

The following statements in the draft report imply that the Department of Health is instrumental in regulating radiation safety in the State. This is incorrect as explained below. It is recommended that the draft be amended to clarify the actual arrangements and responsibilities.

Page 32 Note states *“The Department of Health notes it undertakes internal compliance reporting on some schemes (e.g. radiation safety inspections, compliance with conditions of tobacco sellers’ licences); and public reporting in documents other than its annual reports about various notifications.”*

Page 29 states *“The Department of Health told the ERA the number of staff in the Department’s Radiation Health unit has halved, from 17 in 1998 to nine in 2018, while the number of facilities and individuals requiring authorisation has increased. The Department said its compliance regime was restricted by the regional travel required to cover the entire State, the time this takes and the low number of compliance officers (four).”*

While the government assigned administration of the Radiation Safety Act to the Department of Health, the Act's regulatory functions are the responsibility of the Radiological Council, an independent body created by the Act. The Council is independent insofar as it reports directly to the Minister for Health and not to the Department of Health. This is essential because the Department has many facilities which use radiation and which are themselves subject to regulation under the Act.

Staffing and funding of the Radiation Health Unit (RHU), which provides the support services to the Radiological Council, is subject to decisions taken by the Department and over which the Council has no control. Data concerning inspections, the number of licences and registrations, etc., is prepared by for the Council by RHU staff (who are the Council's authorised officers under the Act) and much is published in its Annual Report. The number of inspections is low, particularly in regional areas, certainly due to low staff numbers, but also because appropriate funding is not available.

The Radiological Council receives no direct funding from the government and the effectiveness of its regulatory regime is entirely subject to decisions taken by the Department.