

The Occupational and Health and Safety Authority praised by the EU Commission - commendable examples of OHS good practice and innovation to be brought to the attention of other Member States.

Evaluation of Malta's OHS Authority by the EU Commission:
Presentation of an 'Initial Summary of Findings'

The Occupational Health and Safety Authority has just been presented with an 'Initial Summary of Findings' by an Evaluation Group sent purposely by the Senior Labour Inspectors' Committee (SLIC), acting on behalf of the EU Commission.

Since the responsibility for enforcing EU laws with respect to occupational health and safety lies with the individual Member States, the European Commission seeks reassurance that the legislation is being applied and enforced effectively and efficiently by the Member States against agreed common principles. For this purpose, the EU Commission has tasked the SLIC to review the capability of the Member States' OHS inspection systems (in the case of Malta, the Occupational Health and Safety Authority, OHSa) to implement and enforce the full range of EU directives on health and safety at work.

The evaluation exercise was carried out according to an Evaluation Reference Manual, which was published by the EU Commission's Employment, Social Affairs and Equal Opportunities DG in December 2008. Malta was in fact the first Member State to be evaluated according to the manual's methodologies.

The Evaluation Group (EG) was composed of senior representatives of the OHS inspection systems of Italy (which also provided the EG's Chairperson and another member), Belgium, Austria, Greece, Cyprus, Slovenia and Poland. The EG was accompanied by a representative of SLIC's secretariat. The evaluation exercise was conducted during the week starting the 8th of June, and involved an assessment of OHSa's organisational structure, the administrative and operational procedures, the standards for inspection and their application, the resources available, the personnel and their training, and the systems for reporting, record keeping and information collection. Apart from intensive meetings with OHSa's Senior Management, the evaluators accompanied OHS Officers on real every-day inspections.

In its report, the EG found that the OHSa is in compliance with SLIC's common principles of labour inspection. The EG also found many commendable examples of innovation and good practise that would be of particular interest to the other Member States; these examples will be included in the final report.

In brief, the EG found that:

- (i) OHSa's management team is actively developing the necessary organisation and making the most efficient and effective use of limited resources. Inspectors are well prepared and highly qualified; their competence and their work confirms that the selection and training arrangements in place are well

targeted and thorough. Inspectors also approach their work with a positive attitude and communicated effectively with the duty holders.

- (ii) Relationships with the social partners are based on a concrete and positive consensual approach.
- (iii) OHSA's 5-year strategy is suitably placed to address the prevailing challenges ahead according to a prioritised national programme of work. The EG also commends OHSA's aspirational goal of achieving zero preventable accidents at work.
- (iv) The high quality and strong commitment of OHSA's management and staff, deemed fundamental for an effective inspection system, have achieved the required level of success.

The EG highlighted OHSA's need for more inspectors and greater funding as would allow it to carry out the full range of duties expected of a national OHS enforcement entity; this apparent lack of resources is slowing down the development of a number of important initiatives, including the setting up of a formalised and consolidated system for health surveillance.

The EG also suggested a review of the OHS Authority Act, to have a better role differentiation between the tripartite Board and the Authority's executive and to avoid any possible conflicts when having the Executive regulate the Members of the Board in their capacity as stakeholders and duty-holders.