

Occupational Health Service

Patient Advice Leaflet - Privacy Statement

How do we manage and use your Personal Data?

Well Being Partners is a joint venture between Wrightington Wigan and Leigh, Lancashire Teaching Hospitals and Bolton Foundation Trusts. We are an Occupational Health provider and are responsible for safeguarding the privacy of your information. We comply fully with the General Data Protection Regulation for information within our control. This Privacy Statement provides information about the type of data we collect and how it is managed. Having read this document, if you have any further questions, you can speak with a clinical staff member or contact our Data Protection Officer.

What data do we process?

In order for us to provide Occupational Health services to patients, personal and often sensitive medical information needs to be obtained.

Information we receive from your employer

To begin the process of offering an appointment for employees, the employer will need to provide details about you and the basis of the referral. This will usually include your name, date of birth, address, telephone number, job details and a description of the problem and any issues they would like advice on. This can include sensitive information that the employer is in possession of such as reasons for sickness absence or medical treatments being taken. We recommend that the employer discuss your referral and the information to be provided with you before it is sent to us.

Information obtained during your consultation

All of our consultations are with clinical OH staff who all have well-established professional obligations to maintain confidentiality. Our administrative staff who have a role in delivering the service and supporting the clinical activity have similar obligations. Without this, we would not be able to provide effective care to our patients.

Your consent to us collecting personal, sensitive information and to proceed with a consultation is necessary before we can undertake a consultation with you. It would not be possible for us to provide an Occupational Health assessment without keeping a clinical record as this is a professional requirement for registered practitioners. Consent for us to process personal sensitive medical information is not consent for us to write to anyone else, including your employer – see section below.

Working with other OH services

We work with other NHS OH services and partner organisations in providing services across the North West region. If your employer works across the region we share occupational health information to ensure we provide a timely and safe OH service whether you meet with us here or at the other OH sites that we work with.

Third Country Processing

Your data is not transferred to other countries.

Retention periods for your data

Most OH records that involve OH consultation will be kept for 10 years from the date of leaving the employer or if that is not known to us from the date of last entry. This is a generally accepted timescale.

Health Surveillance records (such as hearing and breathing tests) should be kept for 40 years. This is because sometimes industrial diseases can develop later on in life so such records should be retained. This is a recommendation from the Health & Safety Executive. Most of the records we hold are not Health Surveillance records.

Rights of Individuals

The GDPR legislation has strengthened the rights of individuals with regard to data about them.

These rights are outlined below:

Right to be informed

This Privacy Notice is one of the ways we make sure you are informed about the sensitive personal information we collect.

Right of access

You have the right of access to personal data we hold about you. If you would like access, please contact the OH Data Protection Lead. We will ascertain your identity and then forward you the requested data as soon as possible. We do not normally make any charges for providing this information.

Right to rectification

If you feel that information we hold is inaccurate or incomplete, please contact the OH Data Protection Lead. We will review the area you would like rectified and if this is appropriate, we will make the change. If we do not agree to the change, you have the right to complain to the Information Commissioner.

Right to erasure

If you would like us to consider erasing the personal information we hold about you, please contact the OH Data Protection Lead. Your request will be passed to the Data Protection Officer who will want to discuss this with you.

Often Occupational Health records form important medicolegal documents for the exercise or defence of legal claims, such as with Health Surveillance records where such assessment is a statutory requirement. In such cases, we may not be able to agree to the erasure of your personal information.

Right to restrict processing

Once your personal information has been obtained, you have the right to restrict further processing. This means there will be no more activity involving your data other than it being still held by us. This might arise if you did not wish to have any further OH involvement as we require consent to provide OH advice.

Portability of information upon change of OH Provider

If there is to be a change of Occupational Health provider by your employer, Well Being Partners would seek evidence of consent for the transfer of your OH records to the new provider. We would also need to be satisfied that the new OH provider had reasonable arrangements in place for the safe storage of that data before we would transfer it. If you did not want your information to be transferred to another OH provider, you should state this if a notification of change of provider occurs within your organisation.

What if you are not happy with how we are processing your information?

If you are not happy with any aspect of our information management, please consider contacting the Information Protection Officer for our Organisation and we will manage this as a complaint. You also have the right to complain to the Information Commissioner's Office (ICO).

Contractual Requirements

It is not possible for doctors and nurses to provide Occupational Health services without personal sensitive information being processed by us. It is a contractual requirement between Well Being Partners and any referring party, such as your employer, that without the consent of individuals, we cannot provide OH advice for individual cases. Clinicians need to be satisfied that the individual consents to our process of OH assessment and advice, including the processing of sensitive personal information, and without such consent, we cannot provide the clinical service. The consequence of not providing consent for the processing of personal sensitive data is that the individual and the employer will not have access to our Occupational Health advice. This in turn may mean health risks are not minimised and harm could arise to both parties.

If you have any further questions, we would be pleased to help. Contact us on 0800 917 4773 (Between 08.30 -16.30) or speak to your OH Professional.