

STATEMENT OF FITNESS TO WORK GUIDANCE NOTES

From 6th April 2010 statements of fitness to work (“fit notes”) will replace the current system of medical certificates. These guidance notes explain the changes to the system and to the University’s procedures for managing sickness absence.

All periods of sickness absence after the first 7 calendar days must still be covered by a statement.

Changes to the statement

1. The statement will show whether the employee is:

- a) unfit to work and must stay off sick, or
- b) may be fit for work with some support

2. The ‘fit for work’ option has been removed, which means that employees will no longer be able or required to obtain a note confirming they are fit to return to work after a period of sickness.

What does this mean?

3. **Not fit for work.** This means that the doctor’s assessment of the employee’s condition is that they should not work for a stated time period. The note will also state whether the doctor needs to assess the employee again at the end of the period.

4. If not, the employee is expected to return to work to their usual duties at the end of this period and no further note will be provided.

5. If the doctor needs to see the employee again and during the subsequent consultation they feel the employee is able to return to work without any functional limitations, no further statement will be issued and the employee can return to their usual duties. Otherwise the doctor will issue a new statement.

6. **‘May be fit for work’** should result in fewer employees being signed off when they could possibly do some or all of their job with some support. This may help employees to make an earlier return to work, but it is not intended to get people back to work before they are ready.

7. May be fit for work means that the doctor’s assessment is that their condition does not necessarily stop them from returning to work. The doctor will provide some comments on how their condition will affect them, and make some **suggestions** of things that may help them to return to work. The doctor may also suggest an occupational health assessment is required. Possible support may include:

- Phased return – gradual increase in intensity of duties or working hours over the period stated.
- Altered hours – flexibility in start and/or finish times, not necessarily fewer hours.

- Amended duties – reduction or removal of particular duties during the period stated to aid recovery.
- Workplace adaptations – for example someone with reduced mobility may need to avoid stairs or park their car closer to the building in which they are based.

8. If it is not possible for the University to provide the support suggested then the statement will cover the period of absence as if it had advised 'not fit for work'. The employee does not need a new statement to confirm this.

Period covered by the fit note.

9. The advice (either 'not fit' or 'may be fit') applies to the period or dates stated, which can be up to a maximum of 3 months during the first 6 months of sickness. Any period in days refers to calendar days not working days.

Procedure when a fit note is issued.

10. **On receipt of a 'not fit for work' statement** the employee must telephone their manager immediately to relay the doctor's advice and send the statement to their manager straight away. The statement must be posted the same or next day. (Payment of sick pay is dependant on employees adhering to notification procedures.)

11. If an employee with a 'not fit for work' statement feels better and wishes to return to work before the expiry of their fit note, they may do so with their managers agreement. The manager should always seek advice from Occupational Health. The employee does not need to return to their doctor for agreement.

12. **On receipt of a statement indicating 'may be fit for work'** the employee must telephone their manager immediately to relay the doctor's advice (ie. the same or next working day) and arrange to meet, if necessary, as soon as possible to discuss this in more detail and explore whether a return to work can be arranged.

13. Any return to work arrangements must be agreed and be clearly documented by the manager on the return to work interview form. Any adaptations should be temporary and for a specific time period which may be less than the period indicated on the doctor's statement. Adaptations should usually reduce over the agreed period, enabling the employee to build back up to normal hours/duties. The manager must arrange to review these with the employee during the agreed period.

14. The manager may wish to contact Human Resources, Occupational Health and/or the Disability Support Office for advice when considering whether sufficient support can be offered to enable a return to work. It may also be necessary to carry out a workplace risk assessment.

15. If the manager cannot provide support to enable a return to work, this must also be documented and kept on file. The manager should arrange to review the situation with the employee prior to the expiry of the statement in case the employee's condition has improved or circumstances have changed to enable support to be provided.

16. If the employee does not feel the support offered will enable them to return to work, the manager may seek advice from Occupational Health who will advise as to whether they are able to return to work.

17. If adaptations are made and then, at the end of the agreed period, the employee does not feel able to resume their normal duties, the manager may seek advice from Occupational Health and discuss this with Human Resources to determine appropriate action.

Return to work interviews

18. The above arrangements will require return to work discussions to take place prior to the employee's return. The return to work guidance associated with the University's Sickness Absence Policy and Procedures is still appropriate and the return to work form must still be completed.

19. Return to work interviews as per the University's Return to Work Guidance Notes for Managers will still be required as usual for all employees on their return to work either:

- on the expiry of a statement which indicated 'not fit for work'
- after a period of self certificated sickness of less than 8 calendar days

Referrals to Occupational Health

20. Managers should contact their Human Resources office in order to refer staff to the Occupational Health Service.

Further information

21. For further information managers are advised to read the Department of Work and Pensions Guidance which can be found at: <http://www.dwp.gov.uk/fitnote/>. Clarification or guidance can also be obtained from your designated HR contacts.

22. These notes should be read in conjunction with the University's Return to Work Guidance Notes for Managers and the University's Sickness Absence Policy and Procedures which can be found on StaffNet <http://documents.manchester.ac.uk/list.aspx>