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Do firefighters HAVE TO FIGHT cancer risk too?

Firefighters are exposed to toxic atmospheres and dangerous carcinogens while fulfilling their duties, but what is the direct relationship with firefighting related cancers?

AUTHORS: **Liam Bedford**, Senior Associate and **Philippa Craven**, Partner, Kennedys.

Based on today's accepted research, (save for asbestos) there is currently insufficient data to link many cancers with the operational duties of firefighters. However, in recent years and in light of the Grenfell tragedy, the spotlight has focused on fire safety. What does this mean for firefighters in an occupational disease context?

Until recently, health & safety guidance was issued to all fire brigades by the Home Office in letters and circulars to chief fire officers. Today, guidance is still issued by central government, but individual brigades have more responsibility for their own health & safety guidance, and the procedures have advanced remarkably over the last 20 years.

The Home Office guidance was created by the Central Fire Brigades Advisory Council (CFBAC), a body involving chief fire officers, councils, the Fire Brigades Union, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), and the Health and Safety Executive (HSE). From the mid-1970s, the CFBAC established the standing committee on toxic hazards, which considered the risks to firefighters posed by exposure to chemicals. It also issued specific guidance on topics such

as isocyanates, asbestos, and fertilizers.

Thankfully the days are gone where a firefighter would be judged by the ability to operate in a burning building and 'eat smoke'. It is now routine to deploy positive pressure breathing apparatus extensively on the fire ground, with dynamic risk assessment and a greater awareness of potential risks posed by general smoke and chemicals. Likewise, in the events after a fire is extinguished, there are ongoing risk assessments and deployment of personal protective equipment. This continual development of operational procedures over the last 50 years has greatly reduced firefighter's exposure to harmful substances.

The World Health Organisation (WHO) first studied firefighter cancer risks in *IARC Monographs on the evaluation of carcinogenic risks to humans, volume 98 painting, firefighting and shift work (Monographs)*. The *Monographs* are

regarded as authoritative studies of whether particular agents are capable of causing cancer and the extent of any identified risk.

The World Health Organisation (WHO) concluded there 'was only limited evidence that occupational exposures as a fireman caused cancer. It listed the occupation as only 'possibly carcinogenic'.

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The Industrial Injuries Advisory Council (IIAC)

Following Parliament's Environmental Audit Committee (EAC) reporting on the Grenfell Fire (25 March 2021) the Industrial Injuries Advisory Council (IIAC) considered the risk of cancer in firefighters. To compile their report, they undertook a comprehensive review of published literature and data collated between 2006 and 2020, including the *Monographs*.

The headline summary of their findings are¹:

- There is substantial evidence that firefighters may be potentially exposed to a complex mixture of substances, including several carcinogens.
- There is consistent evidence, however, that mortality and cancer incidence in fire fighters for all cancers considered together do not show any excess risk when compared to the general population.
- There were small, elevated risks in respect of prostate cancer, testicular cancer and non-Hodgkin-lymphoma.

Where cancer is concerned, both the IIAC and civil courts adopt the doubling of the risk test when considering if an exposure has caused the condition.

The IIAC decided not to recommend prescription for cancer in firefighters but will continue to monitor the issues closely.

They consider whether the chances of developing a particular cancer have been doubled by exposure to a particular agent, which requires careful examination of epidemiology. Excepting mesothelioma, there has been

no consistent evidence that the risk of any cancer type is more likely to be caused due to firefighting, and evidence has not shown doubling of the risk.

The IIAC decided not to recommend prescription for cancer in firefighters but will continue to monitor the issues closely. However, the Report highlighted both the potential for exposure to chemicals above workplace limits and the importance of deploying proper personal protective and operational procedures.

The Fire Brigade Union commissioned an independent report in November 2020 from the University of Central Lancashire, which does suggest a heightened risk to firefighters, and which also provides clear guidance on how to minimise the risks of exposure to toxic carcinogens. The increased awareness of the potential cancer risk faced by firefighters may result in an increase in claim volumes. However, based on the present epidemiological evidence, any claims brought for non-asbestos related cancers require scrutiny to ensure there is a clear doubling of the risk. ➤

The legal position

Based on available research, (save for asbestos) cancer risks experienced by firefighters remains in line with that of the general population. There are controversies when seeking to attribute any particular cancer to prior operational firefighting duties.

As such, the key battleground in civil claims brought by firefighters suffering with cancers will be to assess if the risk posed by any exposure is doubled. This is likely to involve careful use of both expert engineering and epidemiological evidence.

In respect of asbestos risks, given that most exposures will be of a short duration, the levels of exposure are low. The ever more stringent procedures in place from 1976 (when the Home Office circulated operational guidance on asbestos), the annual risks posed to firefighters from asbestos exposure is relatively low and likely to be falling. While firefighters do bring asbestos claims, they should be considered carefully given the scope for exposure elsewhere. Also consider protection procedures from exposure at the time. The key, as always in historic claims, is to retain historic documents and witness evidence from long serving firefighters, so allegations can be met head on.

The *Health and Safety at Work Act 1974* applies to all activities of fire & rescue services as the employers of fire fighters and rescue staff. As such, when considering any potential claims, the extent to which an employer has taken steps to ensure their employees' health, safety and welfare at work will be reviewed. The HSE and the Chief Fire and Rescue Advisor have set out detailed guidance on what firefighters should expect of their employers. This includes safe systems of work; identifying significant hazards; implementing appropriate control measures; providing proper equipment and training; and monitoring health & safety performance.

Firefighters do undergo health screening, including lung function tests. Given the IAC findings above, the need for specific cancer screening however, would appear to be unnecessary at this time. As with all civil claims, it is imperative that a fire & rescue service can



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demonstrate its processes, procedures, policies and risk assessments are robust and effective. It will also be important for fire & rescue services to retain the records of a firefighter's regular health screening in case of future civil claims.

Top tips

1 It is crucial to retain all records to show guidance and procedures were followed in case claims are made. Fire & rescue services may also wish to obtain statements

or comments from long serving officers showing compliance with the guidance.

2 Save for asbestos related conditions, there remains insufficient evidence to link many cancers with occupational exposures. Any civil claims brought by firefighters for such cancers require careful scrutiny to ensure that there is a sound basis to establish causation.

3 Given the known risks, enhanced cancer screening is not justified, but fire & rescue services should maintain their present regime of regular health assessment and retain those records in case of future claims. ●

References

¹*Firefighths and cancer: position paper 47, gov.uk*

Liam Bedford (liam.bedford@kennedys.com) is a Senior Associate and a practicing Barrister. His specialism is acting for local authorities on strategic points, such as foreseeability of risk to firefighters and in respect of emerging diseases.

Philippa Craven (philippa.craven@kennedys.com) is a Partner at Kennedys. She has developed a reputation for sound, sensible and pragmatic advice in the defence of disease litigation and solutions for disease claims.

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