at Work (EU-OSHA).**

Employers have an important role to play in encouraging workers to adopt healthy lifestyles. In addition to the health benefits for workers, every euro invested in WHP leads to a return on investment of between 2.5 – 4.8 euros due to reduced absenteeism costs.

According to EU-OSHA Director Jukka Takala, "supporting a healthy lifestyle

pays off for everyone. It benefits employees themselves and their employers but it also helps the wider society by reducing the burden on healthcare systems. And with an ageing working population, the importance of Workplace Health Promotion schemes is only going to increase – we need to help people stay healthier for longer, and to achieve this we need employers and employees to work together, to create a healthy working culture."

For further information on WHP please view the European Agency for Safety and Health at Work website: [www.osha.europa.eu](http://www.osha.europa.eu).

The Health and Safety Authority (HSA) has published an information sheet titled, *Safety Data Sheets (SDS) for Hazardous Chemicals*. The information sheet states clearly what SDS must be provided for and what an SDS sheet must be. Users are advised that they must take measures

to protect humans and the environment from hazards associated with chemicals, so information provided in SDS must be taken into account when preparing risk assessments.

The HSA have also produced several ADR Transport of Dangerous Goods by Road safety

posters. These posters relate to equipment, documentation checks, fire extinguishers, packaged goods and load security.

These publications are available to download from the HSA website:  
[www.hsa.ie](http://www.hsa.ie).

Pan-European or international organisations/companies willing to get substantially involved in the new Healthy Workplaces Campaign 2010-11 on Safe Maintenance are invited to submit their application to become official partners of the Campaign. The second round of applications will close on the 15th of October 2010.

As an official partner, you will commit yourself to some of the following activities:

- Disseminating information about the Campaign to affiliated organisations and network partners.
- Promoting the Campaign via your own website and giving it, for example, publicity via your electronic newsletter.

- Organising seminars, workshops or training sessions dedicated to the topic of the Campaign.
- Producing best practice videos, or a multimedia DVDs, etc.

The 2010-11 Campaign seeks to raise awareness of the importance of safe maintenance, as well as to promote good practices in this field. Everyone

is invited to join in, no matter how big or small their contribution may be.

For further information on the above  
and for ideas on how to get involved in  
the campaign, please view the  
European Agency for Safety and  
Health at Work website:  
[www.osha.europa.eu/en](http://www.osha.europa.eu/en).

The Health & Safety Authority (HSA), the Irish Farmers Association (IFA) and FBD Insurance have appealed to farmers to avail of the online risk assessment system that is designed to enhance farm safety and reduce risk.

The online tool has proven very popular with farmers and has attracted hundreds of hits since it was piloted in March. The system allows farmers to complete their farm safety statements in a user friendly fashion, and is the first of its kind for the agricultural sector in the world. The facility, [www.farmsafely.com](http://www.farmsafely.com), means farmers can also keep their risk assessment statements up to date to ensure farm families carry out their work in the safest way possible. Martin

O'Halloran, Chief Executive of the Health and Safety Authority (HSA) said, "Improving safety and health in Agriculture continues to represent one of our biggest challenges. By working together we can greatly raise safety standards and reduce farm accidents."

“We believe this free online risk assessment tool will assist farmers in making their farms safer places to work and live for themselves, their children and their families. It has been



developed with support from FBD, and with the knowledge that Irish farmers are recognised as European leaders when it comes to adopting new technologies. We are delighted that the IFA are supporting us in re-launching this on-line tool,” added O’Halloran.

To view the Farm Safety Code of Practice online Risk Assessment Tool, please visit [www.farmsafely.com](http://www.farmsafely.com).



# Learn How to Protect Your Employees Who Drive for Work – And Save Money

Last year, the Road Safety Authority (RSA) and the Health and Safety Authority (HSA) launched their 'Driving for Work' guidelines, a resource for workplaces around the country to ensure and maintain employees' safety on the roads.

The decision to put in place a set of guidelines was not arbitrary – it followed research revealing that as many as one third of all road collisions in Ireland involve drivers who use their car for work. Simply put, up to 85 people die in work-related road crashes in Ireland every year.

Until recently, the scale of the problem was relatively unknown, despite anecdotal evidence of the increased risks associated with people who drive for a living. In fact, research showed that people who drive company cars have between 30% and 40% more collisions than ordinary drivers. This risk increases for those who drive more than 40,000 kilometres a year. However, a HSA survey of businesses in 2008 found that there was a lack of awareness among employers of their duties to manage work-related driving activities with 42% of Irish businesses admitting they have no driving for work policy in place for their employees.

## Driving for Work Guidelines

According to Noel Brett, CEO of the Road Safety Authority, "The development of the 'Driving for Work' guidelines is a fundamental requirement in the Government's Road Safety Strategy to assist employers in managing their staff's road safety. The guidelines provide an overview of legislation, how to carry out risk assessments and highlights the significant benefits for



businesses and the wider community when work related road safety is managed effectively." "Managing staff safety, while driving for work, makes good business sense, especially in the current economic climate as it protects staff and business profits. For example, for every €1 claimed on insurance, arising from work related road incidents, companies may have to pay a further €8 to €36 for uninsured losses," added Brett.

Driving for work includes any person who drives on a road as part of their work (not including commuting) either in a company vehicle or their own vehicle, receiving an allowance from their employer for miles driven. Under the Safety, Health and Welfare at Work Act 2005, an employer has a duty to protect the health and safety of staff who drive for work.

## Employer Responsibilities

However, Martin O'Halloran, CEO of the Health and Safety Authority said there was a significant lack of awareness among employers of their health and safety responsibilities. According to O'Halloran, "All employers are required by health and safety laws to put proper measures in place to protect the safety of all their employees. But of particular concern is that 42% of Irish businesses have no driving for work policy as part of their health and safety management system. A 2008 Health and Safety Authority survey of businesses also found that there was a lack of awareness of their duties to manage work related driving activities."

