

# Staff COVID 19 Diagnosis - RIDDOR Reporting Decision Making Process – MCNS and Hospices



## Introduction

- The Health and Safety Executive (HSE) has confirmed on their website that in some circumstances healthcare staff being diagnosed with COVID 19 may be RIDDOR reportable.

*Taken from the HSE Website - "RIDDOR reporting of COVID-19"*

*You must only make a report under RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) when:*

- *an unintended incident at work has led to someone's possible or actual exposure to coronavirus. This must be reported as a dangerous occurrence.*
- *a worker has been diagnosed as having COVID 19 and there is reasonable evidence that it was caused by exposure at work. This must be reported as a case of disease.*
- *a worker dies as a result of occupational exposure to coronavirus".*

This wording was believed to be a little vague and as a result, further clarification was requested from the HSE from a member of the Healthcare Risk Management Group (of which Marie Curie is a member) and this was the response received via email:

*"Thank you for taking the time to report your concern to Health and Safety Executive (HSE) regarding Coronavirus and RIDDOR reporting.*

*In general, Covid 19 is a public health issue and the Department of Health & Social Care (DHSC), working closely with Public Health England (PHE) and the devolved administrations, is the lead Government department for the UK response.*

*In a work situation, it will be very difficult, if not impossible, 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 a very clear work-related link is established.*

*In some very limited circumstances, where an individual has either been exposed to or contracted Covid 19 as a direct result of their work, those instances could become reportable under RIDDOR either as a Dangerous Occurrence (under Regulation 7 and Schedule 2, paragraph 10) or as a disease attribute to an occupational exposure to a biological agent (under Regulation 9 (b)).*

*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 hazard group 3 Covid 19 virus. An example could include a phial known to contain the Covid 19 virus being smashed in a laboratory, leading to people being exposed.*

*For an incident to be reportable as an occupational exposure to a biological agent, the diagnosis of Covid 19 must be directly attributed to an occupational exposure. 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 this is reliably attributed to their work and verified by a registered medical practitioner's statement.*

*HSE do not anticipate receiving many cases of RIDDOR reportable incidents, as such cases will not be easy to identify, and are anticipated to be rare, especially as prevalence of Covid 19 increases in the general population.*

*Please note this is a no reply email account and any reply will not be received by HSE".*

*Yours sincerely*

*Paula Kelly | Concerns and Advice Team  
Concerns and Advice Team | Operational Services Division*

*Health & Safety Executive | Redgrave Court, Merton Road, Bootle, L20 7HS*

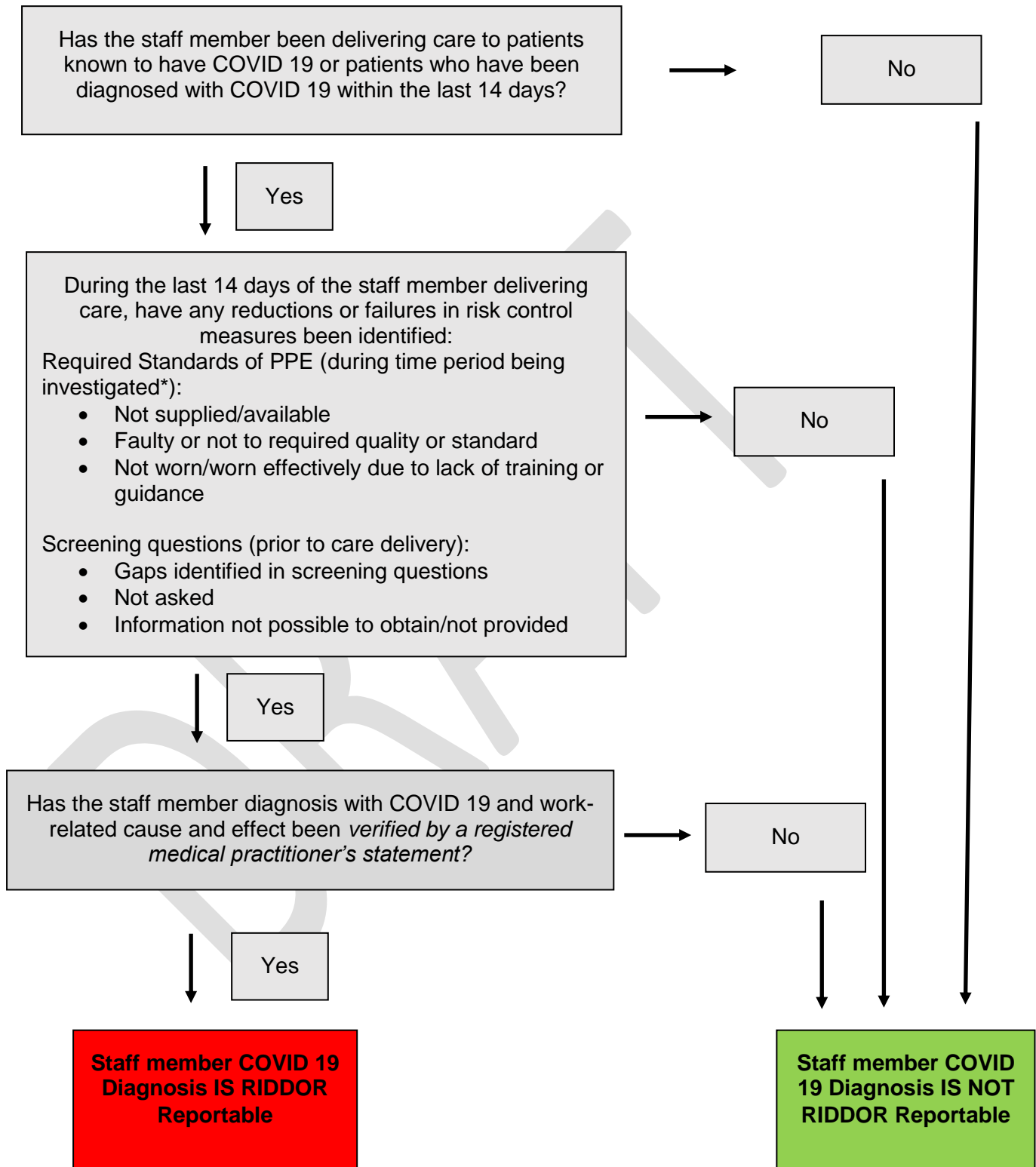
### **Marie Curie Decision Making**

- The Marie Curie interpretation of the above is that if a Marie Curie healthcare staff member is diagnosed with COVID 19, this will only be RIDDOR reportable if a clearly defined, direct cause and effect relationship can be determined between the diagnosis and a management/system failing in relation to required control measures through a full and thorough investigation process.
- The decision flow below is designed to support with this investigation process.

***As well as using this guidance, please always obtain advice and support from the Nursing Directorate and Quality Assurance Team and Health and Safety Manager before making a RIDDOR report on the HSE website.***

DRAFT

**START** - Staff member diagnosed with COVID 19 *and verified by a registered medical practitioner's statement.*



*\*PPE standards/requirements are advised through national guidance and these requirements have changed since the start of the COVID 19 pandemic and may continue to change.*