

Explanatory notes

Access to Medical Reports Act 1988

Before you give your consent for someone to apply for a report giving your medical information, you should be aware that you have certain rights under the Access to Medical Reports Act 1988. In summary, these rights are:

- 1 A report cannot be obtained from your GP unless you consent in writing.
- 2 You may withhold your consent for an application to be made to your GP.
- 3 You may, when giving your consent in writing, ask to have access to your report before it is sent to your employer by your GP.
- 4 To access your report you should make contact with your GP in writing. You can either ask to see the report at the GP's surgery or ask to be sent a copy of it. If you ask for a copy, your GP may charge a reasonable fee.
- 5 If you elect to have access to your report you must contact your GP to make arrangements within 21 days of your report being requested. If you fail to do this you will not have a right to see your report before it is sent to your employer. You will still have the right to see your report on written request to your GP within six months after it is sent.
- 6 If you exercise your right to access your report before it is sent your employer, you have the following additional rights:
 - You may ask your GP to amend any part of the report which you consider to be inaccurate or misleading.
 - If your GP declines to amend the report, he or she must attach a written statement giving your views on its content. You also have the option to withhold your consent to the report being supplied.
- 7 You must exercise your rights under paragraph 6 in writing within 21 days of seeing your report. If you fail to do so, the GP will assume you do not object to your report being sent to your employer.
- 8 Your GP is not obliged to show you any parts of your report that he or she considers might cause serious harm to your physical or mental health or that of others, or which would reveal information about a third party, or the identity of a third party who has supplied information to your GP about your health, unless the third party agrees. The GP will inform you if any of these restrictions applies.

For further information about the Access to Medical Reports Act 1988, see www.legislation.gov.uk/ukpga/1988/28/contents

Our organisation wishes to ensure there is a consistent approach to managing attendance.

Remember that keeping in touch and having both informal and formal conversations is key to a successful return to work.

Employer's contact details

Name:

Address:

Dear

Re: Consent to obtain medical report from General Practitioner

Further to previous communications in relation to your current health, wellbeing and fitness for work, I request permission to obtain information from your General Practitioner in order to assess your current health condition, and provide you with appropriate support.

This will enable me to identify and implement appropriate amendments that you may require in the workplace to support (please tick one):

your continued attendance at work

your return to work

In accordance with the Access to Medical Reports Act 1988 I require your informed written consent to obtain a medical report from your General Practitioner. I am also required to inform you of your rights under the Act before you provide your consent. Enclosed:

- A statement of your rights under the Access to Medical Reports Act 1988
- Consent for Medical Report form

Yours sincerely

**Manager's
signature:**

Printed:

Consent for Medical Report

**Employee's
name:**

**Date
of birth:**

Address:

GP's name:

**GP's
address:**

Please tick one:

The reasons for obtaining a medical report have been explained to me.
I have read an explanation of the Access to Medical Reports Act 1988
supplied to me by my Manager.

I hereby consent to

(employer/manager) obtaining a report on my state of health and fitness
for employment from the General Practitioner named above.

Please tick one:

I require access to the report before it is sent to the above named person(s).
I do not require access to the report before it is sent to the above named
person(s).

**Employee
signature:**

**Print
name:**

Date:

Referral to occupational health: what to expect

What is an occupational health assessment?

An occupational health assessment is when an employer refers an employee to an occupational health specialist advisor. The occupational health assessment can be face to face between the employee and advisor, or it can be over the telephone. This is confidential and the outcome for the employer will be a medical opinion on an employee's fitness to work. Usually this results in guidance for an employee and employer on recommended reasonable adjustments to help bring an employee back to work. An occupational health assessment may also be called a Management Referral.

Why have I been referred?

The most frequent reasons for referrals to occupational health are:

- To consider what adaptations and adjustments might be provided to assist your return to work if you are currently off work for any reason.
- To provide independent and impartial advice to your manager to assist in the management of sickness absence.
- To support you in the delivery of your work role and provide you with an opportunity to discuss any concerns you may have in relation to your work and health.

What happens to the occupational health report?

The report is normally generated while you are in the occupational health department. It does not normally include any of your specific medical details and relates specifically to the questions and 'job requirements' detailed in the referral form. The report is sent to you and your manager.

Do I have the right to change the occupational health report?

This is an independent report. Occupational health will discuss with you what they intend to include and you will normally have the opportunity to discuss this with them.

Do I have the right to stop occupational health making a report?

If you attend the appointment you have accepted the process and agreed to a report being made.

Will occupational health contact my GP or other medical practitioners who treated me?

Occupational health may wish to obtain further clinical information in accordance with the Access to Medical Reports Act 1988. Your occupational health advisor must obtain your consent before they request a medical report.

Who can see my occupational health records?

No confidential information from your occupational health medical record should be passed to any other person outside of the occupational health service without your written consent, unless the disclosure is a requirement.