

## SPAIN. INSPECTION ACTIVITIES

Title of the inspection activities: **Campaign for the prevention of risks derived from exposure to adverse environmental conditions.**

Duration of the inspection activities: **This campaign runs throughout the year having been intensified in the summer months.**

Aim of the inspection activities: **From 2021, and coinciding with the start of the summer season, the Labour and Social Security Inspectorate, in the exercise of its functions of monitoring and enforcing compliance with regulations on health and safety at work and within the framework of the Summer Plan annually approved by the Spanish Government, has intensified the surveillance work traditionally carried out with the aim of preventing heat stroke accidents, with special attention to workers complaints related to heat stress, and has also carried out extensive actions with the objective of achieving greater dissemination of the need to protect workers from the risks of heat stress.**

Scope of the inspection activities: **In the Autonomous Communities where there is an upturn in agricultural activity during the summer (harvesting campaigns), the control of health and safety conditions of farm workers is intensified, together with the control of the irregular economy and fraud in temporary contracts.**

**The same occurs in the construction sector, where compliance with the working hours stipulated in the respective collective bargaining agreements is monitored. Health and safety conditions will also be monitored in other sectors, such as hospitality and industry, where in certain workplaces, depending on the particularities of the activities carried out there, high temperatures can be reached in the summer period, as well as in other activities carried out mainly outdoors.**

Sector covered by inspections: **This campaign acquires great relevance in territorial areas where the average temperature exceeds the national average and, as mentioned in the previous section, it is carried out in agricultural activity during the summer (harvesting campaigns), construction sector, hospitality and industry, where in certain workplaces, depending on the particularities of the activities carried out there, high temperatures can be reached in the summer period, as well as in other activities carried out mainly outdoors.**

The number of establishments inspected in the framework of the activities: **9.606 actions were carried out in 2023.**

The number of labour inspectors involved in implementing the inspection activities: **All Labour and Social Security Inspectors and Deputy Labour Inspectors for health and safety at work.**

The number of persons involved in supervising the implementation of the inspection activities (including development of inspection documents and summarizing results of inspections): **All Labour and Social Security Inspectors and Deputy Labour Inspectors for health and safety at work.**

Short summary of the outcome of the inspection activities: **The data resulting from the 2023 campaign is: number of infringements 229, amount of infringements 1.125.533,00 €, number of workers in infringement 4.331, requirements 3.378, requirements to public administrations 53.**

No.	question	yes/no	comment
<b>Inspection activity</b>			
<b>A. Selecting priority areas for inspection</b>			
1.	What sources of information did you use in selecting the priority area for inspection?		<input checked="" type="checkbox"/> external database of workplace accidents (please specify) <b>computerized file of the parts of workplace accidents reported in the Delta system.</b> <input checked="" type="checkbox"/> EU Strategic Framework on Health and Safety at Work 2021-2027 <input checked="" type="checkbox"/> complaints; <input checked="" type="checkbox"/> others (please specify) <b>The Spanish Strategy for Safety and Health at Work 2023-2027, that has into account the provisions of the EU Strategic Framework on Health and Safety at Work 2021-2027 and has also an obvious connection with the Sustainable Development Goals of the 2030 Agenda, which is one of the articulating axes of the political action of the Spanish Government.</b>
2.	What was the main reason for selecting the inspection priority area?		<input checked="" type="checkbox"/> high rates of workplace accidents, including fatal and serious accidents <input checked="" type="checkbox"/> guidelines from state authorities <input checked="" type="checkbox"/> a large number of complaints
3.	What was defined as priority area?		<input checked="" type="checkbox"/> a particular hazard(s)
4.	What was the predominant aim of workplace inspections?		<input checked="" type="checkbox"/> to examine the problem <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"/> other criteria (please specify) <b>The Labour and Social Security Inspectorate is responsible for monitoring compliance with regulations on occupational risk prevention. The actions of the Labour and Social Security Inspectorate in this area are</b>