He added that, "As an employer, you should give your employees proper information and training to protect their safety, health and welfare. This duty extends to employees who drive for work. Not only

will a proactive approach help to protect your workforce, it may also save your business significant amounts of money."

The Road Safety Authority and the Health and Safety Authority recently held a series of 'Driving for Work' seminars where representatives from both organisations, An Garda Síochána and the ESB delivered interactive presentations on the benefits of implementing a driving for work policy.

The presentations from the seminars are available on both the RSA website: [www.rsa.ie](http://www.rsa.ie), and the HSA website: [www.hsa.ie](http://www.hsa.ie). The 'Driving for Work' guidelines and further information on managing employee safety on the roads are available on these websites also.

*Brian Farrell,  
Communications Officer,  
Road Safety Authority.*

# Confined Space Accidents and Organisational Influences

Confined space activities continue to cause fatalities in Ireland. According to the Health and Safety Authority (HSA), three people were killed as a result of asphyxiation within the agriculture and forestry sector in 2008. The consequence is three families bereaved, three businesses impaired, three fatalities which could and should have been prevented.



Gavin Pattison – Associate Director of Environmental Health, Safety and Security, Elan Drug Technologies, Athlone

Confined spaces are typically enclosed/partially enclosed areas which are not designed for continuous occupation, have limited access/egress, and often have a variety of atmospheric and electro-mechanical hazards.

Although accurate confined space accident statistics are difficult to find, most international safety authorities (including a pivotal study by NIOSH in the 1990's) indicate that the most significant hazard is exposure to adverse atmospheric conditions (oxygen deficiency, oxygen displacement, flammable/explosive atmospheres, toxic gases and fumes). Other contributory hazards include: engulfment (drowning or suffocation by material); exposure to chemicals; exposure to electro-mechanical hazards such as cross screw feeders and agitators; slips trips/falls, and; underlying medical conditions.

Working in confined spaces is unequivocally a highly hazardous operation and requires careful planning, risk assessment, training, supervision and task execution. In this brief article, we seek to examine some organisational factors which contribute to the occurrence of confined space accidents.

## Accident Causation

Every safety practitioner knows that risk assessments and safe working procedures, if competently generated, communicated and followed, will prevent the majority of workplace injuries and illnesses. But compliance with safe working procedures requires the 'task operator' to know what to do, and how to do so safely. People don't always do the right things – hence why human behaviour is known to contribute to over 80% of all workplace accidents. Similarly, it is the behaviours and systems at all organisational levels which define how likely an accident occurrence will be.

As the diagram on page seven shows (replicated courtesy of Prof. Dominic Cooper, BSMS Inc), accidents can be prevented by a series of organisational 'defences'. In this context, defences begin with decision making and behaviours at strategic management level and have a strong influence on the strength of defences at the other organisational levels. The influence is most

noticeable at behavioural level, where, without effective organisational controls to risk assess, train and supervise the activities of confined space entrants, unsafe behaviour could have major consequences.

Whilst a weak defence at a single organisational level might not be enough to cause an accident, weak defences within all levels most likely will. As a result, an organisation with strong management commitment, effective procedures and an aware/competent workforce will likely have the strongest defences against accident occurrence. Conversely, an organisation with weak systems/behaviours, and where safety is not considered a priority (especially in regards to productivity/cost) will likely have weak organisational defences and be more susceptible to accident occurrence.

## Controlling Confined Space Entry

In the context of controlling confined space entry, although not an exhaustive list, questions about typical organisational defences might include:

- **Strategic Level (senior management level):**
  - Is the organisation aware of the existence and location of confined spaces on site – has a comprehensive survey been conducted?
- **Operational Level (line management):**
  - Do management proactively strive to prevent workplace accidents?
  - Are confined space entry procedures in place and effectively implemented?
  - Is there a competent resource to advise on safe confined space entry?
  - Are risk assessments conducted, communicated and easy to follow?
  - Are confined spaces labelled/access controlled?
  - Is there a permit to work system in place – and effective?
  - Are regular, objective audits conducted to check system efficacy?
- **Tactical Level (support functions):**
  - Are line managers/supervisors able to competently set up and supervise a confined space entry task? In this regard, 95% of confined space fatalities in the US were found to have been authorised and 85% were supervised.
  - Are management responsibilities and accountabilities for safe work organisation fully understood?
  - Do support departments (e.g. engineering, maintenance, procurement, HR, etc.) know how to support confined space entry



