

## **The Statement of Fitness for Work – from sick note to fit note**

### **Background Information**

From 6 April 2010 the sick note is changing to become a fit note.

Sick notes (or Medical Statements) are the forms issued by doctors to people when they are ill or injured. They provide advice about whether or not an individual with a health condition is fit for work.

Many people with health conditions can, with some basic support from their employer, work as they recover from their condition. This helps the individual because for many people work can help recovery and also benefits the employer by reducing sickness absence.

Under the sick note system, doctors could only advise their patient on whether their health condition meant that they should or should not work. As a result many people who could benefit from support whilst in work, would be advised that they could not work. Under the current system employers would not have had the opportunity to consider how they could help employees achieve an earlier return to work.

To help more people get the support they need to get back to work the new fit note system will mean 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 if they get suitable support from their employer.

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

The changes are not about trying to get people back to work before they are ready, but about removing the challenges to them returning. This is about you and the people you manage working together to make the adjustments needed to ensure they are able to return to work in a supported and structured way.

### **What is changing?**

The changes to the form allow a doctor to provide more information on the employee's condition and how they might be able to return to work.

### **The main changes are:**

- the removal of the fit for work option;

- 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 the employees condition will affect what they do;
- helpful tick boxes for doctors to use to suggest common ways to help a return to work.

## What stays the same?

- The form can still be used as evidence for why an employee cannot work due to an illness or injury;
- the Statement is still not required until after the 7th calendar day of sickness;
- the information on the form is advice.
- the requirements for the payment of Statutory Sick Pay have not changed; and
- employers' obligations under the Disability Discrimination Act have not changed.

## A sample fit note and what it all means.

**Statement of Fitness for Work**  
**For social security or Statutory Sick Pay**

Patient's name <sup>1</sup>

I assessed your case on: <sup>2</sup>

and, because of the following condition(s): <sup>3</sup>

I advise you that: <sup>4</sup>  you are not fit for work.  
<sup>5</sup>  you may be fit for work taking account of the following advice:

If available, and with your employer's agreement, you may benefit from:

|  |  |
|--|--|
| <input type="checkbox"/> a phased return to work | <input type="checkbox"/> amended duties        |
| <input type="checkbox"/> altered hours           | <input type="checkbox"/> workplace adaptations |

Comments, including functional effects of your condition(s): <sup>7</sup>

SAMPLE

This will be the case for <sup>6</sup>  or from <sup>8</sup>  to

<sup>9</sup>  I will not need to assess your fitness for work again at the end of this period.  
(Please delete as applicable)