			<p>programmed within the framework of action campaigns agreed with the respective Autonomous Communities, as they are responsible for the enforcement of labour and prevention of occupational hazards legislation.</p> <p>This planning of the Inspectorate's action allows the adaptation to the needs of the different territories, which is reflected in specific health and safety actions during the summer season, according to the needs and risks derived fundamentally from economic activities carried out in the summer months and which entail a risk of heat stress.</p>
7.	Were IT tools used to identify the priority area in the described inspection campaign?	NO	
8.	Were IT tools used to identify the target group of inspected entities in the described inspection campaign?	NO	
<b>B. Determining the time span of inspection activities</b>			
9.	How was the breakdown of inspections planned? Were the inspections carried out:		
a)	evenly throughout the whole period of the planned activities	YES	
b)	as a series of intensified inspections in predetermined short periods of time	YES	<input checked="" type="checkbox"/> two inspection periods during the campaign; <b>The campaign runs throughout the year but is intensified during the summer months.</b>
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)?		<b>we cannot know the time spent by each Inspector or Deputy-Inspector.</b>



11.	What was the average duration of the activities carried out in the office of the labour inspectorate (excluding the penal and administrative sanctions)?		<b>we cannot know the time spent by each Inspector or Deputy-Inspector.</b>
<b>C. Selecting establishments for inspection.</b>			
12.	What criteria were used when selecting establishments for inspection?		<input checked="" type="checkbox"/> accident rate in a particular workplace <input checked="" type="checkbox"/> others (please specify) <b>The campaign for the prevention of risks derived from exposure to adverse environmental conditions was created for the year 2023 within the framework of the Summer Plan annually approved by the Spanish Government and its objective is dealing with risks derived from exposure to adverse environmental conditions, due to temperature and humidity, both inside premises and in outdoor work. The campaign is maintained for the year 2024, having been intensified in the summer months and acquiring great relevance in territorial areas where the average temperature exceeds the national average. The campaign for the prevention of risks derived from exposure to adverse environmental conditions is included in the Labour and Social Security annual programme of activity, that is agreed with the respective Autonomous Communities, as they are responsible for the enforcement of labour and prevention of occupational hazards legislation.</b>
14.	Were IT tools used to select specific inspected entities in the described inspection campaign?		- A brief description of IT tools <b>Anti-fraud tool and Integra-Lince system.</b>

			<p>The anti-fraud tool, by the massive cross-referencing of data from different sources, allows the detection of patterns of fraud or infringement which has resulted in an improvement of the inspection campaigns planning.</p> <p>The Integra-Lince system: The main objective of the Lince Project is the modernisation of the Information System of the Labour and Social Security Inspectorate. It is a long-term project, consisting of different stages that began in 2004. The Lince project includes the modernisation and updating of the INTEGRA application which manages the inspection activity and collects the results of the actions.</p>
<b>D. Provision of staff for carrying out inspections</b>			
15.	What group of inspectors was involved in the inspection activities?		<input checked="" type="checkbox"/> all inspectors were involved in the inspection activities;
16.	How were inspectors prepared for the inspection activities (additional training)?		<input checked="" type="checkbox"/> no additional training was provided;
17.	Were IT tools used to prepare labour inspectors to carry out activities within the described inspection campaign?	NO	
18.	What materials were at the inspectors' disposal during the activities?		<input checked="" type="checkbox"/> specialist, issue-related materials (applied technologies, machinery, equipment and tools, existing hazards and legal provisions);
19.	Did labour inspectors use IT tools when carrying out activities within the described inspection campaign?	YES	<p>- A brief description of IT tools: <b>Integra-Lince system.</b></p> <p>- IT tools were used: <input checked="" type="checkbox"/> when summarizing and documenting the results of the inspection in a specific inspected entity</p>

<b>E. Involvement of other regulators, institutions, authorities for labour protection and social partners in the implementation process.</b>			
20.	Can other regulators, institutions, authorities for labour protection and social partners submit their proposals of inspection topics to the inspectorate's plan of work?	YES	Which regulators, institutions and authorities for labour protection can submit their proposals?  Institutional consultation of the social partners is carried out prior to the approval of the planning of inspection activity at both territorial and central level.
21.	Was the inspection activity the result of a proposal submitted by another regulator, institution, authority for labour protection or social partner?	NO	
22.	Was there any cooperation between the labour inspectorate and another regulator, institution, authority for labour protection or social partner?	NO	
23.	At which stage was the cooperation with another regulator, institution, authority for labour protection or social partner initiated?		<input checked="" type="checkbox"/> others (please specify).  <b>The consultation of the social partners is carried out prior to the approval of the planning of the inspection activity.</b>
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?	YES	<b>As established in article 16 of the Law regulating Labour and Social Security Inspectorate "The authorities, whatever their nature, the heads of the bodies of the General State Administration, of the Administrations of the Autonomous Communities and of the Local Entities; the autonomous bodies and public business entities; the chambers and corporations, colleges and professional associations; other public entities, and those who, in general, exercise public functions, shall be obliged to</b>