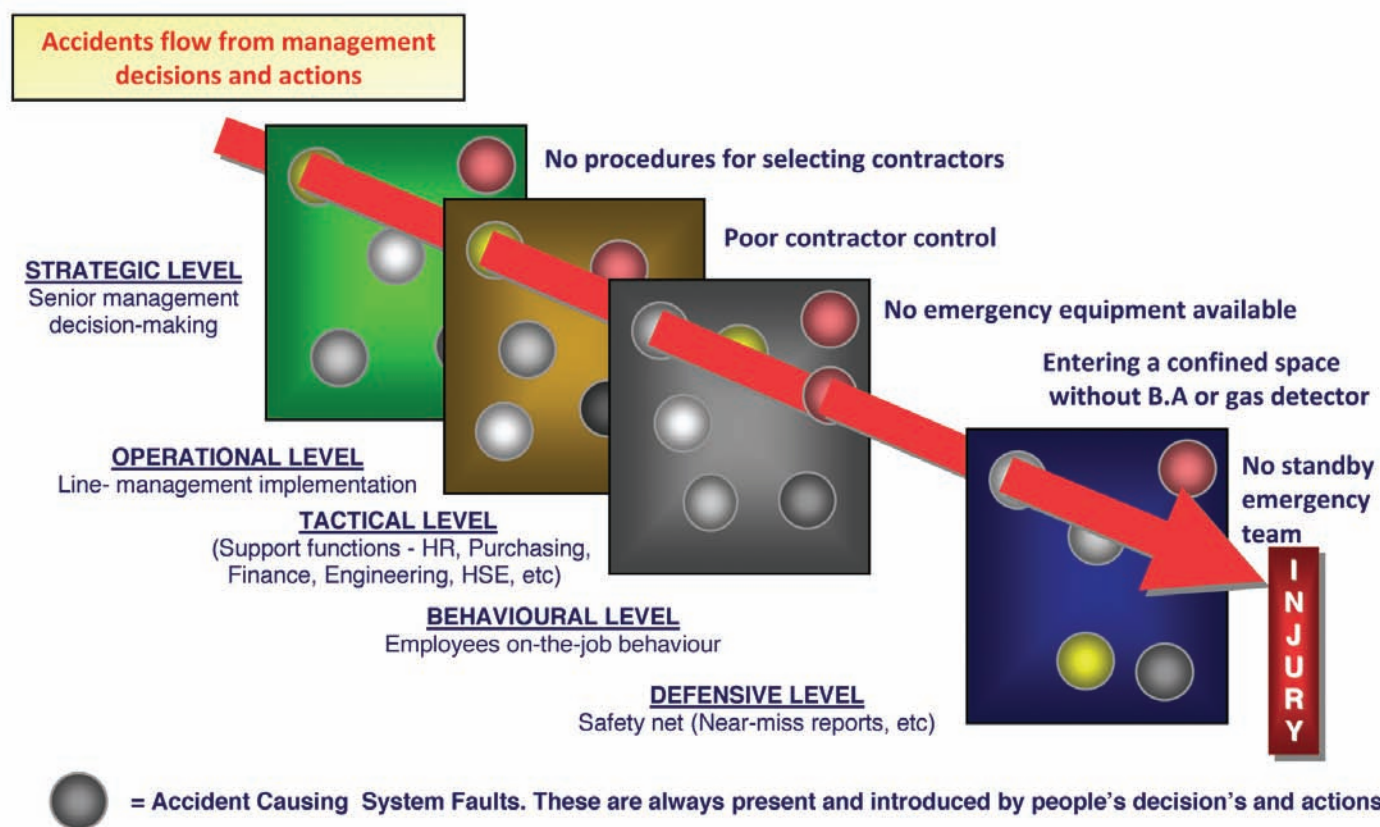


Figure 1: Example Confined Space Accident Causation Chain

procedures through the procurement/retaining of competent, trained and experienced staff?

- Are there checks to ensure that confined space entrants are medically fit to enter?
- Is confined space entry and rescue equipment routinely inspected, maintained and calibrated?
- Are emergency response standby teams in place? Are they trained?
- **Behavioural Level (on the job behaviour):**
  - Do all persons entering confined spaces have appropriate training?
  - Do entrants fully understand the hazards, risk controls and safe working procedures?
  - Do entrants know how to make the confined space

safe (testing for/purging hazardous atmospheres; isolating and locking/tagging services and electro-mechanical hazards; etc.)?

- Do entrants know how to look for/react to deviations from the original risk assessment? Examples include: changeable conditions; leaks and equipment failure; inclement weather; collapsible walls; equipment damage; etc.
- Do the entrants know how to competently use confined space equipment?
- **Defensive Level (safety net):**
  - If a near miss occurs, are systems in place to prevent more serious recurrence?

- Are task operators empowered/expected to stop work if concerned?
- If an accident occurs, are there competent rescue personnel on standby? Are they capable of working under pressure (after all around 60% of all confined space fatalities involved rescuers)?

### Conclusion

What this brief article seeks to demonstrate is that a confined space accident very rarely has one direct cause. More often than not, an accident is preceded by systems failures or behaviours at various levels in an organisation. It is therefore imperative that organisations ensure that their risk control defences are entirely robust. Equally, reliance on systems should

never result in complacency or the assumption that risk controls/defences are effective. Regular monitoring, auditing and continual improvement of defences is therefore necessary.

Failure to take account of organisational and behavioural factors will inevitably result in a serious accident. For that outcome, there is no defence.

*(Please note that this is not a technical paper on confined space entry techniques - refer to the HSA website for the Code of Practice and further links.)*

# NISO Annual Conference & Safety Awards Dinner 2010

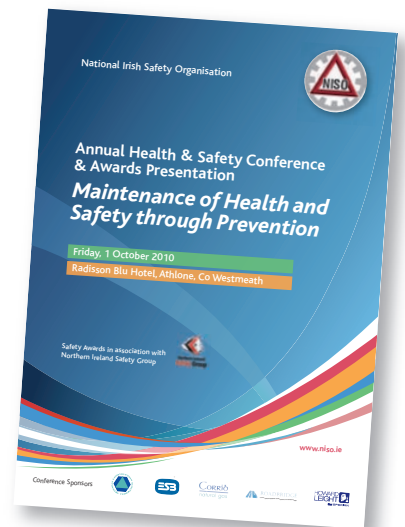
## Conference Theme: Maintenance of Health and Safety through Prevention

Friday, 1 October 2010; Radisson Blu Hotel, Athlone, Co. Westmeath



PSE Kinsale Energy, Supreme Award winners of 2009

Once again, NISO has organised a wide ranging and yet topical programme with well respected speakers. According to Pauric Corrigan, NISO President and Conference Chairperson, "it is the premier health and safety conference for safety professionals and business leaders". "The 2010 conference will clearly demonstrate the ongoing commitment by NISO to workplace health and safety", added Corrigan.



### Thursday, 30 September 2010

The Golf Classic and Site Safety Visit will take place.

