

GERMANY. INSPECTION ACTIVITIES

Title of the inspection activities: **Cooperation for Implementing Work Safety in Care Business (KoBrA)**

Duration of the inspection activities: **2 years**

Aim of the inspection activities: **Actively check and promote work safety and risk assessment in care**

Scope of the inspection activities: **inspection of care enterprises delivering care services to elderly and disabled at home and in resident care centres.**

Sector covered by inspections: **Care sector – Residential care activities for the elderly and disabled (NACE code 87.30) and social work activities without accommodation for the elderly and disabled (NACE code 88.10)**

The number of establishments inspected in the framework of the activities: **388**

The number of labour inspectors involved in implementing the inspection activities: **not specified**

The number of persons involved in supervising the implementation of the inspection activities (including development of inspection documents and summarizing results of inspections): **8 to 10 persons**

Short summary of the outcome of the inspection activities:

Inspection activities resulted from a joint inspection activity of occupational health and safety experts from two statutory accident insurance and several OSH inspection authorities. An important result is that the risk assessment tool, as the basis for occupational health and safety, makes a significant contribution to ensuring the health and safety of employees in the care sector. Care facilities are particularly successful in doing this if managers, occupational doctors, safety specialists and safety officers, employee representatives as well as the employees themselves are involved in the risk assessment process.

The study shows: In 93 percent of inpatient facilities, the important tool of risk assessment was in place and in 66 percent of these cases, the risk assessment was also rated as appropriate. In comparison, the results in outpatient care reveal a greater need for action: 73 percent of care services had a risk assessment; in less than half of these companies (42 percent), the inspectors ultimately rated the instrument as appropriate. In the overall assessment of occupational health and safety organization, the results of outpatient facilities were also significantly lower than those of inpatient facilities.

No.	question	yes/no	comment
Inspection activity			
A. Selecting priority areas for inspection			
1.	What sources of information did you use in selecting the priority area for inspection?		<input checked="" type="checkbox"/> proposals of partner institutions (which ones?) The KoBrA network consists of two ministries, two statutory accident insurances, several employers' organisations in the health care sector, the trade union of the care sector, organisations of safety engineers and occupational doctors and the statutory pension system
2.	What was the main reason for selecting the inspection priority area?		<input checked="" type="checkbox"/> others (please specify) Poor work conditions and a lack of competent staff
3.	What was defined as priority area?		<input checked="" type="checkbox"/> a particular sector(s) of economy <input checked="" type="checkbox"/> a particular hazard (a group of hazards) in a given sector <input checked="" type="checkbox"/> incompliance with legal requirements concerning labour relations/working conditions
4.	What was the predominant aim of workplace inspections?		<input checked="" type="checkbox"/> to provide the inspected entities with information on legal requirements <input checked="" type="checkbox"/> to provide the inspected entities with information on how to ensure compliance with legal requirements <input checked="" type="checkbox"/> to enforce compliance with the law in the inspected entities
5.	How did you determine the number of entities to be inspected?		<input checked="" type="checkbox"/> the percentage of all registered entities where the problem determined as the priority area was expected to surface (range: <input checked="" type="checkbox"/> over 10 to 20 %; of all registered entities)

6.	What was taken into consideration when determining the number of inspections to be carried out by individual field offices (regions):		<input checked="" type="checkbox"/> the number of entities typical of a given programme in the region;
B. Determining the time span of inspection activities			
9.	How was the breakdown of inspections planned? Were the inspections carried out:		
a)	evenly throughout the whole period of the planned activities		Yes
10.	What was the average duration of a workplace visit conducted in the framework of the programme implementation (the time it took to complete inspection activities at an individual establishment)?		<input checked="" type="checkbox"/> within one day, between 2 and 4 hours; <input checked="" type="checkbox"/> within one day, between 4 and 8 hours;
11.	What was the average duration of the activities carried out in the office of the labour inspectorate (excluding the penal and administrative sanctions)?		<input checked="" type="checkbox"/> within one day, between 4 and 8 hours;
C. Selecting establishments for inspection.			
12.	What criteria were used when selecting establishments for inspection?		<input checked="" type="checkbox"/> workplace location and sectoral criteria combined (e.g. bakeries in a particular area)
13.	What sources of information were used when selecting establishments for inspection?		<input checked="" type="checkbox"/> others (please specify) List of enterprises in care obtained from the legal register.
D. Provision of staff for carrying out inspections			
15.	What group of inspectors was involved in the inspection activities?		<input checked="" type="checkbox"/> a select team of inspectors was involved based on their education and experience: <input checked="" type="checkbox"/> up to 10% of the staff
16.	How were inspectors prepared for the inspection activities (additional training)?		<input checked="" type="checkbox"/> additional training was provided by the same person (the same team) for all labour inspectors involved in the campaign;

