Privacy and Confidentiality in Occupational Health

The Occupational Health Service is committed to maintaining the privacy, dignity and confidentiality of members of staff at all times. We adhere to the principles of the Data Protection Act, the GMC & NMC Code of Confidentiality and local Trust policies.

Practice Standards

We provide a service in accordance with the above statement by:

- Limiting any sensitive or personal face to face conversations with members of staff in our waiting areas;
- Inviting members of staff into a private area when dealing with enquiries;
- Ensuring telephone conversations cannot be overheard by closing appropriate doors and windows, and using telephone secrecy buttons;
- Conducting consultations in private rooms with blinds drawn, windows closed, and telephones diverted to avoid interruptions;
- Providing full explanations to members of staff before commencing any procedure or consultation and ensuring they consent to proceed;
- Discussing risks & benefits with members of staff before vaccinating and ensuring informed verbal consent is given;
- Only removing minimal clothing required to ensure vaccinations can be given safely, and respecting a member of staff’s wishes;
- Ensuring no personal or sensitive information is disclosed to a third party without informed consent;
- Obtaining informed written consent to access a member of staff’s medical information from other health professionals;
- Signing and agreeing to an Occupational Health Confidentiality statement;
- Ensuring all Occupational Health records are stored in locked cabinets and accessed only by authorised Occupational Health staff;
- Having password protected access to OH records and only sending password protected documents via e-mail to a third party.
Consent

Before any personal information is disclosed to a third party, it is the practice of the Occupational Health Service to obtain the necessary consent. Adequate consent is defined as being:

- Free from coercion – No external pressure can be applied to try to influence someone’s decision.
- Fully informed – The person must be aware of the process that is taking place and the likely consequences.
- Specific – Consent only applies at the time and for the circumstances in which it is first obtained.

Consent may be:

- **Implied** – e.g. Ad hoc telephone advice, blood tests, blood pressure;
- **Verbal/Signature** – e.g. Vaccinations including Influenza, Hepatitis B, Varicella, and MMR, pre-placement assessment forms, simultaneous disclosure of a report to your manager;
- **Written** – e.g. written reports to referring managers, Mantoux test, BCG vaccine, requests for information from your GP or Consultant, solicitor’s requests for copies of your records.

Since 12 October 2009, where a Physician prepares a report for a manager, a patient has three options:

- Not to have a copy of the report;
- To have a copy of the report as it is sent (simultaneous disclosure);
- To have a copy of the before it is sent. In this case, a copy will be sent to you and you will be asked to respond.

There should be no surprises when reports are sent to your referring manager. The Physician should inform you about the purpose and nature of the information disclosed and that relevant information cannot be concealed or withheld.
Record Storage and Access To Your Occupational Health Record

Security of your Occupational Health record

Paper records are stored securely in locked filing cabinets in the Occupational Health Departments at the City Hospital and the Queen’s Medical Centre, and Rampton Hospital. Only named Occupational Health staff members have access to the keys. Access to the offices in all Occupational Health Departments is restricted to staff working in the Occupational Health Department.

Electronic records are password protected. Each occupational health user has a unique password. Data is held on a network drive and a back-up system for all electronic data is maintained securely by the IT Department. Data is not transferred to home computers, data sticks, or flash drives.

Access to your Occupational Health record

The Data Protection Act allows you to view or receive a copy of your occupational health records. In order to access your occupational health records held by the Occupational Health and Wellbeing Services, you should complete a “Request for access to Occupational Health records” form.

Occupational Health will either arrange an accompanied viewing of your records or for a copy to be supplied. Your request will be logged and acted on promptly, wherever possible within 21 days of your request. Photographic proof of identity (passport or driving licence) is required on collection of copies or sight of records.

Solicitors may request copies of your occupational health records if you are pursuing a claim. Your records will only be disclosed with your informed written consent and verifying your signature by comparing it with a previous signature in your records.

Information can be withheld if it is felt that access to the data is likely to cause serious harm to yourself or another person (which is exceptionally rare) or the records contain information about another person who is not a healthcare professional and who has not given consent to disclosure.

Access to records attracts a fee which cannot be exceeded: a maximum of £10 to view records and a maximum of £50 for a copy of OH records. These charges are to cover staffing and administrative costs. You will be asked to make the appropriate payment at the OH reception prior to viewing or receiving a copy of your occupational health records.