### Friday, 1 October 2010

The Annual Conference Speakers include:

- Brad Witt, Sperian Hearing Protection;
- Dave Joyce, Communications Workers Union;
- Dr Sharon McGuinness, Health and Safety Authority;
- Dr Peter J Claffey, Health and Safety Authority;
- David Peart, Sora Group;
- Michael Gillen, PharmaChemical Ireland;
- Paul O'Toole, FÁS;
- Senator David Norris, Seanad Eireann;

Topics being discussed at this year's conference include:

- Stopping noise-induced hearing loss.
- Bite-back: health and safety issues in dealing with the public.
- Safe and sustainable management of chemicals – how this can be achieved.
- Chemical risk assessment – a practical guide.
- Minimising the maintenance risk: improved facility reliability.
- Communications – a preventative approach to chemical safety
- Education and training relating to safety.

A Health and Safety Trade Exhibition will be held in conjunction with the Annual Conference.

### Friday, 1 October 2010

On the evening of October 1st the 19th Annual Safety Awards will be presented to successful companies at an Awards and Post Conference Gala Dinner.

To book a place at the NISO Annual Conference, Safety Awards Dinner, Golf Classic, Site Safety Visit, or if you wish to participate at NISO's Health and Safety Trade Exhibition, then please log onto [www.niso.ie](http://www.niso.ie).

Sponsors include: Construction Industry Federation, ESB, Roadbridge, Shell E & P Ireland Ltd, Sperian Protection.

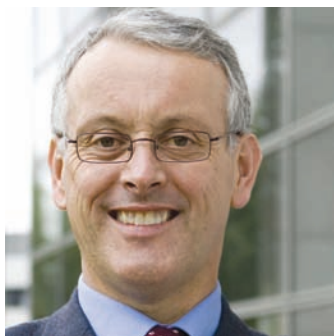


Sgt Jim McAllister addresses NISO conference delegates in 2009



# Update from the Health and Safety Authority

Dr. Peter J Claffey, programme manager with the Health and Safety Authority (HSA) writes about the importance of safely managing chemicals in the workplace.



Dr. Peter J Claffey, Programme Manager with the Health and Safety Authority

## Managing chemical safety is good for business

Safely managing the chemicals used at work is good for you, your employees and your business! It will improve employee's safety and health. It will also introduce cost savings through effective work practices on correct storage, handling, use and disposal procedures. Potential harm to the environment will also be reduced.

The HSA is currently preparing a toolkit which will help employers manage their chemicals safely. It is to be based on the 3 step approach: 1) identify the hazard, 2) assess the risk and 3) control the exposure. These 3 steps are similar to the ones followed when completing a risk assessment and preparing a Safety Statement under the Safety, Health and Welfare at Work Act 2005.

In addition to the requirements of the 2005 Act, the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 require employers to:

- Determine which hazardous substances are present in the workplace.
- Assess the risks to employees and others from the presence of these hazardous substances.
- Prevent or control exposure to the hazardous substances to as low a level as is reasonably practicable.
- Have arrangements in place to deal with accidents, incidents and emergencies.
- Provide information, training and consultation to employees.
- Make available health surveillance to employees.

The toolkit is being designed to assist employers in meeting their legislative obligations by providing a step by step guide to help them to:

### Step 1 – Identify the Hazard

Firstly, employers need to identify the chemicals which are stored or used and the processes which generate chemical dusts or fumes. This can be done by walking through the workplace and recording in an inventory sheet the chemicals or processes which are being used. Check **the label** on the container, the **safety data sheet (SDS)** or any documentation which came with the chemical to help identify it. A SDS must be made available by the supplier. It gives information on the chemical including information on the identity of the chemical, its physical form (e.g. liquid, solid, gas), its hazards and safe methods

of storage. Please note that the 'hazards symbols' we are familiar with on labels and safety data sheets are changing to 'hazard pictograms' as a result of the new CLP Regulation and both will be seen up to 2015.

There may be chemicals where the label is no longer visible or attached to the container, or where chemicals are stored in an unmarked container. *Remember: it is never safe to use chemicals if you are not sure what they are!* It is important to include such "unknowns" on the inventory sheet so that their location is documented. These unknown chemicals must be safely removed from the workplace.

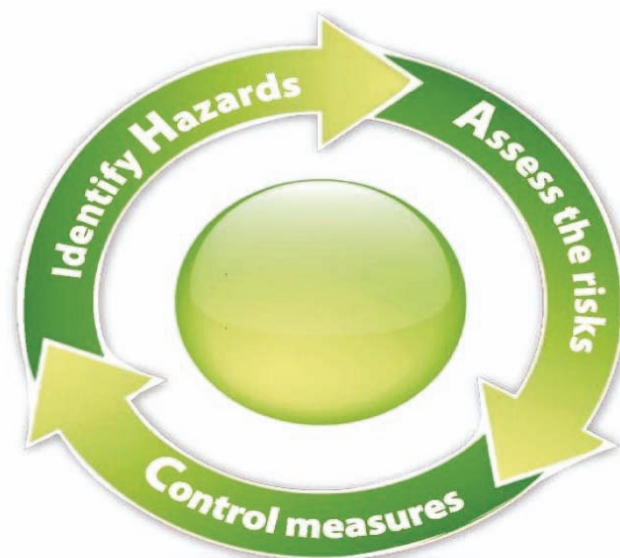
It is useful at this stage to make a note of who uses the chemical and what it is used for. It may help to identify chemicals which are no longer used and can be disposed of. It is good

practice to only store the amount of chemical you need. By indicating on the inventory sheet where the chemical is stored one can easily locate it and also avoid storing extra amounts. The employer should also note the type of container it is stored in (e.g. plastic or glass bottle) and the condition of the container.

### Step 2 – Assess the Risk

Having identified the chemicals and their hazards the next step is to assess the risk for each. One can assess the risk in lots of ways. Assessing the risk involves looking at:

1. How **severe** the possible effect is and assigning it to one of the following categories:
  - **High:** For example, serious, irreversible and potentially fatal health effects (carcinogenicity, mutagenicity, reproductive toxicity, respiratory sensitisation) or serious



physical chemical effects (explosion).