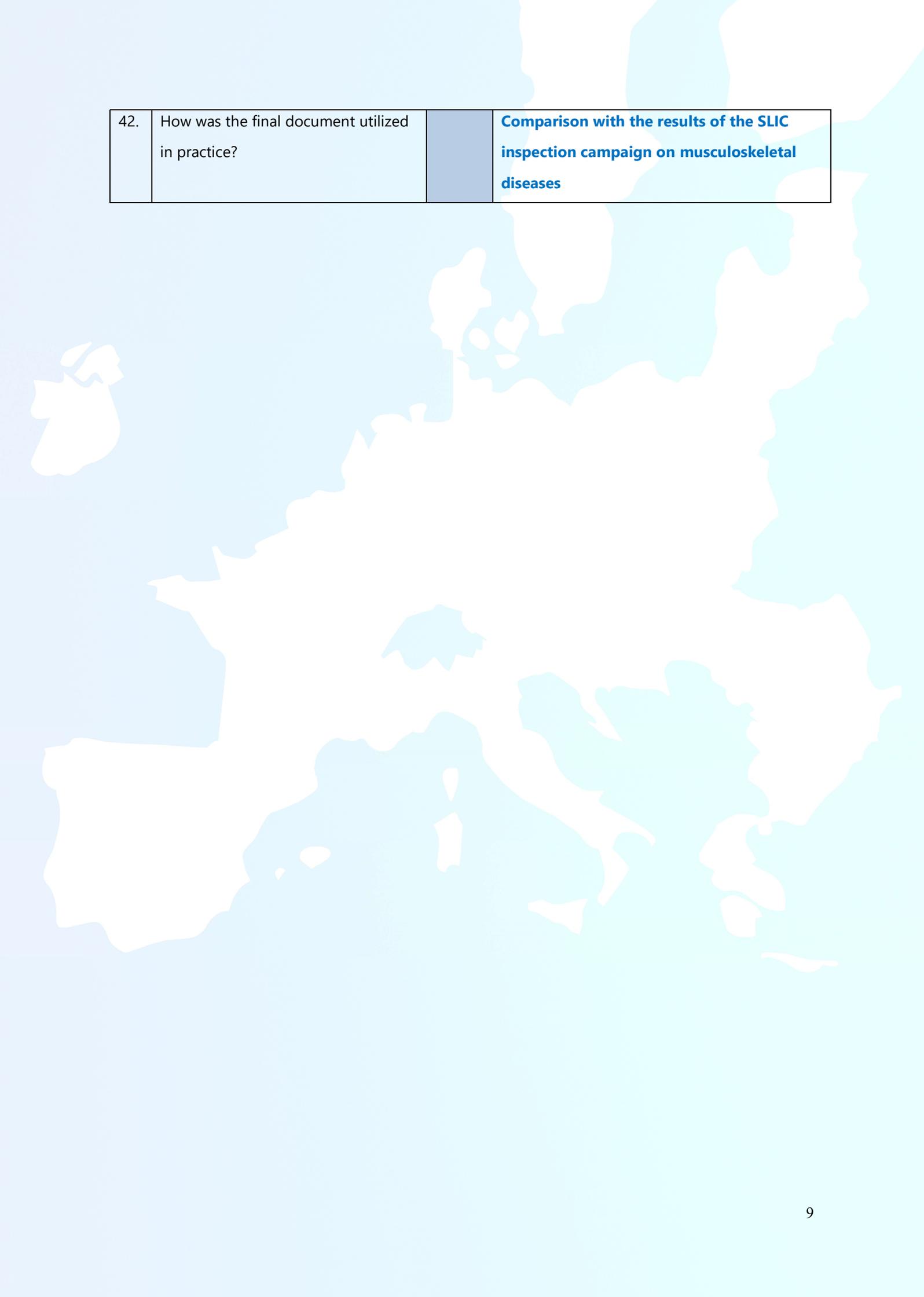
18.	What materials were at the inspectors' disposal during the activities?		<input checked="" type="checkbox"/> checklists; <input checked="" type="checkbox"/> specialist, issue-related materials (applied technologies, machinery, equipment and tools,
19.	Did labour inspectors use IT tools when carrying out activities within the described inspection campaign?		IT tools were used : <input checked="" type="checkbox"/> when summarizing and documenting the results of the inspection in a specific inspected entity
E. Involvement of other regulators, institutions, authorities for labour protection and social partners in the implementation process.			
23.	At which stage was the cooperation with another regulator, institution, authority for labour protection or social partner initiated?		<input checked="" type="checkbox"/> at the planning stage; <input checked="" type="checkbox"/> at the communication stage regarding the onset of the inspection activity; <input checked="" type="checkbox"/> at the implementation stage of the activity; <input checked="" type="checkbox"/> at the stage of popularizing the information about the results of the inspection activity;
24.	What did the cooperation with another regulator, institution, authority for labour protection or social partner involve?		<input checked="" type="checkbox"/> others – please specify: Communication during venues for the enterprises and media reports in employers' magazines
25.	Are there any legal requirements obliging other regulators, institutions, authorities or social partners to make their data accessible to the labour inspectorate for inspection needs?		No
26.	Does the labour inspectorate have direct online access to information and data collected by other bodies, institutions and authorities?		No
27.	What information obtained in the above manner was used for		Please indicate the cooperating institutions and the type of data / information used in the described inspection campaign:

	implementing the inspection campaign?		A list of enterprises in the care sector could be obtained from the legal register for these enterprises. However, due to an increased level of data protection this is no longer possible.
F. Supporting inspection activities with training provided for employers or workers (combining inspection and educational activities)			
28.	Were establishments covered by inspections provided with information or training prior to the commencement of the inspection task ?		Information desks at a venue for care enterprises What percentage of establishments selected for inspections participated in training events (or other forms of provision of information)? Not specified.
29.	Is the effectiveness of prior information or training activities taken into account when evaluating the results of the inspections?		Not assessed
30.	Once the inspection activity is completed , are representatives of inspected establishments provided with recommendations and proposed corrective measures – in the form of guidance or training – regarding the identified compliance level in establishments operating in the field covered by inspection?		An inspection letter is sent to these enterprises which have to perform measures
G. Monitoring the implementation of inspection activities			
31.	Was the implementation of inspection activities in any way monitored and coordinated?		How many people were involved in monitoring and coordination of the inspection activity? One expert from the research institution What was the function of those persons in relation to labour inspectors who implemented the activity (fellow labour

			inspectors, immediate supervisors, national coordinator at the labour inspectorate's headquarters)? No function.
32.	What was the scope of monitoring and coordinating actions regarding the inspection activity?		<input checked="" type="checkbox"/> monitoring the implementation level of the developed quantitative plan
33.	Were IT tools used to carry out monitoring and coordination activities as part of the described inspection campaign?		A brief description of IT tools: A research institute provided the IT tool to register the outcome of the inspections and the measures imposed. - IT tools were used to: <input checked="" type="checkbox"/> monitoring the implementation level of the developed quantitative plan
H. Communicating the information about inspection campaign and its results.			
35.	What was the scope of information communicated to:		
a)	stakeholders in the sector covered by the inspection activity ?		Yes
36.	How was the information about the inspection activities communicated to stakeholders and the general public?		Venue for Care enterprises, publication in an employer's magazine and the magazine of a statutory accident insurance
I. Evaluating the results of the inspection activities. Evaluation methods and tools.			
37.	How were the results of inspection campaign evaluated?		
f)	other way		A research institute provided the statistical analysis of data registered in the IT tool. The evaluation of the statistic findings was performed by a group consisting of representatives from the two ministries, the two statutory accident insurances, a professor in work environment science and the expert on statistics from the research institute.

38.	How was the information about the effects of inspection campaign obtained (e.g. about the elimination of irregularities, introduction of higher standards)?	
a)	information provided by the employer	<p>Was the information provided by employers randomly verified by labour inspectors?</p> <p>Yes</p> <p>What is the employer's liability for providing false information?</p> <p>If an employer provides false information he / she can be fined</p> <p>What is the ratio of information provided by the employer to the overall pool of information about the effects of inspections?</p> <p>Not established</p>
b)	information provided by the labour inspector who conducted the next inspection at the workplace	<p>If so, what form did the information provided by the inspector have?</p> <p>Note in the documentation about the enterprise</p> <p>What is the ratio of information provided by the labour inspector who conducted the next inspection at the workplace to the overall pool of information about the effects of inspections?</p> <p>Not established</p>
39.	What performance indicators were used to evaluate the effectiveness of the inspection campaign?	<p>Please list and briefly describe the indicators:</p> <p>The number of inspections were counted and the frequencies of several deficiencies in i.e. work organisation, handling of chemical an biological agents, muscular-skeletal strain in the risk assessment were calculated</p>
41.	How were the project effects evaluated?	
a)	Was any final summary evaluation of the inspection task (inspection campaign) made?	<p>If so, what was the scope of such evaluation?</p> <p>A report including the statistical data was published to provide help for decisions and</p>

			the improvement of the work environment in care enterprises
b)	Were partial assessments made during the inspection activity?		<p>If so, what was the frequency and scope of such assessments?</p> <p>The number of inspections was counted to calculate the progress of the inspection campaign. The results were provided three to four times a year for the group meetings.</p>
c)	Did you prepare a formal document with evaluation of the inspection activity after its completion?		<p>If so, was the formal evaluation document prepared by the labour inspectorate or an external evaluator?</p> <p>Please name the entities which conducted such external evaluation.</p> <p>The evaluation document was compiled by a consultant in a health care consultancy and discussed in a group consisting of representatives from the two ministries, the two statutory accident insurances, a professor in work environment science and the expert on statistics from the research institute.</p> <p>If so, what aspects of the evaluation were included in the formal document? (Please specify and describe the evaluation shortly).</p> <p>The report contains the details of the findings, the importance of accessibility of trained safety staff and the enrolment of employees and their representatives at the work place. The appendices give the statistical data and the questionnaire used.</p> <p>How were the report conclusions disseminated?</p> <p>Publication on a web-site and presentation at the yearly venue for care enterprises</p>

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42.	How was the final document utilized in practice?		Comparison with the results of the SLIC inspection campaign on musculoskeletal diseases
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