



## Occupational Health Management and You

Some useful information about  
the services provided by us

[www.pamgroup.co.uk](http://www.pamgroup.co.uk)

the complete occupational health  
and wellbeing provider





## Occupational Health Management and YOU



PAM Group provide occupational health services. Our clinicians are specialist nurses, physiotherapists, psychotherapists, psychologists and doctors.



We use our specialist medical knowledge to provide advice to your employer on how they minimise the impact of work on health and maximise their employees' health at work.

For details on how PAM Clinicians conduct an occupational health referral or to raise feedback about an occupational health assessment we publish our Consultation Policy this can be found on our website [www.pamgroup.co.uk](http://www.pamgroup.co.uk)

*You have rights and can access your complete file by making a Subject Access Request this can be done by providing your details and emailing: [sar@pamgroup.co.uk](mailto:sar@pamgroup.co.uk)*

*PAM Group has appointed James Murphy as its Data Protection Officer. Our Registered Office is Holly House, 73-75 Sankey Street Warrington Cheshire WA1 1SL PAM are registered at the Information Commissioners Office Registration Number: Z9280152,*

Everyday things that matter ...

## Your Consent

All occupational health records are processed on the lawful basis as set out in the Data Protection Act (2018) Schedule 1 Part 1 s(2). Whenever an occupational health assessment is carried out the clinician will always ask the employee for their consent to use any new information obtained during the assessment.

This new information is used to provide a report to the employer. Consent can be in writing or given verbally. PAM's computer system date and time stamps the clinician's action of when they have confirmed that consent has been obtained. Every person has the right to withhold their consent or to withdraw their consent even after they have given consent providing that the report has not been sent to the employer.

It is important that the consent is informed and that the employee understands the reason why the report has been requested and that a report is being produced. PAM clinician's will discuss the content of the report with the employee during the appointment. There should be no surprises or withholding information by PAM clinicians as it is important that the employee is informed of what they are consenting to.

If an employee withholds or withdraws their consent then a report will still be produced to advise the employer that the employee has withdrawn or withheld their consent. The employer will be advised that this is an "employment / management issue" that they and the employee need to resolve before any occupational health advice can be provided. This report is factual and no health information will be provided to the employer. In some cases this can place the employee in a difficult position as it could allow the employer to challenge the employee on their conduct as to why they are not fully cooperating with the occupational health service and the employer's management issues.

**As independent occupational health advisors it is not PAM's role to be involved in employment matters. Our policy aims to be non-discriminating, transparent and impartial.**





## Your Occupational Health Management Reports

It is important to understand the purpose of an occupational health report following a management referral. When an employer makes a management referral to PAM they are requesting management advice from an independent occupational health service for the purpose of their organisation. They are requesting advice on the management of health for the employee being referred.

As an independent occupational health service our clinicians are not the employee's health care provider; they have no duty of care for the health of the employee. However there is a moral duty to provide assistance if required or requested. Therefore the occupational health report is not covered under the Access to Medical Reports Act (1988) and the employee does not have the same rights to edit or correct the report prior to it being disclosed to the employer. All PAM reports have the same mandatory Statement of Purpose at the bottom of each page.

"Statement of Purpose. This report provides the employer with advice related to the effects of health on work and work on health and is not intended for any other purpose. For the avoidance of doubt this report does not offer medical advice for the benefit of the employee(s) being discussed."

PAM provide reports directly to management following an occupational health assessment. For Data Protection purposes this transaction is automated using our computer system OHIO which will send a link to the referring manager allowing them to access the report. The contents of the report are discussed with the employee prior to completion of the report and consent is obtained to send the report to management.

Where an occupational health assessment is conducted by a Doctor who is regulated by the General Medical Council they will provide the employee with the option to view a copy of the report or give them 48 hours to view a copy of the report before it is sent to the employer.

PAM recommend that management should openly discuss the advice with their employee and provide a copy of the report if requested. They should document how they intend to apply any advice provided in the report. PAM's policy and all evidence indicates that the most important relationship in the workplace is that between line manager and employee (NICE 2009) and we believe that facilitating this relationship is part of our service.

# Your Occupational Health Opinions

When forming a clinical opinion our clinicians will use a variety of different sources of information and facts. As a general guideline they will adopt the following 5 steps when making an assessment:

History of the illness or injury	Including pain levels, treatment, effect on employment and impact on daily living.
Observations	Movement and or coping strategies where appropriate.
Examination	A description of symptoms provided by employee or their healthcare provider; health surveillance and assessment or MSK assessment.
Logical Reasoning	Based on an assessment of all available information.
Justified Opinion	Based on the evidence and giving explanations.

The opinion will be medically based and neither the employee nor the employer will have the right to have the report changed because of the opinion or that they don't agree with the opinion. Employers do not have to accept the opinion provided but clearly they would need to show good reason not to follow the advice provided. One such reason may be that the advice provided is not operationally feasible, PAM clinicians will understand the employer's work environment but that decision is always a management decision.





## Your Occupational Health Records

PAM may hold an occupational health records for employees these records include employee personal details, consultation reports and a clinical file. Each time an assessment or therapy is provided the occupational health file is updated. The occupational health record has 3 parts;

- 1.Employee Details** – Where we hold an occupational health file we will hold Personal Data identifying each person this will include name, home address, date of Birth, telephone number and or email.
- 2.Consultation File** – contains the reports that are sent to the employer, managers can also view historical reports.
- 3.Clinical File** – They contain health data that is Special Data (forms notes etc), and our clinicians owe a duty of care to each individual to ensure that the records are confidential. This file is only available to PAM employees. It contains the clinical notes, and forms created by the occupational health clinicians in the process of providing services. These records remain confidential to the individual and will only be disclosed to the employer with the individuals consent.

Where clients use PAM's Employee Assistance Programme "PAM Assist" no records relating to the EAP service are retained in the occupational health file.

Occupational Health records belong to the employer as the records contain private health records this data can only be processed by authorised healthcare professionals. PAM provides your employers occupational health services we are the authorised healthcare professionals. Your employer has no right to access the clinical file without the employees consent and PAM will ensure that an employee's confidentiality is respected.

Whilst PAM provides your employers occupational health services we will hold the records for people employed and for ex-employees "Leavers" who have an occupational health file. During this time we will act as the Data Controller for the occupational health files that we hold. Your records are held in line with your employer's policy on data retention. Your employer is a Joint but Separate Data Controller as they have the right to decide who provides their occupational health services. At the end of the contract all of your employer's occupational health records will be transferred to their new provider PAM Group will not keep any occupational health records after the contract has ended. EAP Files are different these records are not transferred to a new provider and are deleted at the end of the contract.

For any further information about your occupational health management, contact us:



Email us  
**info@people-am.com**



Call us  
**01925 227000**  
Monday to Friday, 8am - 6pm



Website  
**www.pamgroup.co.uk**



For all your occupational health needs

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