

 <p>Bechtreannacht na Seirbhíse Sláinte Health Service Executive</p>	<h1 style="margin: 0;">Safety Advisory/Guidance Note</h1>		
<b>Ref: SAGN:008:02</b>	<b>RE: DGSA Services - National DGSA Single Supplier Framework Summary of Functions/RFT/Specification</b>		
<b>Issue date:</b>	February 2017	<b>Review date:</b>	February 2019
<b>Author(s):</b>	The National Health and Safety Function		
<b>Note:</b>	<p><i>The information provided is for general guidance only, should you require more specific advice please contact the Health &amp; Safety Help Desk. The management of any occupational health and safety issue(s) remains the responsibility of local management.</i></p> <p><i>For purposes of Contract "Service Provider" is DCM Compliance Limited and "Framework Client" is the HSE.</i></p>		

## 1.0 Introduction

This SAGN supersedes the earlier SAGN 003 and provides a summary of the recommended actions for CEOs of Hospital Groups (HG) and COs of Community Healthcare Organisations (CHO) with regard to DGSA services.

The framework significantly eases the local procurement process and brings greater cost efficiency, standardisation and assurance both locally and to the HSE nationally.

## 2.0 Background

Dangerous goods are substances and articles which have been identified as hazardous for transport and present a risk to people, property and the environment.

Examples of HSE dangerous goods include clinical wastes, specimens, laboratory wastes, pharmacy wastes and gases.

Dangerous Goods Legislation provides for the control of the transport of dangerous goods with rigorous regard for the safety of those who are handling those goods, the wider general public, property and the environment.

The regulations place specific duties on the HSE as a consignor, carrier, packer, loader, un-loader, and driver.

The regulations also place the HSE under a legal duty to appoint competent and appropriately qualified DGSAs to advise on the safe transport of dangerous goods nationally and internationally (For Functions of a DGSA refer to Section 3.1). The DGSA may be a person with other HSE duties or a person not directly employed by the HSE, provided that the person is capable of performing the duties of a DGSA.

The HSE has adopted the following structure for discharging its legal duties:

- In common with all other areas of Occupational Safety and Health, responsibility for the management of the transportation of dangerous goods and the appointment of DGSA's rests with the CEOs of HGs, COs of CHOs and local Responsible Persons.
- A framework (split into five Lots<sup>1</sup>) of external advisors/service providers has been established by the National Health and Safety Function (NHSF), the National Health Sustainability Office and other key stakeholders in conjunction with the Office of Government Procurement (OGP). These lots are as follows:
  - Lot 1 – National Dangerous Goods Advisor
  - Lot 2 to 4 – Regional Dangerous Goods Safety Advisor Services
  - Lot 5 – Training
- CEOs and COs must appoint an external specialist from this framework to provide local DGSA services (Lots 2 to 4 inclusive) and training (Lot 5) in accordance with the ADR, European Agreement concerning the International Carriage of Dangerous Goods by Road 2013 and 2015
- The NHSF will collect data at national level on the local discharge of DGSA obligations. This data provides independent assurance to key oversight Committees and the Leadership Team, that the HSE's duties with regard to DGSA are being fulfilled.
- Local DGSA services are not available through the NHSF

### 3.0 Next Steps

In view of the above CEOs of HGs and COs of CHOs are recommended to take the following steps:

- Appoint/contract the single named DGSA (framework member) from the framework. For lots 2-5 inclusive this is DCM Compliance Limited (Regional DGSA services and training)
- Consult the [OGP User Guide](#). Where there are existing or temporary contracts for DGSA services these should be allowed to conclude prior to instigating new arrangements under the Framework
- For information on framework pricing, log your request to the [National Health and Safety Helpdesk](#) or phone 1850 420 420, from 10:30-12:00 and 14:00-15:30, Monday -Friday
- Identify and draw up a preliminary list of premises requiring DGSA services
- Email DCM Compliance at [henry.mooney@dcmcompliance.com](mailto:henry.mooney@dcmcompliance.com) for lots 2-5 and request an initial site visit using the Invitation form in the OGP User Guide in Annex 1
- Review work proposal (scope and number of days) and overall cost estimate (this will be based on framework pricing)
- Complete the Annex 2 Notification to Activate Services Form (NASF) in the [OGP User Guide](#) and send to Framework member
- Once the NASF is signed by the Framework member, the NASF is returned to the CEO/CHO's. The account is then activated and contract terms & conditions apply

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<sup>1</sup> See Appendix 1 – Breakdown of Lots

- DCM Compliance Limited will conduct as many inspections as is deemed necessary by the DGSA to fulfil the functions outlined in legislation but not less than the number detailed in Appendix 1 to the [OGP: User Guide – Single Supplier Framework Agreement\(s\) for Irish Public Funded Healthcare Providers requiring Dangerous Goods Safety Advisor\(s\) \(DGSA\) and DGSA Training Services. Ref PCE050F](#)
- Act on any findings on the initial site visit/assessment  
As well as fulfilling the duties of a DGSA as outlined in the ADR/European Agreement the contract with the regional/local DGSA will require DCM Compliance Limited to feed certain information back to the NHSF for the purposes of monitoring and assurance described earlier. This information will also enable the NHSF to identify areas of national significance from a policy perspective
- The regional/local DGSAs are appointed, funded and managed locally
- Implement such remedial measures as may be recommended by the DGSA in the Annual Report or periodically (as applicable).

