

# OCCUPATIONAL HEALTH MANAGER'S GUIDE

## MANAGER'S GUIDE TO EFFECTIVE USE OF OCCUPATIONAL HEALTH SERVICES:

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### INTRODUCTION

The Health Assured Occupational Health (OH) service provides independent and impartial medical advice to employers and employees about health and work issues. This manager's guide provides you with the information that will help you get the best out of our service.

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### WHAT CAN AN OCCUPATIONAL HEALTH CONSULTATION SUPPORT AN EMPLOYER WITH?

We are an advisory rather than a treatment service. We consist of a team of Occupational Health advisors (OHA) and a network of Occupational Health physicians (OHP) with special training and experience. Our team of professionals can provide advice and guidance on:

- Assessing your employee's ability to work due to health or disability reasons and providing you with a written report following the consultation. This will help clarify the situation and help you manage the case.
- What specific tasks or duties your employee can or cannot manage safely.
- Estimated timeframes for returning to work, and returning to normal hours and duties.
- Whether the work that an employee is doing is causing or exacerbating their illness.
- Suggestions for adjustments or job modification for the employer to consider to support the employee to continue working.
- An employee's rehabilitation back to work after a period of sickness absence – with suggestions for support, work adjustments or modifications for you to consider.
- Advising employers on their legal duties towards ill or disabled employees under the Equality Act 2010, Control of Noise at Work Regulations 2005, Control of Substances Hazardous to Health Regulations 2002 and Control of Vibration at Work Act 2005.
- The likelihood of the employee's attendance or performance improving.
- Pension medical assessments - early release of a pension on medical grounds.
- Advice regarding fitness of an employee to attend a formal meeting, such as a disciplinary or grievance, with management.

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## WHEN MIGHT AN OCCUPATIONAL HEALTH REFERRAL NOT BE APPROPRIATE

The purpose of Occupational Health is to provide guidance about an employee's capability to work, and the effect of a condition or treatment on the employee's work performance, attendance or safety.

An Occupational Health consultation can be very helpful for an employer as it can clarify complex health and work issues. Advice can be provided to employers about managing and supporting an employee in the workplace to optimise their performance and attendance.

The Occupational Health process is not intended to:

- Give you highly detailed medical information about an employee's health or diagnosis of a medical condition and their treatment. Employees are entitled to privacy about their personal medical information.
- Give a second opinion on diagnosis or treatment when an employee is unhappy with their GP's advice.
- Provide physical examinations in all consultations.
- Provide specialist investigations such as blood tests or X-rays for an employee's symptoms.
- Give you definitive advice about Equality Act 2010 status – this is a decision that employers and courts of law make. However, we can give you advice about daily living activities, length of impairments etc. to assist you with your decision.
- Manage your employee for you. Once the employer has received the report they must then reflect on it and form a management plan. We give advice but the employer may have other operational, business or legal needs to consider.

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## WHAT TYPE OF QUESTIONS SHOULD I ASK IN AN OCCUPATIONAL HEALTH REFERRAL?

Consider what information you need to be able to manage the situation effectively, legally and fairly. We have suggested some routine questions on the referral form e.g. opinion on fitness to return to work, timeframes for return to normal hours and duties, adjustments/modifications to consider.

Employers do not normally need detailed information about an employee's personal medical condition to be able to manage an employee; usually you need advice about what they can or cannot do, timeframes, and suggestions for support to help them achieve this.

We recommend you ask a maximum of 10 questions to obtain a high quality report. If the case is deemed very complex, or there is a requirement for you to ask additional questions then an additional charge will apply as detailed in the Occupational Health Service Tariff. The

cost incurred for the additional time required to complete the consultation will not normally be any more than the cost of a double appointment. If this applies to a case you have referred, then the team will contact the referring manager to discuss the case, prior to proceeding and arranging an appointment.

If you need some assistance or want to confidentially discuss a referral, please contact us on 0161 836 9481 or [occhealth@healthassured.co.uk](mailto:occhealth@healthassured.co.uk).