- **Medium:** For example, less serious, potentially irreversible but non-fatal health effects (e.g. skin sensitisation, corrosive to skin or eye); physical chemical effects (e.g. flammable) or environmental effects (e.g. hazardous to aquatic environment).
- **Low:** Slight/transient, reversible and non-fatal health effects (e.g. irritating to skin or eyes).

2. The **likelihood** of that effect happening. The employer should think about how the chemical is used (e.g. is there potential for skin exposure or could the chemical be breathed in); how much of the chemical is used; how many people are exposed and for how long.

- **High:** Exposure to chemical very likely. For example, very frequent use or use of large quantities where the possibility of exposure to skin or breathing chemical or fumes is expected (e.g. cleaning up spills, welding).
- **Low:** Exposure to chemical is unlikely. For example, very small amounts used or it is used infrequently and under conditions where there is little chance of chemical escaping.

Employers should consider getting outside competent help on deciding the controls if two **Highs** or a **Medium/High** are obtained.

### Step 3: Control Exposure

Now the employer needs to think about controlling each of his chemicals to keep employees and the workplace safe. Use the overall risk

rating calculated in Step 2 as a guide. If a chemical has a **high** risk rating, there is a high likelihood of serious harm occurring. Employers need to take this seriously and put very good controls in place to keep the workplace safe. If the chemical has a lower risk rating, the controls will be less demanding, but they are still important.

### Overall Strategy for Chemical Control

There are three strategies for managing chemical hazards. The employer needs to decide the strategy for each of the chemicals identified.

- **Eliminate** the chemical. This is the best strategy. Get rid of the chemical if it is not needed, or if one can substitute a safer one instead. For example, one could eliminate methylated spirits by using a non-flammable and non-toxic screen cleaner.
- **Isolate** the chemical. This is the second-best strategy. For example, when spray painting, use a spray booth so others in the workplace are not exposed to the paint.
- **Minimise** exposure to the chemical. Reduce exposure by controlling the movement of people or the timing of shifts or processes. For example, one can minimise the risk from caustic soda by wearing protective clothing such as gloves, goggles, etc.

### Controls Needed and Controls in Place

The risk assessment should record which controls are needed, and whether they are in place. The following are some short notes on various controls.

### Safety data sheets (SDS)

- The employer must have one of these for each chemical. If not, contact the supplier, who is required to give you one.
- Keep the safety data sheets in a clearly identified place, where they can be easily found by staff, and by emergency services - they rely on these sheets when they attend an incident.
- Make sure all employees who use a chemical know where the safety data sheet is stored and that they understand what is written on it.

### Personal protective equipment

- This includes safety glasses, respirators, protective clothing, gloves, and footwear.
- Make sure everything else is done to reduce the chemicals harm before relying on protective clothing and equipment. It really is the last line of defense – it only minimises the potential for harm rather than eliminating it.
- Ideally, each person should have their own equipment. Train them how to use it effectively, how to keep it in good condition, and where to store it safely to prevent contamination.

### Training

- What training do employees need to keep them safe when using chemicals? This may include learning about safe operating procedures, reading operating manuals, or attending courses for highly hazardous chemicals.

### Secure Storage & Segregation

- Store the chemicals so they can only be used by

appropriately trained people. Store flammable chemicals in an approved fire-rated cabinet or a flammable goods store.

- Read the safety data sheet to find out if there are any special storage requirements. For example, does it need to be kept away from certain chemicals, or does it need special ventilation or temperature control?
- Many chemicals are incompatible with each other. If they come into contact with each other, they react violently, causing a fire or explosion. Incompatible chemicals must always be segregated (stored separately), to ensure they are not exposed to each other. For example, diesel and chlorine should never be stored close together.

### Labelling

- It is very important that chemical containers have a clear label describing the contents. Without a label, it is not possible to know what is in the container.
- If a label is damaged or unreadable, or if a chemical is put into a new container, provide a new label.
- Some product labels have a lot of useful information, including safety instructions, hazardous properties of the chemical, basic emergency and first aid information, and supplier details.

The above is only an introduction to the subject. Further information is available on the HSA website at [www.hsa.ie](http://www.hsa.ie) or by ringing the Workplace Contact Unit at 1890 289 389.



# The Relevance of Section 80 of the Safety, Health and Welfare at Work Act 2005

Tom Delaney, financial controller with the Prison Officers Association, discusses the relevance of section 80 of the Safety, Health and Welfare at Work Act 2005.



Tom Delaney, Financial Controller with the Prison Officers Association,

The Safety, Health and Welfare at Work Act 2005 was signed into law on the 22nd of June 2005. Section 80 of the 2005 Act relates to accountability. Workers continue to be killed, maimed and injured in their workplace every day and unfortunately, an unnecessary high number of these are as a result of preventable accidents and incidents.

At a time when economic competitiveness is vital for a whole multitude of reasons, it is undisputed that a good safety management system when implemented correctly actually saves money and not cost money to organisations. There still seems to be this attitude that every time an employee or a health and safety representative starts talking about health and safety issues in the workplace, the employer/manager thinks that it is hassle or as some managers call it, 'a burden'. The attitude of some employers/managers in this regard must change. It is estimated that the cost of poor health and safety standards are costing the Irish economy around €3.6 billion a year.

## Accountable

In all workplaces, somebody needs to be responsible and accountable for the health and safety of the employee. Section 80 of the 2005 Act highlights this. In recent times, managers/directors have been held personally responsible when an employee has been injured in

the workplace and have been brought before the courts and fined.