#### **4.0 Regional DGSA Services - Framework Lots 2, 3 and 4**

##### **4.1 Functions of the Dangerous Goods Safety Advisor**

The core functions of the DGSA are as set out in the ADR 2015<sup>2</sup> and summarised below<sup>3</sup>. Please note that these functions may be amended by the HSE following periodic review (two-yearly, or more frequently as applicable).

With regard to the activities of the HSE, the DGSA has the following duties in particular:

- a) Monitor compliance with the requirements governing the transport of dangerous goods
- b) Advise on the transport of dangerous goods
- c) Prepare an annual report for the CEOs of HG/COs of CHO areas in relation to the carriage of dangerous goods. Such annual reports shall be kept by the HSE for five years and made available to the national authorities at their request. This provision survives termination of the Services Contract
- d) Monitoring the Framework Client's practices and procedures in relation to the following:
  - The procedures for compliance with the requirements governing the identification of dangerous goods being transported
  - The practice in taking into account, when purchasing means of transport, any special requirements in connection with the dangerous goods being transported
  - The procedures for checking the equipment used in connection with the carriage, loading or unloading of dangerous goods
  - The proper training of the employees including on the changes to the regulations and the maintenance of records of such training

<sup>2</sup> Dangerous Goods Safety Regulations (European Agreement Concerning the International Carriage of Dangerous Goods by Road published as EC/TRANS/242, VOL 1 and 2 (ADR 2015) by UNECE)

<sup>3</sup> The following paragraphs provide a non-exhaustive summary of the requirements under the legislation and the Request for Tender/Specification which formed the basis of the Framework. This summary is provided for information purposes only and does not, in any way, modify the duties as provided for in legislation and the Framework RFT/Specification. Please refer to the legislation and the Framework RFT/Specification for further information/full list of requirements

- The implementation of proper emergency procedures in the event of any accident or incident that may affect safety during the carriage, loading or unloading of dangerous goods
- Investigation of and, where appropriate, preparation of reports on serious accidents, incidents or serious infringements recorded during the carriage, loading or unloading of dangerous goods
- The implementation of appropriate measures to avoid the recurrence of accidents, incidents or serious infringements
- The account taken of the legal prescriptions and special requirements associated with the carriage of dangerous goods in the choice and use of sub-contractors or third parties
- Verification that employees involved in the carriage, loading or unloading of dangerous goods have detailed operational procedures and instructions
- The introduction of measures to increase awareness of the risks inherent in the carriage, loading or unloading of dangerous goods
- The implementation of verification procedures to ensure the presence, on board the means of transport, of the documents and safety equipment which must accompany transport and the compliance of such documents and equipment with the regulations
- The implementation of verification procedures to ensure compliance with legislation governing loading and unloading of dangerous goods
- The existence of the security plan indicated in ADR 2015 ( 1.10.3.2)

In addition to the above, the HSE requires:

- Advice on the transportation of Dangerous Goods by Sea (per International Maritime Dangerous Goods Code Regulations 2014)
- Advice and guidance on the National Hazardous Waste Management plan (EPA – Environmental Protection Agency) 2014-2020

## **4.2 Description of DGSA Services provided to Hospital Group CEO's and CO's Community Health Organisations.**

- **Initial Site Visit/Assessment**

The 1<sup>st</sup> 'Initial Assessment' visit of the contract (after initial contract award)/year 1, should additionally include the following:

- a Cost estimate for each CEO of HGs/CO of CHO area
- a review and recommendations for each CEO of HGs/CO of CHOs on the current practices of each CEO/CO to ensure their compliance with the governing dangerous goods safety legislation, HSE PPPGs relating to same, recommendations given previously by a Dangerous Goods Safety Advisor (e.g. as set on in annual or other inspection reports) and in particular, local practices with regard to the segregation, packaging, labelling, storage, loading, purchasing, receipt and transport of dangerous goods on each site.