Doctor's signature

Date of statement

Doctor's address <sup>10</sup>

Med 3 04/10

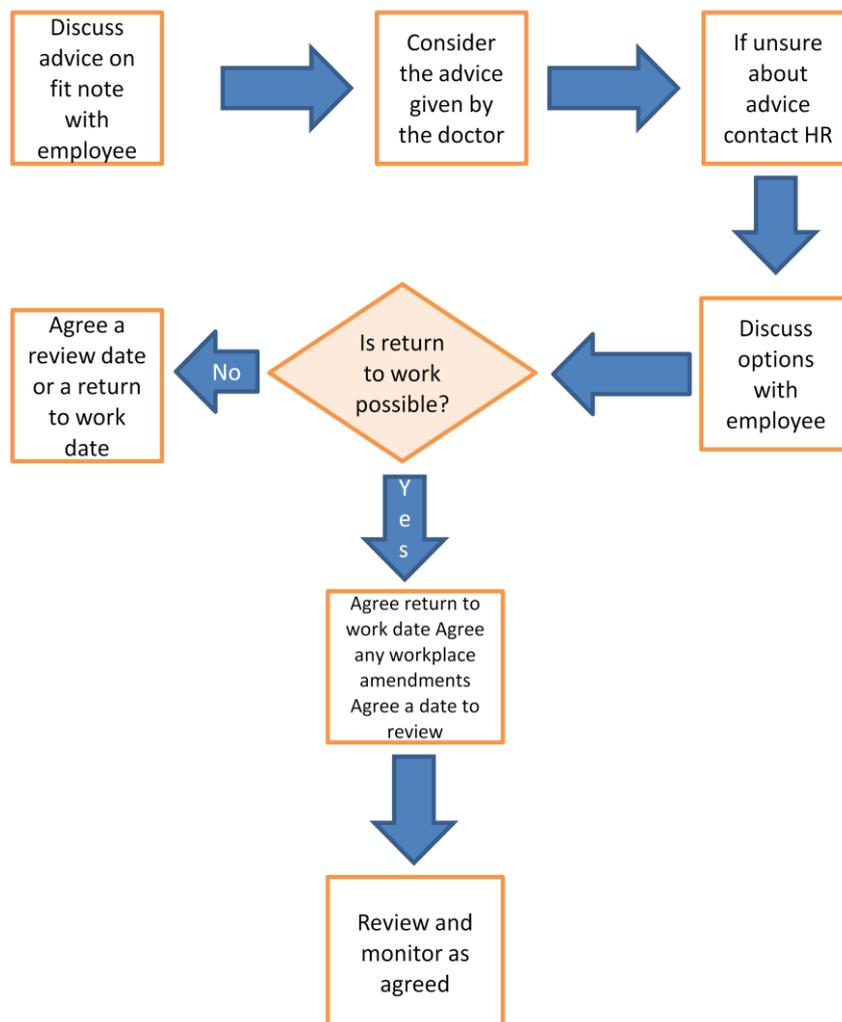
1. the name of the employee
2. the date the doctor's assessment of the employee
3. The condition or conditions that affect the employees fitness to work
4. This box will be ticked when the doctor's assessment of the employee is that they have or had a health condition that prevents them from working for the stated period of time. This is strong evidence of the employee's fitness, or otherwise for work, for Statutory Sick Pay purposes.
5. This box will be ticked when the doctor's assessment of the employee is that their condition does not necessarily stop them from returning to work. However, they may, for example, not be able to complete all of their normal duties or could benefit from amended working hours.
6. These four boxes represent common ways to aid a return to work. The doctor will tick one of these options when they feel they could help the employee return to work. This list is not exhaustive and there may be other ways to help the employee return to work. ***It is important to note that it is the employer's choice after discussing the statement with the employee how to act on the doctor's advice. Before making any decisions please contact the HR division for advice and guidance.***
7. Where the 'may be fit for work' box has been ticked, the doctor will add information on the functional effects of the employee's condition and what could help a return to work. Where a doctor feels an assessment by an occupational health professional is required, they will state it here.
8. Here the doctor will state the period the advice covers for a forward period, during which the first six months can be up to a maximum of three months. Any period in days refers to calendar days not working days. In some cases the employee will be able to return, with your agreement, to work on their normal duties before the end of this period. If this happens the employee will not need to see the doctor again for another statement.
9. The doctor will use this section when they wish to state precise dates for the period during which the advice applies. This will be for one of three reasons:
  - a. The statement covers a period based on a previous assessment during which a Statement was not issued (for example because the doctor did not have any forms with them); or
  - b. The statement is for less than 14 days and the doctor does not need to see the employee again; or
  - c. The doctor believes it will be helpful to state a specific date for the employee to return to work as part of their recovery.

10. The doctor will state here if they need to assess their patient’s fitness for work again at the end of the Statement period. Where the doctor does not need to see the patient again, in most cases you can expect your employee to return to work or their usual duties at the end of the Statement period. If the doctor needs to see the patient again and during the subsequent consultation they feel your employee is able to return to work without any functional limitations, the doctor will not issue the employee with a new “fit note”.
11. The doctor will sign, date and stamp or print their address on the Statement.

The information provided in this document should be used in conjunction with the University’s policy and procedures on managing sickness and absence.

### What do I do if I receive a fit note statement from an employee?

The flow chart below explains what you should do if you receive a fit note from an employee in your department.



## In summary

1. 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 if they get suitable support from their employer.
2. The new 'fit note' is effective from 6 April 2010
3. The 'fit note' makes it clear that a phased return to work options is subject to the employer's agreement.
4. If a GP states an employee is unfit for work, line managers and employer would NOT normally contradict the medical opinion.
5. The 'fit note' statement is still not required until after the 7<sup>th</sup> calendar day of sickness.
6. It is no longer necessary for employees to be signed as fit to return to work.
7. Helpful tick boxes for doctors to use suggested common ways to help an employee return to work. However, it's the line manager's choice (with HR's input) after discussing the 'fit note' with the employee on how to act on the advice given by the doctor.
8. The University's obligations under the Disability Discrimination Act remain unchanged.
9. Should line managers require any advice they should contact the HR Division by emailing [HRAdvice@le.ac.uk](mailto:HRAdvice@le.ac.uk) or by calling 0116 252 2439.