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STATUTORY INSTRUMENTS

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**2010 No. 1140**

**The Control of Artificial Optical  
Radiation at Work Regulations 2010**

**Health surveillance and medical examinations**

6.—(1) If the risk assessment indicates that there is a risk of adverse health effects to the skin of employees as a result of exposure to artificial optical radiation, the employer must ensure that such employees are placed under suitable health surveillance.

(2) Health surveillance pursuant to paragraph (1) must be carried out by a doctor or occupational health professional and the risk assessment must be made available to that doctor or occupational health professional.

(3) The employer must ensure that a health record of each of its employees who undergoes health surveillance pursuant to paragraph (1) is made and maintained and that the record or copy of it is kept available in a suitable form.

(4) The health record must contain a summary of the results of the health surveillance carried out.

(5) The employer must—

- (a) on reasonable notice being given, allow an employee access to his or her personal health record; and
- (b) provide the enforcing authority with copies of such health records as it may require.

(6) An employer must ensure that a medical examination is made available to an employee if—

- (a) the risk assessment indicates that the employee has been exposed to levels of artificial optical radiation which exceed the exposure limit values; or
- (b) as a result of health surveillance the employee is found to have an identifiable disease or adverse health effects to the skin which is considered by a doctor or occupational health professional to be the result of exposure to artificial optical radiation.

(7) Where an examination is carried out under paragraph (6), the employer must—

- (a) ensure that a doctor or suitably qualified person—
  - (i) informs the employee of the results of the examination which relate to the employee; and
  - (ii) provides advice on whether health surveillance may be appropriate;
- (b) ensure that it is informed of any significant findings from any further health surveillance of the employee taking into account any medical confidentiality;
- (c) review the risk assessment;
- (d) review any measures taken to comply with regulation 4 taking into account any advice given by a doctor or other suitably qualified person or the enforcing authority; and
- (e) provide continued health surveillance if appropriate.