

Guidelines on the fit note

Introduction

On 6th April 2010, the “doctor’s medical certificate” otherwise known as the “sick note,” was replaced by the “Fit Note”. The new fit note is a “*statement of fitness for work*” that allows doctors to advise employers whether their employees who are on sick leave for over 7 days could return to work earlier with extra support.

The new fit note system means that doctors can advise that your employee is either:

- unfit for work; or
- may be fit for work.

A doctor will give a ‘may be fit for work’ statement if they think that their patient’s health condition may allow them to work with suitable support from their employer.

If an employee is too ill to work the doctor will advise this just like with the sick note.

Main changes

- the removal of the fit for work option; (although doctors will still be able to advise whether an employee is fit to return to work and carry out their full duties) ;
- a new option for a doctor to advise if an employee may be fit for work with some support;
- more space for a doctor to provide information on how your employee’s condition will affect what they do; and
- helpful tick boxes for doctors to use to suggest common ways to help a return to work.

For an example of what the Fit note looks like please click on the link below:

<http://www.dwp.gov.uk/docs/med3-fitnote-sample.pdf>

Benefits

- More information is provided on how your employee’s condition will affect what they do. This will help you have informed discussions with your employee and to do simple things to help them return to work earlier and reduce unnecessary sickness absence;
- The fit note gives both the employer and employee greater flexibility in managing sickness absence. A doctor will be able to suggest ways of helping an employee get back to work. This might mean discussing with your employee:

- ✓ a phased return to work;

- ✓ altered hours;
- ✓ amended duties; and/or
- ✓ workplace adaptations.

Action Points for employers

1. Update and amend current sickness absence policies to include the following:
 - ✓ a brief description of the fit note and its purpose;
 - ✓ how the new information provided within the fit note can be used
2. Inform all of your staff of the new fit note and explain how the changes might affect them
3. Train managers so that they know what to expect and how to act

Possible scenarios for you to consider

1. A doctor signs your employee as being 'fit for some work' – how do you know what they can and can't do and what do you do next?

- ✓ It is unlikely that the Dr will be able to advise on what exactly the employee can and cannot do – they are not trained Occupational Health professionals and do not know the role!
- ✓ You should discuss with your employee what elements of their role they feel that they can do and then put together a plan from there
- ✓ Ensure that this is reviewed on a regular basis

2. An employee is classified by their Doctor as being fit for some work, and returns to work 2 days per week. How do you pay them?

- ✓ Look at what your sickness policy states regarding sick pay.
- ✓ Would suggest that you pay full pay for the actual time that they are at work and then sick pay (if applicable) for the time that they are not at work.

3. An employee has been classified as being 'fit for some work' however, they do not agree with this and do not think they should be back at work, this is causing conflict between you and them – how do you approach this?

- ✓ Referral to an Occupational Health professional
- ✓ They will be able to advise in relation to the employees job description as to what they feel they can and cannot do

For further information about reviewing your policies and procedures or for HR training please contact the team on: 01403 240205.

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