

Occupational Health Service within DWP

18 Apr 2018

The Occupational Health Service (OHS) for DWP is now provided by People Asset Management (PAM).

PCS advice for members

PCS advice for members is based on current DWP policy. Your case will only be referred for OH advice once you have given your 'informed consent'. PCS encourages members to consent, so that any decision made by your manager is based on an understanding of your health condition. 'Informed consent' means that your line manager must discuss the referral with you so that you are aware of the advice to be requested and so that your manager has your *informed consent* for it to be sent to PAM. Members should ask their manager to:

- Send a copy of the OHS Referral to them at the same time the Referral is sent to PAM
- Send a copy of the OHS Outcome report to them at the point it is received from PAM
- Inform PAM (using the free text box) for the Referral if they feel they need to be accompanied by a friend, family member or Trade Union representative at their OHS consultation or appointment
- Request that the PAM clinician gives disability advice for your case when appropriate

Your copy of the OHS Referral

Your manager will give you a copy of the OHS Referral to PAM upon request. You should ask your manager to send a copy of the OHS Referral to you at the same time the Referral is sent to PAM. This will ensure that you are fully aware of all the issues for discussion with the PAM clinician. The Data Protection Act also supports your right to have a copy of the OHS Referral for your case.

Your manager needs to know if you will be accompanied

If you want to be accompanied by a friend, family member or PCS representative at your OHS appointment with PAM you must inform your manager. Your manager must inform PAM (using the free text box) for the Referral that you will be accompanied during the appointment. An OHS consultation is promised confidentiality under DWP Policy. This means that only the employee, with a third party chosen by the employee, and PAM Group staff should be present during the OHS appointment.

Your discussion with PAM

The PAM Occupational Health Clinician will discuss with you what they intend to include in the Outcome Report to your manager and you will have the opportunity to discuss this with them.

Your copy of the OHS Outcome Report

Your manager will give you a copy of the OHS Outcome report upon request. You should ask your manager to send you a copy of the OHS Outcome report at the point it is received from PAM. The Data Protection Act states that a worker has the right to see any data kept on them and includes any medical or occupational health records. It does not however state that this must be done before the information is sent to your manager.

If the report is being written by an Occupational Health Physician (Doctor) you will have the opportunity to see the report before it is sent to your manager. This is because Occupational Health Physicians (Doctors) are regulated by the General Medical Council (GMC) and are subject to GMC rules. Most OHS Assessments will be provided by OH Advisors (Nurses) who are not subject to GMC rules.

Your manager must request disability advice

PAM will not automatically provide advice about your health condition as a disability under the Equality Act 2010. When appropriate your manager must request advice in the Referral for PAM to provide an opinion on whether your health condition is likely to be considered as a disability under the Equality Act 2010.

Complaints process

Should you feel aggrieved about any part of the consultation with a PAM clinician you may complete a Consultation Incident Report (CIR) to send directly to PAM. See PAM website for Appendix 1 in the PAM Consultation Policy. You should use the secure email address from DWP to send your complaint. If you are dissatisfied with the PAM response to your complaint you may copy your complaint and the reply to your line manager and your PCS Representative.

PCS advice and support

You may contact your local PCS representative for advice and support.

It is normally best practice to co-operate with an OHS Referral but you can withdraw your consent at any time and the process will stop. When consent is not given, or is withdrawn, the manager can still contact the PAM Group but can only discuss the case in generic terms. This will mean that a management decision may be made without OHS advice on the information available at that time. Non-cooperation with DWP Policy for the OHS process may also be grounds to reduce any compensation payable for dismissal under attendance management procedure.