

## Regulatory and Supervisory Bureau for the Electricity and Water sectors

### Health and Safety Performance Reporting Requirements

May 2017

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## 1) Definitions

Board	The Directors of a licensee
Bureau	The Regulatory and Supervisory Bureau for the Electricity and Water Sectors
Council	The Dubai Supreme Council of Energy
Near Miss	An unplanned undesired event that has the potential to cause injury, damage or loss to a Person but does not do so.
Emergency First Aider	A person qualified to deliver basic first aid (but under no obligation to do so) during the period before professional medical personnel arrive.
Fatality	Loss of life
Incident	Any illness or Injury caused to a person, including recurrence or aggravation or exacerbation of previous conditions, or fatality.
Licensed Activities	As defined in the licence of the licensed entity
LTI > 1 day	Any Incident that results in a person being unable to work on the next subsequent working day.
PPE	Personal Protective Equipment
Serious Injury	Any Incident that results in permanent partial or total disability or the loss of limb or limbs.
Person	Any natural person
Regulations	Means these Health and Safety Performance Reporting Requirements
Risk Register	A register of all identified risks that could cause injury, damage or loss. The register includes an assessment of the level of the risk including likelihood and consequences and it also includes any mitigating measures taken/to be taken, to manage the risk
Safe Systems of Work	Means a safe work method that will eliminate or reduce the risks associated with hazards that have been identified through the systematic examination of a task.

## 2) Introduction

- a) The Regulatory and Supervisory Bureau was established by *Executive Council Resolution (2) of 2010* with the purpose of regulating Dubai's Electricity and Water Sector.
- b) The Bureau regulates the sector through powers conferred on it by virtue of the aforementioned resolution and *Law (6) of 2011 Regulating the Participation of the Private Sector in Electricity and Water Production in the Emirate of Dubai*.
- c) Both these instruments give the Bureau the power to set standards for Health and Safety and for those standards to be approved by the Council.
- d) The Bureau hereby issues these Regulations, which have been approved by the Council, setting out:
  - i) Requirements for licensees to report on a regular basis their Health and Safety performance to the RSB;
  - ii) Requirements for licensees to notify the RSB when incidents have occurred; and

- iii) Guidance on the content of Licensees' Health and Safety Systems which are required under License Condition 8.
- e) These regulations are intended to promote best practice in Safe Systems of Work amongst licensees and to encourage a preventative approach to Health and Safety Management thus reducing the risk of illness or injury at the work place.

### 3) Scope of these regulations

- a) These Regulations apply to all entities licensed by the Bureau to generate electricity and/or desalinate water and any third parties contracted to carry out work on behalf of Licensees in relation to those activities. As the Dubai Electricity and Water Authority is not licensed by the Bureau, these Regulations do not apply to it.
- b) These Regulations apply to entities' Licensed Activities only. Where a licensee undertakes activities outside the scope of its licence, it should use its best endeavors to separate the recording of man-hours and incidents as defined in these regulations, from those associated with other activities, and report such data only in relation to its Licensed Activities.
- c) Nothing in these regulations shall supercede any other Dubai or Federal legal requirements relating to the management of Health and Safety including but not limited to:
  - i) Federal Law No. 8 of 1980 U.A.E. Labor Law
  - ii) Local Order No.10 of 2003 concerning technical conditions to be fulfilled by electrical equipment in the Emirate of Dubai
  - iii) Local Order No. 11 of 2003 Concerning public health and safety of the society in the Emirate of Dubai.

### 4) Incident definition

- a) For the purposes of these regulations an Incident is any illness or injury sustained by a person, including recurrence or aggravation or exacerbation of previous conditions, which either:
  - i) Occurs during duty hours;
  - ii) Arises from a work practice or conditions in a workplace; or
  - iii) Happens to any other person, who may not be an employee or contractor of the licensee, by reason of the licensee carrying out its licensed activities.

### 5) Incident classification

- a) Incidents are classified as follows:
  - i) LTI > 1 day: means any incident that results in a person being unable to work on the subsequent scheduled work day;
  - ii) Serious Injury means any incident that results in permanent partial or total disability or the loss of limb or limbs; and
  - iii) Fatality means any incident that results in the loss of life.
- b) Where an Incident of any classification is, in the opinion of those present, narrowly avoided it shall be recorded as a "Near Miss".

## 6) Recording of Incidents and Near Misses

- a) Licensees shall record all Incidents and Near Misses in their Health and Safety Management Systems. Records shall be retained as a minimum for:
  - i) One year in the event of a Near Miss; and
  - ii) Five years for any Incident,

and shall be made available for inspection by the RSB on request.

## 7) Incident Notification

- a) A Licensee must notify the Bureau of any Incident resulting in a Serious Injury or Fatality by email to [incident@RSBDubai.gov.ae](mailto:incident@RSBDubai.gov.ae) as soon as is reasonably practical and in any event within 48 hours. In his notification the licensee shall inform the Bureau of:
  - i) The time and date, duration (if applicable) and location of the Incident;
  - ii) The designation of the person or persons affected, whether employee, sub-contractor or member of the public;
  - iii) The details of the illness or injury sustained; and
  - iv) The circumstances in which the injury was sustained.

## 8) Incident Investigation

- a) The licensee shall establish an appropriately qualified team, which may require the involvement of a third party investigation team, to carry out a comprehensive investigation into the cause(s) and effect(s) of any Incident resulting in Serious Injury or Fatality.
- b) The investigation shall be started immediately with consideration being given to preserving the scene and evidence in the event Dubai police or other authority wishes to carry out an investigation.
- c) The results of the investigation shall be provided to the Bureau on completion. If the investigation is still ongoing after 30 days, the licensee shall provide an interim report to the Bureau containing all facts and assessments completed and underway.
- d) The investigation shall opine on lessons learned and identify any enhancements that can be made to the licensee's existing Health and Safety Management System. In particular it shall report on:
  - i) the opportunities identified that can enhance processes set out in the system;
  - ii) any use of equipment that may improve the safe operation of the task; and
  - iii) any training opportunities that can be provided to staff.
- e) The investigation shall set out any remedial actions or adjustments to be made to the Health and Safety Management System in a timeframe commensurate with the significance of the action or adjustment to be made.

