

Health and Safety Executive: COVID-19 RIDDOR ADVICE

As prevalence of coronavirus increases in the general population, it will be very difficult for employers to establish whether or not any infection in an individual was contracted as a result of their work. Therefore, diagnosed cases of COVID 19 are not reportable under RIDDOR unless there is reasonable evidence suggesting that a work-related exposure was the likely cause of the disease. In some limited circumstances, where an individual has either been exposed to the coronavirus or contracted COVID 19 as a direct result of their work, those instances could be reportable under RIDDOR either as a Dangerous Occurrence (under Regulation 7 and Schedule 2, paragraph 10) or as a disease attributed to an occupational exposure to a biological agent (under Regulation 9 (b)), or as a death as a result of occupational exposure to a biological agent under Regulation 6 (2).

For an incident to be reportable as a Dangerous Occurrence, the incident must result (or could have resulted) in the release or escape of the coronavirus. An example could include a vial known to contain the coronavirus being smashed in a laboratory, leading to people being exposed.

For an incident to be reportable as a disease due to occupational exposure to a biological agent, there must be reasonable evidence suggesting that a work-related exposure was the likely cause of the worker contracting COVID 19. Such instances could include, for example, frontline health and social care workers (e.g. ambulance personnel, GPs, social care providers, hospital staff etc) who have been involved in providing care/ treatment to known cases of COVID 19, who subsequently develop the disease and there is reasonable evidence suggesting that a work-related exposure was the likely cause of the disease. A doctor may indicate the significance of any work-related factors when communicating their diagnosis.

For an incident to be reportable as a death due to occupational exposure to a biological agent, there must be reasonable evidence suggesting that a work-related exposure to coronavirus was the likely cause of death. A doctor may indicate the significance of any work-related factors when communicating the cause of death.

Coronavirus has been listed as a notifiable disease under the Health Protection (Notification) Regulations 2010. This change in law requires GPs to report all cases of COVID 19 to Public Health England (<https://www.gov.uk/government/news/coronavirus-covid-19-listed-as-a-notifiable-disease>).

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