- **Annual Report**

In order to ensure compliance with the dangerous goods safety legislation, DCM Compliance Limited shall compile and present an annual report and recommendations to each CEO of HGs/CO of CHOs by March 31<sup>st</sup> of each year. This must comply with the requirements set out in 1.8.3 of ADR 2015, European Agreement concerning the International Carriage of Dangerous Goods by Road 2015 and in line with Health and Safety Authority Guidelines.

DCM Compliance Limited must hold on file a copy of all annual reports produced and provided to each CEO of HGs/CO of CHOs during the contract period for a minimum of 7 years. This provision survives termination of the Services Contract.

- **Site Visits and Inspections**

DCM Compliance Limited shall conduct site visits and inspections, as set out in Annex 2 of the OGP; User Guide Ref: PCE050F<sup>4</sup>, in order to compile annual reports and monitor legal compliance and progress made against any recommendations proposed in earlier reports. These visits shall include a review of all the matters identified in legislation and set out in “*Functions of the DGSA*” section of the Framework<sup>5</sup>, e.g. (non-exhaustively): Local operational and emergency procedures, purchasing protocols, equipment checks, implementation of risk controls, activities of contractors on site, and includes observational and documentation checks.

- **Quarterly Assurance Reports**

DCM Compliance Limited shall complete and provide quarterly reports (in accordance with the KPI table – see Appendix) to the National Health and Safety Manager (National Health and Safety Function, Policy Team) detailing the following statistical information: Services rendered (advice, inspections and annual reports), training, audits, issues which may be of common/national interest, and the achievement of KPIs. These reports will be subject to statistical analysis by the HSE.

These reports are required for assurance purposes and must not be confused with the annual reports required under legislation (Section 1.8.3 of ADR 2015 as discussed above).

Reports shall be completed for each grouping with separate sections for each Hospital Group and Community Health Organisation. The HSE reserves the right to periodically review and adjust the due date and format of reports.

- **Advice**

DCM Compliance Limited shall:

- provide dangerous goods safety advice and services on an ‘on-call’ basis when required by each CEO of HGs/CO of CHOs
- provide advice in relation to the training requirements for staff of the organisation in relation to dangerous goods legislation and HSEs PPPGs

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<sup>4</sup> Note: the Table in the Appendix gives a minimum number of visits/inspections and does not place an upper limit on the number of visits/inspections permitted under this contract – if necessary to ensure compliance with legislation and HSE policy, etc., additional visits may be carried out subject to approval by the local Framework Client/HSE representative and budget holder

<sup>5</sup> See also Section 4.1 if SAGN

- **Training and Training Records**

On request DCM Compliance Limited shall provide training days (not guaranteed<sup>6</sup>) as appropriate to ensure the relevant staff are trained appropriately on the governing dangerous goods safety legislation and HSE PPPGs. At the end of each course, each participant must receive a certificate of attendance.

DCM Compliance Limited must provide and maintain an adequate training record of all persons in each site trained during the course of the contract for a minimum period of 7 years. This provision survives termination of the Services Contract. (The Framework Client reserves the right to request training days from the National DGSA training provider)

- **Incident Investigation**

DCM Compliance Limited shall investigate accidents involving dangerous goods and prepare accident reports on such incidents as per 1.8.3 of ADR 2015, European Agreement concerning the International Carriage of Dangerous Goods by Road. In addition DCM shall provide other advice relating to accidents and other dangerous incidents as required.

- **Review of Contractors**

DCM Compliance Limited shall take appropriate measures to ensure that any contractors employed by Framework Clients, and involved in the transport of dangerous goods, meet the requirements of the regulations.

#### **4.3 Contract Controls to Ensure Delivery of Service**

- **Implementation Plan**

DCM Compliance Limited must have a comprehensive implementation plan to put into effect on award of the contract, to gain detailed knowledge of each of the Framework Clients, and to ensure a smooth and effective transition of the provision of the service at the start date of the contract. In particular this plan must include:

- Meeting designated staff that will oversee the service, and confirm and introduce DCM Compliance Limited personnel they are proposing for the delivery of the service at that client's site
- Gaining an intimate knowledge about each client's site, site layout and potential risk areas
- Understanding all the details of the service level required at each client's site
- Agreeing the level of service to be managed, this may be reviewed by the OGP or each client during the lifetime of the contract to meet their on-going needs.
- Providing reports in an agreed format to the NHSF on a quarterly basis

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<sup>6</sup> Training Days may be carried out on request of and subject to approval by the local Framework Client/HSE Representative and Budget Holder

- **Access to DGSA Services**

Before the start of the contract DCM Compliance and the CEO of HGs/CO of CHOs representatives must agree a Standard of Practice for the movements of any DCM Compliance Limited personnel who are to provide the service in that client's site. This must include:

- Areas that DCM Compliance Limited is authorised to deliver the service in, and areas where access is strictly forbidden
- The times at which DCM Compliance Limited can provide the service in those authorised areas
- Situations and / or areas where DCM Compliance Limited must be accompanied by HSE staff
- The protocol for communicating and agreeing any changes to the Standard of Practice

- **Audit Control**

DCM Compliance Limited must have in place a process for auditing and measuring the consistency of their delivery of service and the achievement of KPIs. DCM Compliance Limited is fully responsible for ensuring the services delivered are delivered in full compliance with all governing legislation.