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## EMPLOYEES ACCESS TO INFORMATION

Under General Data Protection Regulations 2016/679 (GDPR) and Data Protection Act 2018 (DPA), employees have the right to request a copy of any information that we hold about them. This means they can request to see any information about them that you have provided on your referral or general correspondence. Please bear this in mind when you communicate with us – provide clear factual information. If you feel you have reasonable evidence of an employee having a problem, then please discuss your concerns openly with them and put it in the referral.

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## HOW TO MAKE A REFERRAL

1. Discuss the reason for referral with the employee so that any concerns are clarified prior to submission and provide the employee with a copy of the Frequently Asked Questions document.
2. In line with best practice for data protection, you should share the content of the referral with the employee prior to submitting it to Health Assured so the approach is open and transparent. This information will form the basis for discussion and may be shared with the employee during the consultation. Remember all information is discoverable should the employee make a Subject Access Request for a copy of their data held by Health Assured. The information can also be used in a tribunal.
3. Complete the management referral and employee consent form. If you do not have a copy of the forms, please contact us at [occhealth@healthassured.co.uk](mailto:occhealth@healthassured.co.uk).
4. Information on the form should be relevant, factual, impartial, neutral and stripped of personal opinion that could be construed as prejudicial and introduce bias. There should be no surprises for an employee when they have their consultation, otherwise they may withdraw their consent for the report to be released and you will still incur a charge.
5. Include the job description and specific details of the tasks – such as environment or recent changes to give a detailed picture of the working environment.
6. It is important that all pertinent medical/sickness absence records are included in the referral for the OH practitioner to take into consideration, e.g. doctor's letters/latest fit note (a maximum of 10 attachments), as well as the reason given on the fit note or what the employee has said was wrong with them (e.g. name of condition or symptoms).
7. If you have a specific question which requires a response, then it needs to be included in the referral form and shared with the employee. A typical example would be where there is concern relating to an employee's performance or behaviour in the workplace due to a potential drink or drug related problems. You should include any evidence to support your concerns, so that this can be explored openly and transparently during the consultation.

8. Determine what you want to achieve with the referral process and what support you require with the ongoing progression of the case (facilitate a return to work or maintain attendance in work).
9. Outline what has been implemented for the employee so far for example reasonable adjustments or reduced hours.
10. Remember, the possible outcomes may involve making reasonable adjustments the employer has to demonstrate that they have considered any specific recommendations in a report, and be able to have a business rationale if they are unable to accommodate them.
11. Once the forms are completed please email them to [occhealth@healthassured.co.uk](mailto:occhealth@healthassured.co.uk).

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## CANCELLATION POLICY

Once we have received the referral and completed consent forms, we will contact your employee to arrange an appointment for either a telephone consultation or a clinic appointment. If your employee is unable to make the allocated appointment time, you or your employee must contact Health Assured providing the following:

- At least one working days' notice for an Active Care call
- Two working days for telephone consultations
- Two-five working days for clinic face-to-face appointments (please see the appointment letter as clinics vary)

If we are not provided with notice of non-attendance, we reserve the right to charge your company a maximum of £275 plus VAT for the consultation. If it is your company policy to pass the charge on to your employee, please ensure that you discuss this with them at the time of gaining consent.

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## EMPLOYEES ARRIVING LATE FOR CLINIC APPOINTMENTS

Occupational Health appointments ordinarily range between 30-60 minutes. If your employee arrives late for a physician's clinic appointment, the Occupational Health physician may have insufficient time to assess the individual properly and may be unable to proceed with the appointment. Please ensure you communicate with your employee that arrival must be at least 10 minutes prior to the appointment. Some employers decide that it is helpful to arrange the transport for the employee. In the event of a late arrival, the full fee for the consultation would still apply.

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## EMPLOYEES TOO ILL TO TRAVEL TO CLINICS

Please tell us in the management referral form if your employee is too ill to travel to a clinic appointment. We may be able to offer telephone consultations or home visits. Please note that home visits incur an additional charge.