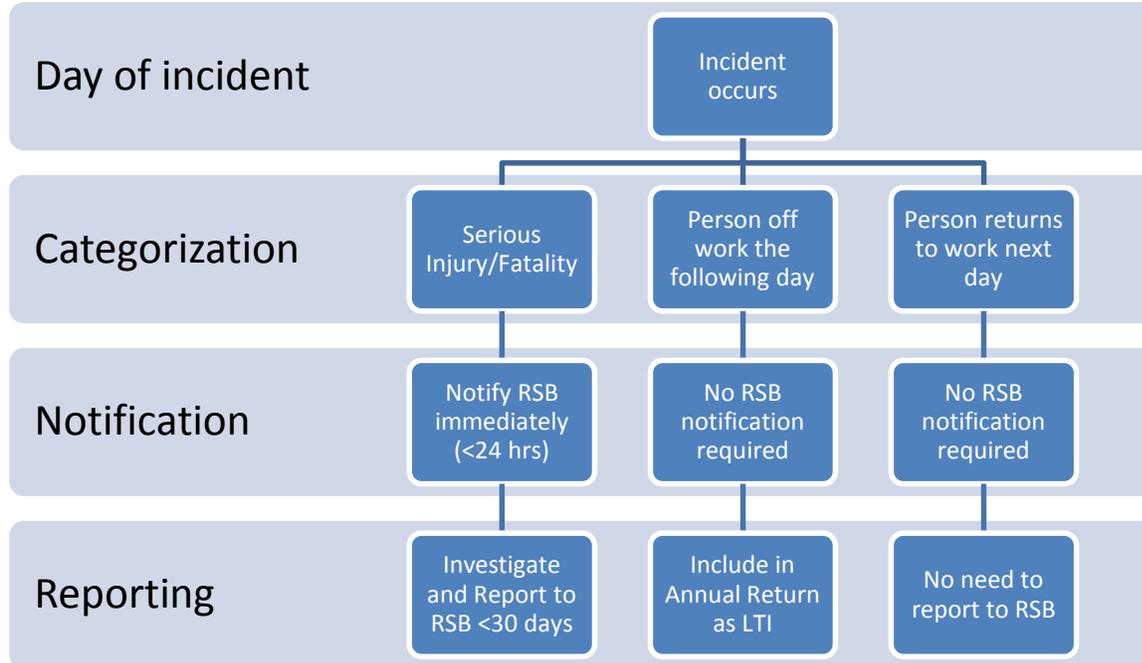
## 9) Reporting requirements

- a) Licensees shall use the template provided to prepare and submit to the Bureau a report covering the Health and Safety performance of the Licensee over the preceding year. The report

shall be submitted no later than 28<sup>th</sup> February each year. The reports will, as a minimum, provide a:

- i) summary of all Incidents and Near Misses including the following frequency rates;
    - (1) Overall incidents divided by the number of man-hours worked multiplied by 100,000;
    - (2) Near Misses divided by the number of man-hours worked multiplied by 100,000;
    - (3) LTIs >1 day divided by the number of man-hours worked multiplied by 100,000;
    - (4) Serious Injuries divided by the number of man-hours worked multiplied by 100,000; and
    - (5) Fatalities divided by the number of man-hours worked multiplied by 100,000.
  - ii) man-hours worked grouped by:
    - (1) Employees;
    - (2) Contractors; and
    - (3) Total Man-hours.
  - iii) summary of the Safe Systems of Work the licensee maintains and operates as part of its Health and Safety Management System;
  - iv) commentary on Near Misses and all Incidents noting, for example, any patterns or trends in frequency rates; and
  - v) commentary on initiatives the Licensee has taken to make continual improvement to its Health and Safety Management System.
- b) Where the Bureau is concerned about the performance of a particular Licensee, it may require performance reports to be submitted every 3 months.
- c) The Bureau may, as authorized in accordance with Article (30) of Law (6) of 2011, audit the Licensee and interview its employees to ascertain the extent of compliance with these Regulations.

## 10) Decision support chart for reporting categorization



## 11) Guidance on the content of Licensee's Health and Safety Management Systems

- The Board is expected to review the Health and Safety performance of the licensee on a regular basis;
- A statement of the licensee's policy should be made available to all employees and advertised in areas where staff may congregate, such as canteens or common areas. The policy should set out the management's commitment to the Health and Safety of the licensee's employees, contractors and of any person coming into contact with the licensee, its employees or its operations in the course of carrying out its licensed activities. It should also set out expectations of employee commitment to understand and abide by the Health and Safety Management System;
- Standards for the maintenance of personal hygiene, personal protective equipment, and cleanliness as well as standards for the maintenance of any equipment either in line with manufacturer's guidance or otherwise;
- Safe Systems of Work;
- Procedures for the safe management of contractors;
- Emergency response plan;
- Records of relevant reports, audits, investigations and management meetings;

- h) Risk assessments which are made available to employees to understand risks identified and associated with certain activities;
- i) Near-miss and Incidents logs;
- j) Training logs to ensure Employees are appropriately competent;
- k) Registers of First Aid Responders together with their contact details;
- l) PPE issue and maintenance register for H&S equipment; and
- m) Material Safety Data Sheets for dangerous substances used in the licensee's activities.