Section 80 of the 2005 Act is as follows:

*(1) Where an offence under any of the relevant statutory provisions has been committed by an undertaking and the doing of the acts that constituted the offence has been authorised, or consented to by, or is attributable to connivance or neglect on the part of, a person, being a director, manager or other similar officer of the undertaking, or a person who purports to act in any such capacity that person as well as the undertaking shall be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.*

*(2) Where a person is proceeded against as aforesaid for such an offence and it is proved that, at the material time, he or she was a director of the undertaking concerned or a person employed by it whose duties included making decisions that, to a significant extent, could have affected the management of the undertaking, or a person who purported to act in any such capacity, it shall be presumed, until the contrary is proved, that the doing of the acts by the undertaking which constituted the commission by it of the offence concerned under any of the relevant statutory provisions was authorised, consented to or attributable to connivance or neglect on the part of that person.*

*(3) Where the affairs of a body corporate are managed by its members, subsections (1) and (2) shall apply in relation to the acts or defaults of a member in connection with his or her functions of management as if he or she were a director of the body corporate.*

## Training

Section 80 of the 2005 Act applies to all employers/managers and the safety

statement of any organisation must have clear guidelines as to the task that any person is required to perform. Employees must be competent and have the required training to carry out their role. As with all aspects of safety, health and welfare, training is a priority. The training should be for all those responsible for implementing the policy. Training needs to be ongoing and reviewed as required. All managers and supervisors must ensure that all reasonable steps are taken in order to prevent any injury or accident occurring which are in line with the safety statement for their respective area of responsibility.

In principal, it should never be required to hold any individual personally responsible for an injury that an employee sustained, or even worse for the death of an employee, but unfortunately section 80 of the 2005 Act does need to be there. If managers/directors were to work and consult more closely with all the interested parties there would be a reduction in the amount of accidents in the workplace.

It is fair to say that a lot of work has been done regarding health and safety legislation, regulations, etc. However, I am strongly of the view that until legislation/regulations are implemented by the Health and Safety Authority and the Minister that will hold managers/directors responsible for allowing employees to carry out a task that is dangerous and which may cause harm, that real accountability will not be achieved and more importantly, real accidents and lives will not be saved. Every one agrees including the employer, that prevention is better than the cure.

Good health and safety systems should be adopted by all as everyone will gain, the country, the economy, the employer, the business, the productivity, the employee and most of all, our health.

# Safety and Health at Work Programme, D20165, FETAC Level 5

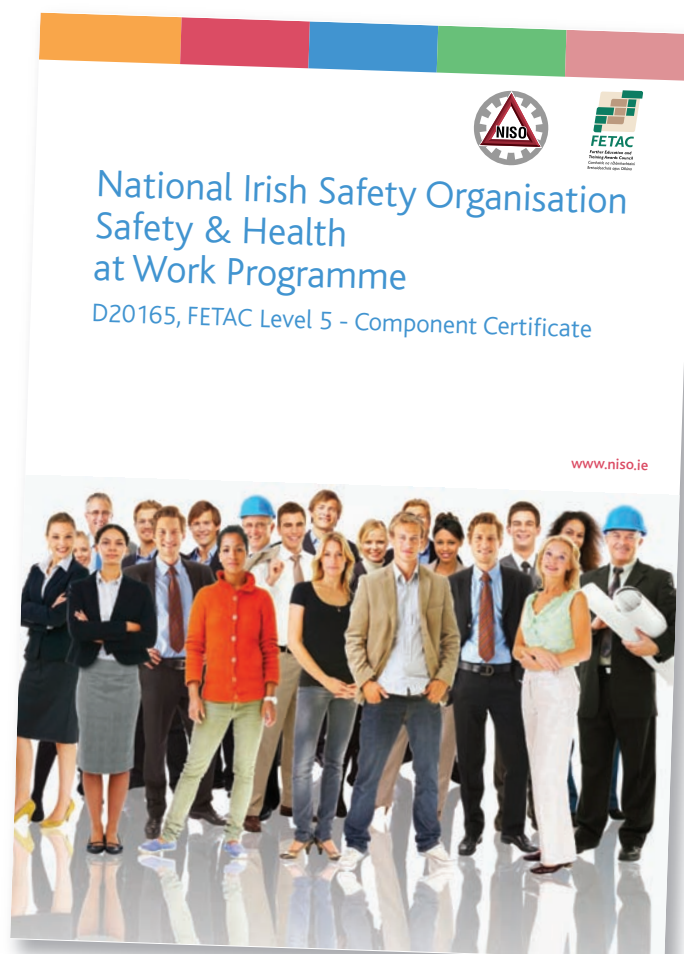
Do some of your employees require a good, strong knowledge base in general health and safety?

NISO is proud to present the Safety and Health at Work Programme, D20165, FETAC Level 5 course.

The aims of this 40 hour class-based programme are to:

- Gain knowledge and skills to manage occupational safety and health.
- Be familiar with core legislation in the area of safety, health and welfare.
- Understand and gain basic competence in hazard identification and risk assessment.
- Recognise the factors influencing workplace health, safety and welfare.
- Apply health and safety principles and procedures.
- Promote a safety culture.
- Teach learners skills to communicate safety and health information to peers and supervisors.
- Help learners to know how to advise management on a range of occupational safety and health issues.

On the basis of a suitable level of practical experience, the successful



completion of this programme will enable the learner to apply for membership of the Institution of Occupational Safety and Health at Technician Level (Tech IOSH).

This course is offered as an open programme and can be run in-company.

For a copy of the course brochure please email [info@niso.ie](mailto:info@niso.ie) stating D20165 in the subject line.

For more information, please contact NISO at 01 465 9760, or visit the NISO website: [www.niso.ie](http://www.niso.ie).



# Help on the control of construction site traffic, fire wardens and noise exposure in the entertainment sector.

Brian O'Connor answers members' queries.

## Question 1

**I am worried by the amount of traffic allowed on the construction site where I am currently working. We have already had a near miss on the site so there is a definite risk to the safety of site personnel. What can we do to control this risk?**

## Answer 1

This question demonstrates the dangers caused by lack of planning. The risk posed by traffic on a construction site, or indeed any workplace, should be dealt with at the design stage of the project. Prior to commencing construction work, there is a requirement to ensure that traffic and pedestrian routes are organised and controlled. As per the Safety, Health and Welfare at Work Act 2005, the employer or person in

control of the workplace must carry out a risk assessment. The risk assessment will evaluate the movement of vehicles and pedestrians on the site and identify controls to eliminate or reduce any risks found.

