

# OCCUPATIONAL HEALTH

Looking after your employees' health is of paramount importance; to help individuals, improve morale, reduce the cost(s) of ill health on a business but most of all - to be a great business leader.

If an employee's health has been adversely affected by the business then the business is required to assist the employee in returning to full health. However, we believe that helping any employee with their health is what makes for a great leader and as such, while the cause of the ill health is important to note (and rectify if caused by the business), it should not be the only requisite to helping an employee.

Alongside this, the economic benefits are clear: when employees aren't working due to ill health, this is costly for businesses.

The potential health issues that may arise (directly or indirectly) through work and the working conditions of your business will depend on the business itself and will likely be varied regardless of the size of business. Some issues, or conditions that could be caused by or related to working conditions will be specific (ie: relating to specific equipment or material(s) used and the effects only that equipment / material(s) could cause) and others will be more general (ie: could be related to any type of work - for example; stress).

Further considerations related to occupational health could include a full understanding of why an employee is unable to work and if this is related to an injury or disability that your business could make adjustments for to enable the employee in question to continue working without further causing ill health due to the work environment.

In some cases, it may transpire that the actions of an employee found guilty of misconduct are related to an underlying condition / impairment. This must be understood fully in order to know whether the misconduct in question is a dismissable offence or not.

While it may not be possible to completely eliminate occupational ill-health, employers and business leaders have a responsibility to ensure that they do whatever is reasonable to reduce occupational ill-health within their workplaces for their employees.

Spending time, money and resources on occupational health may not always be an easy task but doing so will reduce the risk of adverse claims and if it improves the health of the workforce then it will be money well spent.

## THE PURPOSES OF OCCUPATIONAL HEALTH

The purposes of occupational health can be broken down as follows:

- Monitoring
- Prevention
- Treatment

These are the steps one must take when considering the occupational health of your business.

## EXAMPLES OF OCCUPATIONAL HEALTH PROBLEMS

- **Stress Caused By An Excessive Workload**  
Defining what is excessive is not simple as individual employees will react to stress in different ways. However, some causes of stress will never not be unacceptable; racism and other forms of discrimination, or bullying, for example.
- **Hazardous Substances**  
Hazardous substances (chemicals, etc.) can cause a variety of potentially life threatening conditions.
- **Poor Methods In Manual Handling**  
This can cause musculoskeletal conditions. However, with the correct training these conditions are more often than not completely avoidable.
- **Excessive Noise**  
This can have a negative impact on a person's hearing, potentially causing irreversible damage.

Please note, the above are a very select few examples of potential occupational health problems. The specific issues that could arise / relate to your business could be a wide variety of differing issues.

## HOW TO DEAL WITH OCCUPATIONAL HEALTH

Every business will have different issues relating to occupational health that they will need to address and be aware of depending on a range of factors, including workspace itself, the number of employees, and much more.

Many larger companies will employ an occupational health adviser. However, it should be noted that employees may not feel as comfortable with an internal occupational health advisor versus an external occupational health advisor. As such, if your business is looking to make such an employment, consultation with your employees is recommended.

For most small businesses employing an in-house occupational health advisor will not be possible, financially. However, ensuring that your employees have access to an external adviser that they can contact if necessary would be beneficial.

## CONSENT

It is required that an employee, or worker, provides consent when referring them to occupational health.

If consent is not given but it is felt that the referral is necessary, ensure that you speak with legal counsel before making any decisions as this is an area of employment law that can be very difficult to navigate.

## WHEN IS IT NECESSARY TO REFER STAFF TO OCCUPATIONAL HEALTH?

- If an employee is showing symptoms that you believe relates to an occupational health issue. The first step should always be to privately discuss this with the employee, asking them if they would like to see an occupational health advisor. However, it must be noted that health is a personal matter and a sensitive one for many people. As such, you must ensure you do not pressure them in any way or pry into private matters.
- If an employee requests reasonable adjustments because of a disability. An occupational health report would be the usual way in which your business can assess whether the employee does have a disability and how best to address it if so.
- If they are progressing through the attendance management procedure due to ill health. An occupational health assessment will likely be essential if the employee is on track to potentially be dismissed due to ill health related attendance issues. An occupational health report (OHR) is essential.

## IS HEALTH SURVEILLANCE AT WORK APPROPRIATE?

In many instances, the answer here is no. Respecting the privacy of your employees is of paramount importance, not least for morale. As such, we would certainly urge caution and restraint when considering health surveillance within your business.

Within some businesses however, surveillance could be necessary. This could be as simple as asking workers to check their own health periodically, providing adequate materials / education where appropriate.

The term 'surveillance' can also include non-invasive surveillance such as checking sickness absence records and conducting return to work meetings. Something most businesses will do.

Medical surveillance, in a variety of differing forms specific to each, is a requirement for the following types of work:

- Work with asbestos
- Work with lead

- Work with 'COSHH' substances (please see the Control of Substances Hazardous to Health Regulations 2002)
- Work with ionising radiation
- Work with compressed air
- Work with vibrating equipment or in a noisy environment
- Foreign travel for business requiring immunisation.

With regards to all of the above, providing assistance, training, etc. is an important part of your role as an employer and all relevant regulations relating to these should be checked by you in advance. Please note, the above is not an exhaustive list and if you are unsure, always check the rules and regulations relating to whether medical surveillance is necessary.

If your business has, or plans to have, medical surveillance practices in place, it is a legal requirement that you first consult with your employees (this could be via a union). Any results of medical surveillance that does take place must also be shared with the relevant employees.

Above all, any risks relating to the work in question must be communicated to all employees to whom it could affect.

## **STRESS**

One of the most prevalent forms of occupational ill health is stress. Counselling can be very helpful for stress, and so many employers will provide counselling, or at least provide access to counselling. While this should be done with the employees health in mind, it is also worth noting that in the event of an employment tribunal in which a claim is made by an employee relating to stress, a provision of counselling could potentially assist the employer's position.

## **EDUCATION**

One of the best ways to help employees with regards to potential occupational health issues is by educating them on these.

This will vary from business to business but is of great benefit regardless of size or industry.

## **RECORDS**

It is important for employers to (securely) keep records of any health assessments and surveillance.

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