

## BTS Clinical Statement on Occupational Asthma

### Appendix 2: Legislation and guidance relevant to workplace respiratory diseases.

<p><b>The Health and Safety at Work Act, 1974.</b></p>	<p>The primary piece of legislation covering occupational health and safety in Great Britain. It sets out the general duties which:</p> <ul style="list-style-type: none"> <li>• employers have towards employees and the public;</li> <li>• employees have to themselves and to each other;</li> <li>• certain self-employed have towards themselves and others.</li> </ul>
<p><b>The Control of Substances Hazardous to Health Regulations, 2002.</b></p>	<p>COSHH is the law that requires employers to control exposure to substances that are hazardous to health. Employers are bound to:</p> <ul style="list-style-type: none"> <li>• find out what the health hazards are;</li> <li>• decide how to prevent harm to health ('risk assessment');</li> <li>• provide control measures to reduce harm;</li> <li>• make sure these are used and are in good working order;</li> <li>• provide information, instruction and training for employees;</li> <li>• provide monitoring and health surveillance in appropriate cases;</li> <li>• plan for emergencies.</li> </ul>
<p><b>The Equality Act, 2010.</b></p>	<p>The Equality Act legally protects people from discrimination in the workplace and elsewhere; it replaced a raft of earlier anti-discrimination legislation. It applies to patients whose occupational asthma has had a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.</p>
<p><b>(M)SDS.</b></p>	<p>Every chemical agent used in industry is accompanied by a '(Material) Safety Data Sheet', akin to the warnings' leaflet in a package of medicine. Safety data sheets are readily available on-line (or through a patient's employer) and can be scrutinised for the mention of their respiratory sensitising potential, through the 'risk phrase' R42 or the 'hazard phrase' H334.</p>
<p><b>The 'hierarchy of control'.</b></p>	<p>An approach to the management of workplace risk through which risk should be reduced to the lowest reasonably practicable level by taking preventative measures, <i>in order of priority</i>. At the 'top' of the hierarchy is 'elimination' of the hazard at work (in this case a respiratory sensitiser); the provision of respiratory protective equipment (such as a face mask) lies at the bottom of the hierarchy.</p>
<p><b>The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 2013.</b></p>	<p>RIDDOR puts duties on employers, the self-employed and people in control of work premises to report certain serious workplace accidents, occupational diseases (including occupational asthma) and specified dangerous 'near-misses'.</p>
<p><b>Industrial Injuries Disablement Benefit.</b></p>	<p>IIDB is a UK statutory compensation scheme available to employed earners who have developed one of a list of 'prescribed' occupational diseases; these include OA due to sensitisation.</p>

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<b>Surveillance of Work-related and Occupational Respiratory Disease.</b>	SWORD is the national reporting scheme for occupational lung disease that is funded by the HSE and run through the University of Manchester.
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