

TRANSPOSITION NOTE**Transposition Note**

Transposition note for the partial implementation of Directive 2010/32/EU of 10 May 2010 Implementing the Framework Agreement on Prevention from Sharps Injuries in the Hospital and Healthcare Sector between HOSPEEM and EPSU (“the Directive”). In transposing the Directive, the HOSPEEM-EPSU joint clarification of the Framework Agreement on prevention from sharp injuries in the hospital and healthcare sector (“the Social Partners’ Clarification”) has been taken into account and is referenced where relevant.

The Health and Safety (Sharp Instruments in Healthcare) Regulations 2013 do what is necessary to implement only the following parts of the Directive (other aspects of the Directive requiring transposition are implemented by existing legislation):

Article¹	Purpose	Implementation	Responsibility
Annex Clause 2	Applies the agreement to all workers and persons under the supervision and direction of employers in the healthcare and hospital sector. ²	Regulation 3 & 4	Secretary of State
Annex Clause 6	Requires specific risk control measures, including banning the re-capping of needles ³ and providing appropriate training.	Regulations 5 & 6 and Schedules 1 & 2	Secretary of State
Annex Clause 7	Requires the provision of information on sharps and specifies the content.	Regulation 6 and Schedule 1	Secretary of State
Annex Clause 8	Requires that employers provide training on sharps and specifies the content.	Regulation 6 and Schedule 2	Secretary of State
Annex Clause 9	Requires that workers report accidents involving sharps to the employer.	Regulation 8	Secretary of State
Annex Clause 10	Requires employers to have sharp injury response procedures in place and ensure workers are aware of them.	Regulations 6 & 7 and Schedule 1	Secretary of State

¹The Directive consists of 5 Articles which implement the Annex containing the eleven clause Framework Agreement between HOSPEEM and EPSU.

² See also Clause 3 of the Directive (Definitions) and the Social Partners’ Clarification.

³ The Social Partners’ Clarification states that “...recapping refers to needles without safety and protection mechanisms. Modern devices with safety mechanisms are not banned unless they pose a risk of injury”.