I suggest that site management, designers, the health and safety officers and other appropriate personnel conduct a meeting to properly plan traffic and pedestrian routes. It is very important that pedestrians and traffic are segregated. Important considerations in planning vehicular and pedestrian traffic routes include:

- The width of the pedestrian walkway should be wide enough for the number of people expected to use it.
- Pedestrian crossing points with good visibility for both the driver and pedestrian should be provided.
- Traffic routes must be constructed of suitable material for the location, type of traffic and must be wide enough to allow for the movement of the largest vehicle and its load.

All traffic entering the construction site must be directed and controlled as far as practicable. Vehicular and pedestrian traffic routes should be marked and signposted. Signage must be easily understood and clearly visible. Appropriate speed limits will help control the speed of traffic on site. These speed limits must be monitored and enforced. An



Brian O'Connor, NISO

adequate number of parking spaces should also be provided on the construction site. This will enable the separation between work and private vehicles and should allow traffic routes to be kept clear of obstruction.

For further information on traffic routes in the workplace, please visit the Health and Safety Authority website: [www.hsa.ie](http://www.hsa.ie), where you will find many useful information sheets to assist in the planning of both vehicular and pedestrian traffic routes.





**Question 2**  
I am responsible for the health and safety of over three hundred staff in a multi-storey building. I am currently updating our safety statement and fire procedures but I am finding it difficult to establish the number of fire wardens required in a building. Can you please tell me how many fire wardens are required?

## Answer 2

Unfortunately there is no precise answer to this question. The number of fire wardens will be dependent on the risk assessment. A risk assessment involves the identification of hazards and assessing the risks presented by these hazards.

In determining the number of fire wardens required, as per the risk assessment, you will need to consider the size of the building and the complexity of its layout. For example, a large building with many rooms and complicated escape routes may need to have each floor divided into sweep areas and a fire warden provided in every sweep area. However, a small building with only one floor, depending on the risk assessment, may only require one fire warden and a deputy

fire warden to cover absence.

Other factors to consider in deciding the number of fire wardens required include annual leave, the nature of peoples' work as it may involve them leaving the building as part of their occupation and the number of staff in the building during operating hours.

## Question 3

I am the owner of a nightclub so as you can imagine my employees are exposed to loud music in the workplace. Recently one of my employees has complained of a ringing sensation in his ears after work and the next morning. As employer, am I required to take any action?

## Answer 3

A ringing sensation in the ears is a symptom associated with tinnitus. However, I suggest you contact a registered medical practitioner who will be able to provide an accurate diagnosis, and may also propose necessary protective or preventative measures.

The Safety, Health and Welfare at Work Act 2005 requires an employer to

ensure so far as is reasonably practicable, the safety, health and welfare of all his or her employees. Also, employers shall manage and conduct his or her undertaking in such a way as to ensure, so far as is reasonably practicable, that in the course of work being carried on, individuals at the place of work (not being his or her employees) are not exposed to risks to their safety, health or welfare.

As of the 15th of February 2008, the Noise Regulations apply to the music and entertainment sectors. In accordance with these regulations, an employer is required to:

- Assess the risks to employees from noise at work.
- Take action to reduce the noise exposure that produces those risks.
- Make sure the legal limits on noise exposure are not exceeded.
- Provide employees with information and training.
- Carry out health surveillance where there is a risk to health.
- Provide employees with hearing protection if the noise exposure cannot be reduced enough by other methods.

A formal noise risk assessment will determine whether the noise exposure is at, or above the lower exposure action value of 80 dB (A). This risk assessment should be carried out by a competent person and will identify where there may be a risk from noise. The risk assessment should contain a reliable estimate of the noise exposure and will identify what action needs to be taken.

In order of preference, the approach for the control of noise is to:

- Eliminate the hazard altogether.
- Control the risk.
- Provide personal protective equipment (PPE) in the form of personal hearing protection.

Possible methods to eliminate the hazard of noise exposure include lowering the amplified sound and avoiding reverberant or unsuitable spaces. Options to control the risk of noise include reducing the volume, physically separating people from the hazard, reducing the number of people exposed and reducing the duration of exposure. PPE in the form of hearing protection is the last resort as it is merely protective rather than preventative.

For further information on the control of noise in the music and entertainment sectors please view the 'Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 – Chapter 1 of Part 5: Control of Noise at Work' and the HSA document titled 'The Noise of Music'. Both are available from the Health and Safety Authority website: [www.hsa.ie](http://www.hsa.ie).



# NISO North East

By now we are all aware of the recession that our country is in. With unemployment rising and employers tightening their 'business belts', health and safety issues in some instances have been relegated. Like many other organisations, NISO North East have had to adapt and change to suit our new market.