## **5.0 DGSA Training Service Provider- Framework Lot 5**

### **5.1 Training Options 1 - 3**

These options make provision for optimal training to enable candidates to pass and obtain the Vocational Certificate for DGSA (Road) from the Chartered Institute of Logistics and Transport (CILT) examination board, on behalf of the Department of Transport and HSA.

The three options are as follows:

- Option 1 5-day course at the course provider's offices
- Option 2 Training split over two sessions (3 days in week 1 and 2 days in week 2), at the course provider's offices
- Option 3 Online eLearning / Self Study over 40 hours

With respect to all options:

- DCM Compliance Limited shall liaise with Framework Client (HSE) and CILT re: Candidate Course & Examination dates and CILT Examination costs
- Courses are organised between the Framework Client (HSE) and DCM Compliance Limited

### **5.2 Training Option 4**

At the HSE's request, provide ad-hoc training days, to cover training needs identified in the DGSA audits. This training may be for up to 12 candidates, at a HSE designated site, and includes all

training material and documentation, travel and expenses. Each participant must receive an attendance certificate.

### Training Summary Table

Option	Lot Description	Location
Lot 5 - option 1	DGSA Training Service Provider for - Candidate Certification 5 days.	DGSA facility
Lot 5 - option 2	DGSA Training Service Provider for – Candidate Certification 5-days split over two weeks.	DGSA facility
Lot 5 - option 3	Online eLearning / Self Study over 40 hours.	Online
Lot 5 - option 4	DGSA Ad-Hoc Training Days – to cover training gaps picked up in DGSA audits (up to 12 Candidates).	HSE facility

#### For Further Information refer to:

- [OGP: User Guide – Single Supplier Framework Agreement\(s\) for Irish Public Funded Healthcare Providers requiring Dangerous Goods Safety Advisor\(s\) \(DGSA\) and DGSA Training Services. Ref PCE050F](#)
- Part A Requirements and Specification of Single Supplier Framework for the provision of Dangerous Goods Safety Adviser Services, June 2016

These documents are available on the web-pages of the National Health and Safety Function (NHSF)

- For information on framework pricing please log your request [here](#) or phone National Health and Safety Helpdesk on 1850 420 420, Monday – Friday from 10:30-12:00 and 14:00-15:30.



## **Appendix 1: Breakdown of Lots**

- **Lot 1 National Strategic Dangerous Goods Adviser to the HSE**

The scope of Lot 1 is for HSE National Health & Safety Function (Policy Team) use only

- **Lot 2 Regional DGSA area A**

The scope of Lot 2 covers the following regional locations for Hospital Groups and Community Health Organisations:

- HG 1 South / South West
- HG 5 Midwest
- CHO area 4 (Kerry LHO, North Cork, North Lee, South Lee and West Cork)
- CHO area 3 (Clare, Limerick and North Tipp/East Limerick)
- CHO area 5 (South Tipp, Carlow/Kilkenny LHO, Waterford and Wexford)

- **Lot 3 Regional DGSA area B**

The scope of Lot 3 covers the following regional locations for Hospital Groups and Community Health Organisations:

- HG 6 West / North West
- HG 4 Dublin Midlands
- CHO area 2 (Galway, Roscommon and Mayo)
- CHO area 1 (Donegal, Sligo, Leitrim, West Cavan, Cavan and Monaghan)
- CHO area 8 (Laois, Offaly, Longford, Westmeath, Louth and Meath)

- **Lot 4 Regional DGSA area C**

The scope of Lot 4 covers the following regional locations for Hospital Groups and Community Health Organisations:

- HG 2 Ireland East
- HG 3 Dublin North East
- HG 7 Children's
- CHO area 7 (Kildare/West Wicklow, Dublin W, Dublin S/City and Dublin SW)
- CHO area 9 (Dublin N, Dublin N Central and Dublin NW)
- CHO area 6 (Wicklow, Dun Laoghaire and Dublin SE)

- **Lot 5      DGSA Training Services**

The scope of Lot 5 covers DGSA training on a National basis for 'ad-hoc' training or 'train the trainer' by:

- DGSA Vocational Certification accredited by CILT
- Course options are:
  - DGSA Training over continuous 5 days
  - DGSA Training split i.e. 3 days / 2 days over 2 weeks
  - Online ELearning Training (40 hours web based)