			<i>provide the Labour and Social Security Inspectorate with any data, reports and background information relevant to the scope of their competences, as well as to provide any collaboration requested for the exercise of the inspection function”.</i>
26.	Does the labour inspectorate have direct online access to information and data collected by other bodies, institutions and authorities?	YES	<b>Social Security General Treasury, Public Employment Service, Electronic Declaration of Injured Workers, Occupational disease reporting system, Commercial register, Police.</b>
27.	What information obtained in the above manner was used for implementing the inspection campaign?		<b>Electronic Declaration of Injured Workers, Social Security General Treasury.</b>
<b>F. Supporting inspection activities with training provided for employers or workers (combining inspection and educational activities)</b>			
28.	Were establishments covered by inspections provided with information or training <b>prior to the commencement of the inspection task?</b>	NO	
29.	Is the effectiveness of prior information or training activities taken into account when evaluating the results of the inspections?	NO	
30.	Once the <b>inspection activity is completed</b> , 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	NO	



	establishments operating in the field covered by inspection?		
<b>G. Monitoring the implementation of inspection activities</b>			
31.	Was the implementation of inspection activities in any way monitored and coordinated?	NO	
33.	Were IT tools used to carry out monitoring and coordination activities as part of the described inspection campaign?	NO	
<b>H. Communicating the information about inspection campaign and its results.</b>			
34.	Did you develop any plan to communicate the information about the inspection activities to:		
a)	stakeholders in the sector covered by the inspection activity?	NO	
b)	the general public?	YES	<p>What information did the communication plan contain?</p> <p><b>The annual report of the Labour and Social Security Inspectorate is published every year. It provides a broad overview of the activity of the Labour and Social Security Inspectorate in Spain and is divided into three parts. The first part, of an introductory nature, reviews the basic socio-labour data for the year, the functions of the Inspection System, its organisation, and the regulations that regulate or directly affect its activity. The second part is devoted to the resources available to the System and the third part deals with the activity carried out throughout the year. In addition, there is an appendix with numerous tables and graphs</b></p>

			detailing the information and results available.
<b>I. Evaluating the results of the inspection activities. Evaluation methods and tools.</b>			
37.	How were the <b>results</b> of inspection campaign evaluated?		
a)	based on a checklist	NO	
b)	based on the number of legal measures issued	YES	The data resulting from this and the rest of the inspection campaigns is collected in the Integra application which is then include in the annual report of the Labour and Social Security Inspectorate that is published every year. It also includes the information and results available of every campaign.
c)	based on the type of legal measures issued	NO	
d)	based on the number of implemented legal measures	NO	
e)	based on the type of implemented legal measures	NO	
38.	How was the information about the <b>effects</b> of inspection campaign obtained (e.g. about the elimination of irregularities, introduction of higher standards)?		
a)	information provided by the employer	NO	
b)	information provided by the labour inspector who conducted the next inspection at the workplace	YES	<p>What form did the information provided by the inspector have?</p> <p>Including the data and documentation resulting from the campaign in the Integra application which is then include in the annual report of the Labour and Social Security Inspectorate that is published every year. It also includes the information and results available of every campaign.</p> <p>What is the ratio of information provided by the labour inspector who conducted the next inspection at the workplace to the</p>

			<b>overall pool of information about the effects of inspections?</b>
40.	Were IT tools used to assess the effectiveness of the inspection campaign?	YES	<p>- IT tools were used to:</p> <p><input checked="" type="checkbox"/> provide compilations of data on the basis of which the inspection campaign was assessed.</p> <p><b>The data resulting from this and the rest of the inspection campaigns is collected in the Integra application which is then include in the annual report of the Labour and Social Security Inspectorate that is published every year. It also includes the information and results available of every campaign, which makes it possible to compare data on a year-by-year basis.</b></p>