Healthcare workers and employers need to be aware of new EU regulations on dealing with sharps injuries

New EU regulations on dealing with injuries to staff from sharp instruments came into force on 11 May 2013 (tinyurl.com/eu-sharps-reg). This brief guide summarises the main changes and their implications for practitioners.

Sharps injuries occur when a sharp instrument (such as a needle) penetrates the skin. In the most serious cases, they can result in infections, such as HIV or hepatitis B or C, being contracted by staff.

Such injuries can cause significant stress and psychological trauma to staff as well as changes in lifestyle, working restrictions and treatment being required, depending on test results.

Legislation

All employers are required under health and safety law to ensure that risks from sharps injuries are adequately assessed and appropriate control measures are in place. In addition, they must consult with employees and provide adequate information and training.

Who the regulations concern

The new regulations apply to:

- Employers in the NHS and the voluntary, private and independent sectors whose main activity is the management, organisation or provision of healthcare;
- Employers in the NHS and the voluntary, private and independent sectors;
- Contractors working for or under the management and supervision of the healthcare employer, for example bank nurses, cleaners and locums, including in patients’ homes;
- Students and trainees on placements with healthcare employers;
- Community or hospital pharmacies whose main activity is to provide healthcare.

The new requirements

The legislation requires employees who receive a sharps injury while performing their work to notify their employer as soon as practicable.

In addition, employers have to do the following points:

- Promote the safe use and disposal of medical sharps:
  - Avoid the unnecessary use of medical sharps;
  - Substitute traditional unprotected sharps with suitable “safer sharps” that incorporate protection mechanisms where it is reasonably practicable to do so;
  - Prevent the recapping of needles, except where the risk assessment has identified that recapping is itself required to prevent a risk and alternative, effective controls are in place;
  - Place secure containers and instructions for safe disposal of medical sharps close to the work area.

- Provide information and training for employees:
  - Provide information to staff on sharps injuries that explains the risks, legal duties of employers and workers, good practice, the benefits of vaccination and support available in the event of an injury;
  - Work with appointed union and other safety representatives in developing and promoting information to workers;
  - Train employees in the correct use of safer sharps, safe use and disposal of medical sharps, what to do in the event of a sharps injury, and employer arrangements for health surveillance.

- Respond effectively if an injury occurs:
  - Have arrangements in place so that employees know how and who to notify as soon as possible if an injury occurs;
  - Record and investigate the injury and take appropriate action;
  - Where an employee has notified an incident in which they may have been exposed to a bloodborne virus, ensure they have immediate access to advice and counselling where appropriate;
  - On advice from a qualified practitioner, offer treatment.

Employers must review procedures in place to implement these measures. Review involves consultation with staff and their representatives.

Summary

The implementation of the sharps directive is the result of a negotiated agreement at European level between employers’ organisations and trade unions.

In the UK, NHS Employers, health service unions – including Unison and the Royal College of Nursing – and others have worked with the Health and Safety Executive to try to ensure that the new rules are workable at local level.

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