

HR EMPLOYMENT LAW UPDATES

WHAT ARE FIT NOTES?

Fit note is the informal name for the new Statement of Fitness for Work. The fit note replaced the sick note (medical statement or doctor's note) on 6 April 2010.

How is the fit note different?

"The introduction of a 'fit note' to replace the current medical statement will help focus GPs' advice on what people can do rather than what they cannot. The new statement could also improve the flow of information between GPs, individuals and employers". Department for Work and Pensions

With the fit note the GP will be able to advise that the employee:

- is **'not fit for work'**, or
- **'may be fit for work taking account of the following advice'**. In this case, the GP will provide advice about support that could help the individual return to work.

The fit note will also include:

- more space for the GP to give general advice about the impact of the illness or injury, and
- tick boxes for the GP to suggest, if necessary, common ways in which an employer could support the individuals return to work.

What does 'may be fit for work' mean?

The GP will advise that an individual may be fit for work if they think that returning to work, with support from an employer, will help.

On the fit note, the GP will be able to give general information about how an individual's illness or injury may affect their ability to work. The member of staff may need to discuss with their manager, via Occupational Health, possible changes at work to help them go back, such as:

- working different hours temporarily,
- doing different duties or tasks, or
- having other support to do their job, for example, if they have back pain, being able to avoid heavy lifting.

In all cases it is the employer, in consultation with the employee, who is best placed to make the decision as to whether the suggested changes can be accommodated and to carry out any necessary risk assessments. If the suggested changes cannot be accommodated the employee remains 'not fit for work'.

What this means to you, getting advice and support

On receipt of a 'fit note' from a member of staff that states 'may be fit for work taking account of the following advice' contact the Occupational Health Adviser and then your HR Officer who will advise you.

Further information: **Available from your HR Officer, Occupational Health Adviser, <http://www.dwp.gov.uk/docs/fitnote-employer-guide.pdf>**

Full title of regulation: **The Social Security (Medical Evidence) and the Statutory Sick Pay (Medical Evidence (Amendment) Regulations 2010**