

Statutory Inspections during COVID-19 restrictions

Information for brokers and policyholders

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In respect of equipment falling due for statutory inspection during the COVID-19 restrictions, the enforcing authorities have reminded employers of their general duties to ensure, so far as reasonably practicable, the provision and maintenance of plant and machinery so that it is safe and without risks to health. They have further advised that if duty-holders have any concern about the continued safe operation or use of such plant or equipment, it should be removed from service until such concerns have been appropriately addressed.

The following may be helpful when considering how to address these duties in the current crisis:

- ✔ Ensure that continued operation of your undertaking meets Government requirements for essential services.
- ✔ Where you are providing or supporting essential services and supply chains or vulnerable populations, ensure your inspection body are aware of your role.
- ✔ Consult with your inspection body and ascertain if a formal extension to the inspection interval can be issued without a site visit (this is allowed by some of the relevant regulations).
- ✔ If your normal inspection body cannot provide their usual level of service, is there someone else available who could carry out the necessary inspections e.g. review the competence of your in-house workforce to determine if statutory inspections could legitimately be carried out by one of your own employees.

Risk assessment

Undertake a risk assessment of the equipment and devise an appropriate strategy for ensuring that it remains safe and without risks to health, so far as reasonably practicable. Factors to incorporate in the assessment include:

- Whether the equipment is actually necessary - is the process it supports essential to your operations, and to what extent
- Can alternative plant or equipment be used instead to perform the same function safely (even if slower or at greater short-term cost)
- If still required, can it be used less than usual and for the minimum required just to support essential services (rather than the full extent of normal operations)
- What is the age and general condition of the equipment (e.g. is it relatively new or nearing end of life; has all routine maintenance been carried out and have any necessary repairs been undertaken)
- Findings of previous inspection reports (e.g. have defects previously been identified that may persist or be repeated and what remedial action has been taken to deal with these; did the last inspection report indicate that any additional maintenance was likely to be needed before the next statutory examination - e.g. replacement of consumable components such as clutches, brake linings or gaskets - and has this been carried out)
- Other evidence of current condition and likelihood of failure (e.g. from your own general inspection and maintenance regime, including the frequency and severity of defects or breakdowns)
- General industry experience of failure with this type of equipment or specific item
- Most probable failure modes, vulnerability of the equipment to such failures, and the adequacy of your existing prevention strategy to mitigate the likelihood of those failures
- The possibility of more frequent and/or detailed in-house inspections by your own team, and the potential for these to “make up” for the lack of an independent inspection
- The likely consequences of reasonably foreseeable failures, and measures that could be taken to mitigate these (e.g. exclusion of people from the area under a crane, use of passenger lifts for goods only, provision of additional PPE in the short-term where LEV is normally relied on)

The significant findings of your risk assessments and/or strategy decisions should be recorded and signed-off at an appropriately senior level within the organisation.

Please consult publicly available information sources for the most up-to-date guidance from the enforcing authorities, which may change and develop over time:

https://www.hsa.ie/eng/news_events_media/news/news_and_articles/covid-19_additional_hsa_faqs.html

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