Occupational Health Confidentiality & Medical Ethics

Prepared for: Lancaster University
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Confidentiality and Medical Ethics

Occupational Health services are subject to a range of statutory restrictions that ensure patient confidentiality and protection of sensitive medical information. We have summarised some of the key points below:

Medical reports from us will not include clinical details about diagnosis, treatment or symptoms without the informed consent of an employee.

Managers will receive reports from us in relation to the referred employee only in the following areas:

- Is fitness for work related to an underlying medical condition?
- Is any ill-health absence worsened or caused by work?
- When is the likely return to work date?
- Do any restrictions apply to the employee?
- What adjustments could be made to the job, hours of work or work environment, which would help the employee attend and perform well?
- What is the future likely attendance pattern going to be?
- Is the employee fit for promotion?
- Is the employee eligible for ill-health retirement benefits/ permanent health insurance when appropriate?

Given the sensitive nature of medical information, the organisation and Health Management must comply with the following provisions:

Medical Records
All medical records are held by us. These are held centrally, securely and confidentially in accordance with the regulations relating to the Data Protection Act and the Access to Medical Reports Act.

Access to clinical data will be restricted to occupational health professionals only.

Written Consent
Informed written consent of employees is required before access to clinical information may be granted to others, unless disclosure is required by law, or is in the public interest.

Health Assessment Questionnaire (HAQ) / Addendum
Medical information provided by prospective employees is confidential and should be forwarded directly to us rather than to the organisation.

Reports from us will be given in general terms and only in relation to an employee’s fitness for work.

Obtaining GP / Specialist Reports
This is covered by the Access to Medical Reports Act 1988. A summary of the employee’s rights is provided on the Consent Form.
Employee access to Medical Reports
Under the Data Protection Act patients have access to their medical records. In most cases this will also include management reports prepared by us.

Independent Medical Assessments
The examining physician is responsible for obtaining consent from the employee at the time of the medical examination to prepare a report for Health Management.

Management Referrals
It is good practice for managers to inform employees, when and why they are referring them to us. There is a space on the Referral Form to confirm that this has occurred.