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## EMPLOYEES NEEDING SPECIAL ACCESS REQUIREMENTS

If a clinic appointment has been arranged with a physician and your employee has mobility or access difficulties, please either make this clear on the management referral form or phone us on 0161 836 9481 to confirm disabled access.

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## EMPLOYEES WHERE ENGLISH IS NOT THEIR FIRST LANGUAGE

It is the employer's responsibility to advise Health Assured of this and provide or arrange an interpreter (even for telephone consultations). The employee may be able to ask a family member to help with this. However, they must agree and feel comfortable discussing their health in the presence of the third party.

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## REPORTING OF INJURIES, DISEASES AND DANGEROUS OCCURRENCES REGULATIONS (RIDDOR) 2013

It is the employer's duty to report work-related injuries and dangerous occurrences under the RIDDOR law. Sometimes a further Occupational Health consultation may be suggested and it is for the employer to follow this up. Please see [www.hse.gov.uk/riddor](http://www.hse.gov.uk/riddor) for more details on what type of incidents or injuries you need to report and how to do so. If you need advice please contact us on [occhealth@healthassured.co.uk](mailto:occhealth@healthassured.co.uk).

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## HEALTH SURVEILLANCE

Health Assured do not offer a health surveillance service. However, after a health surveillance assessment (e.g. hearing, HAVS, respiratory, skin testing) you may be given advice about whether an employee is fit for their role, and whether a further consultation or review is required. It is your responsibility as an employer, to request the further consultation. This may require a face-to-face appointment with an Occupational Health advisor or Occupational Health physician. Please contact us to arrange or discuss these types of assessments.

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## WHAT TO DO WHEN AN EMPLOYEE REFUSES TO CONSENT TO AN OCCUPATIONAL HEALTH CONSULTATION OR RELEASE OF REPORT

- Employees have the right to decline an Occupational Health consultation or refuse for the report to be released. In the rare event that this happens we would suggest that the employer assesses the situation individually (with involvement from HR and H&S where appropriate) and consider the following:
  - Try to build rapport and trust between the employer and employee. A typical reason that employees refuse an Occupational Health consultation or report being released is that they fear that the employer will dismiss them or treat them unfairly. Reassurance that there is a fair, non-discriminatory sickness absence policy for the benefit of all staff is often helpful. Always try and meet face-to-face to promote trust and gather a clearer view on the situation, ultimately this is about supporting the employee back into the workplace and during their role.

- Assessing ability and safety to work, whether the employee is fit to work considering factors such as intoxication, serious conduct issues, unacceptable quality of work and health and safety concerns. If not consider suspension on medical grounds, with involvement of HR.
- Duty of care to the employee – is the employee at serious risk of life-threatening injury or self-harm? If so, the employer must act to protect them, for example by taking measures such as restrict from certain duties, inform next of kin, general practitioner or police (who can also arrange an urgent psychiatric assessment), and consider their fitness to be in work.
- Duty of care to others – is the employee a risk to others? Consider any vulnerable clients, colleagues, or children (for example, single parent intoxicated who is alone with young children at home). The employer must act to protect children and vulnerable adults by informing the appropriate services.
- Equality Act 2010 – Consider whether the employee is likely to be covered by the Equality Act 2010, seek specialist advice if unsure.
- Adjustments – Ask the employee whether there are any support or reasonable adjustments that they are aware of that would assist them in work.
- Health Assured Occupational Health clinical staff are available to discuss this type of problem – please contact us on the number or email detailed at the end of this document.

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## SUMMARY:

The Occupational Health team wish to provide the best possible service and assist both employers with their management of staff, and employees' ability to keep well and in work. If you have a query about any aspect of the service, please contact us to discuss, we are more than happy to help.

## CONTACT US

Health Assured can be contacted on:

**0161 836 9481**

or by emailing:

[occhealth@healthassured.co.uk](mailto:occhealth@healthassured.co.uk)

or by post at:

**Health Assured Ltd  
The Peninsula  
Victoria Place  
Manchester  
M4 4FB**