Fergal McKeivitt, Chairperson, NISO North East Region

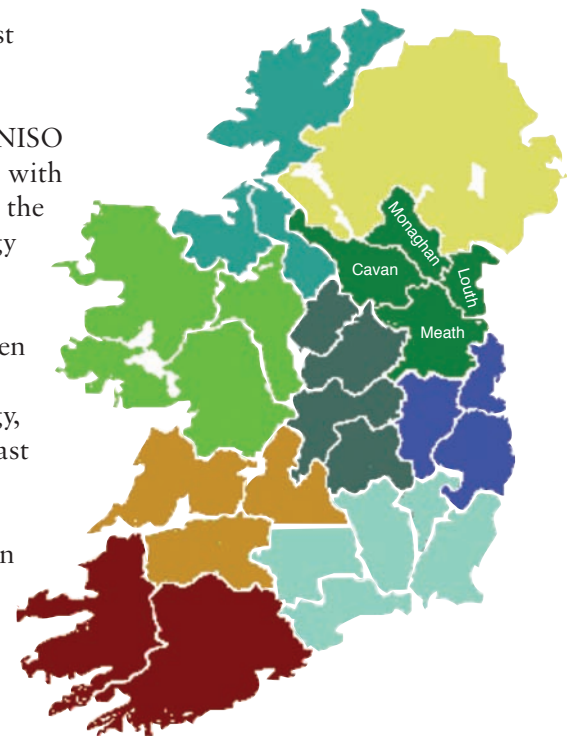
To enhance NISO's standing and to bring health and safety to the community, NISO North East approached a number of local secondary schools with a view to assisting the schools' with their 'transition year' programmes. Working closely with the school's transition year co-ordinators, NISO North East developed information and training programmes which are delivered in two separate sessions. The first session is delivered the week before the students go on their 'work placements' and the second session is delivered after they have completed their 'work placements'. Feedback from the teachers and students have been very positive and it is intended to extend the programmes throughout the region.

This year, NISO North East also ran a successful quiz and entered two teams in the National NISO/NISG Quiz finals which was held in Belfast. This was a very well run and enjoyable event and

arrangements are already being made to run the next North East Quiz.

Over the past number of years NISO North East have worked closely with the Lifelong Learning Centre in the Dundalk Institute of Technology to deliver the NISO Safety and Health at Work Programme D20165, FETAC Level 5. An open night was recently held at Dundalk Institute of Technology, members of the NISO North East Region attended the event and spoke with a number of people who have indicated an interest in completing this course. It is hoped that this course will commence in the region in October 2010.

Despite the recession and loss of jobs, NISO North East is a very active region, which continue to espouse the ethos of bringing health and safety to the community through advice and training.



We look forward to the challenges ahead knowing that working with other stakeholders, we can help to save lives.

**Sponsorship and Advertising Opportunities are available**

For further information, please contact Ted O'Keeffe.

[tokeeffe@niso.ie](mailto:tokeeffe@niso.ie)

or

phone 01 465 9760

# National Irish Safety Organisation Events Diary



Please keep an eye on our website [www.niso.ie](http://www.niso.ie) for forthcoming courses in 2010.

## 1. Courses in NISO Training Centre, Ballymount, Dublin 12

### Safe Pass Course

(Course Length: 1 day)

October 8 / October 15 / October 22 / October 29

### Occupational First Aid Course, FETAC Level 5

(Course Length: 3 days)

October 11, 12, 13

### Safety and Health at Work Programme, D20165, FETAC Level 5

(Course length: 40 hours)

Commencing Tuesday 12th October and running for 10 weeks on Tuesdays from 14.00 – 18.00hrs

### Occupational First Aid Refresher/Re-Certification Course, FETAC Level 5

(Course Length: 1 day)

October 13

### Basic Manual Handling Course

(Course Length: Half day)

October 14

### Health and Safety Representation Programme, L22487, FETAC Level 5

(Course length: 3 days)

November 1, 2, 3

### VDU/DSE Assessors Course

(Course Length: 1 day)

November 15

### Manual Handling Instructor & Assessor Course (Course length: 5 days, 3 days on week 1 and 2 days on week 2)

TBC

## 2. Courses in the regions

### MIDLAND REGION

Venue: Athlone Institute of Technology

Contact: [midland@niso.ie](mailto:midland@niso.ie)

**NISO Occupational Safety and Health Certificate** (course length: 13 weeks, evening) September 27th

### MIDWEST REGION

Venue: Limerick Institute of Technology

Contact: [Midwest@niso.ie](mailto:Midwest@niso.ie) or for more information visit

<http://www.lit.ie/adulteducation/index.html> or contact [lifelonglearning@lit.ie](mailto:lifelonglearning@lit.ie)

**Risk Assessment & Safety Statement Course**

(course length, 5 weeks)

**Certificate of Competence in Workplace Noise Assessment**

(course length, 10 weeks)

**Health and Safety Representation Programme, L22487, FETAC Level 5** (8 weeks)

**Safety and Health at Work Programme, D20165, FETAC Level 5** (10 weeks)

**Higher Certificate in Science in Occupational Health and Safety** (4 years)

### NORTH EAST

Venue: Dundalk Institute of Technology

Contact: [northeast@niso.ie](mailto:northeast@niso.ie)

**Safety and Health at Work Programme, D20165, FETAC Level 5** (Course length: 40 hours)  
Course commencing early October

For more information:  
<http://www.learn.ie/www/categories.asp?cID=13>

## WEST REGION

Venue: Galway Mayo Institute of Technology Contact: [west@niso.ie](mailto:west@niso.ie)

**Health and Safety Representation Programme, L22487, FETAC Level 5**  
Date and venue to be confirmed

## 3. Seminars in the regions

### EAST REGION

Dublin: Gas Safety

October 24th, The Gresham Hotel, Dublin, registration at 13.30hrs

### WEST REGION

Co Mayo: An Insider's Guide to Personal Injury Claims

October 15th, Westport, Co. Mayo.

## 4. NISO National Health and Safety Conference and the NISO and NISG Health and Safety Awards Ceremony

October 1st, Radisson Blu, Athlone, Co. Westmeath

**Occupational Health and Safety Awards Presentation Dinner**  
October 1st, Radisson Blu Hotel, Athlone, Co. Westmeath

**Annual Health and Safety Exhibition**

October 1st, Radisson Blu Hotel, Athlone, Co. Westmeath

**Annual Golf Outing [in conjunction with NISO Annual Conference]**

September 30th, Athlone Golf Club, Co. Westmeath

**Site Safety Visit [in conjunction with NISO Annual Conference]**  
September 30th, Bord na Mona Peat Briquette factory at Derrinlough, Co. Offaly and Lough Boora Parklands



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