

Getting the most out of the fit note

Guidance for employers and line managers

This guide explains what to do if you're given a fit note by an employee. It explains what different sections of the fit note mean, and how you can use it most effectively to help your organisation.

It has been developed in consultation with practising doctors and professional bodies including:

- /// Acas
- /// British Medical Association
- /// Confederation of British Industry
- /// Federation of Small Businesses
- /// Royal College of General Practitioners
- /// EEF - the manufacturers' organisation
- /// Chartered Institute of Personnel and Development



The fit note – the basics

Five things to do if you're given a fit note

1. Check whether your employee's doctor has assessed that they are not fit for work, or may be fit for work.
2. Check how long your employee's fit note applies for, and whether **they are expected to be fit for work** when their fit note expires.
3. If your employee may be fit for work, discuss their fit note with them and see if you can agree any **changes** to help them come back to work while it lasts.
4. If your employee is not fit for work, or if they may be fit for work but you can't agree any changes, use the fit note as evidence for your sick pay procedures.
5. Consider taking a copy of the fit note for your records (your employee should keep the original).

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Key things to keep in mind

- Supporting someone with a health condition to come back to work can save you money and minimise disruption.
- People can often come back to work before they are 100% fit - in fact work can even help their recovery.
- Often, a few simple and / or low-cost changes can help someone with a health condition come back to work earlier.
- Access to Work can help employees with a disability or health condition. This includes paying towards equipment or support.
- If your employee is assessed as may be fit for work, their fit note will help you discuss with them what these changes might be.
- The fit note won't tell you what changes to make, but will give you advice about how your employee's health affects what they can do at work.
- If you can't make any changes to take account of the advice in the fit note, you don't have to.
- The fit note tells you whether your employee is expected to be fit for work at the end of their fit note.
- If your employee's doctor thinks they are fit for work, they will not be issued with a fit note.
- Your employee can come back to work at any time, even if this is before their fit note expires. They do not need to go back to their doctor first.
- The fit note belongs to your employee and they should keep the original. You may decide to take a copy for your records.
- Legislation allows you to accept the Return to Work Plan from the Fit for Work programme as evidence of sickness absence in exactly the same way as a GP Fit Note. You do not need to ask your employee to obtain further fit notes from their GP. For more information, go to www.fitforwork.org

How the fit note can help you

Using the fit note to its full potential helps you reduce your sickness absence costs (for example sick pay, staff cover and lost productivity), and minimises the disruption caused by employees being off sick unnecessarily.

- The fit note tells you whether your employee's doctor thinks they are not fit for any work or whether they may be fit for work (not necessarily their current job).
- The advice in the fit note is about your employee's fitness for work in general, and not specifically about their current job.
- This gives you maximum flexibility to discuss possible changes to help them return to work (which may include changing their duties for a while).
- The fit note also tells you whether your employee is likely to need a new fit note when their current one expires.

The evidence behind the fit note

The fit note is based on key principles established by a robust research base¹, and supported by healthcare professionals²:

- Appropriate work is usually good for people's physical and mental health.
- This is also the case for people who have a health condition - work can support their recovery and help them maintain their wellbeing.
- In most cases, people do not need to be 100% fit to return to work. This may not mean doing their normal job.
- People with health conditions may have limits on what they can do at work, but these will not always mean they cannot do any work.

General rules of the fit note

People can only be given a fit note if their doctor considers their fitness for work is impaired. If someone is fit for work, they will not be given a fit note.

Doctors cannot issue fit notes during the first seven calendar days of sickness absence. Employees can self-certify for this time (there is a template form available at <https://www.gov.uk/government/publications/statutory-sick-pay-employees-statement-of-sickness-sc2>). If your organisation requires medical evidence for the first seven days of sickness absence, it is your responsibility to arrange and pay for this.

Fit notes can be handwritten or printed, but must always be signed by a doctor. If they are printed, you can scan the barcode using a 2D matrix scanner so that you can add it to your sickness records. It also confirms that the fit note is genuine.

If a GP has issued a fit note, it should include the address of the practice. If a hospital doctor has issued the fit note, you may also receive a yellow Med 10 form stating the time your employee has spent as a hospital inpatient.

1. Waddell, G. and Burton, A.K. (2006), Is work good for your health and well-being? TSO https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214326/hwwb-is-work-good-for-you.pdf and Waddell, G., Burton, A.K. and Kendall, N.A.S. (2008). Vocational Rehabilitation TSO <https://www.gov.uk/government/publications/vocational-rehabilitation-scientific-evidence-review>

2. Healthcare Professionals' Consensus Statement – Statement of Health and Work (2008). <https://www.nhs.uk/Livewell/workplacehealth/Documents/hwwb-healthcare-professionals-concensus-statement-04-03-2008.pdf>

What to do if an employee gives you a fit note

If your employee's fit note says that they are not fit for work...

You should treat this as evidence for your sick pay procedures (see more information about sick pay [here](#)). You can take a copy of the fit note for your records, but your employee should keep the original as they may need it for benefits or other purposes.

Your employee's fit note will tell you how long they will not be fit for work, and whether they can expect to return to work as before once it expires. See [explaining the sections of the fit note](#) for more information.

It's a good idea to keep in touch with your employee while they are away. Guidance on managing sickness absence is available from the [Health and Safety Executive](#) and [British Occupational Health Research Foundation](#).

If your employee's fit note says that they may be fit for work...

You should discuss with your employee whether there are any changes which could help them return to work. These discussions can involve line managers, HR, trade unions or occupational health specialists. You can take a copy of the fit note for your records, but your employee should keep the original as they may need it for benefits or other purposes.

You do not need to be an expert in your employee's health condition to have these discussions – they should be focussed on practical ways that you could support your

employee to return to work, rather than their health condition. The checklist below may be helpful in preparing for your discussions:

- Look at the [tick boxes](#) and [comment box](#) for advice on what your employee can do at work, and how you can support them
- Consider how long your employee's fitness for work is expected to be affected (check [Explaining the sections of fit note](#) to see how you can do this).
- Think of [possible changes](#) to help your employee return to work

It may be helpful to put any changes you agree down in writing, so that everyone is clear on what has been agreed. In general, any changes should last at least until the fit note expires – although this will depend on the advice in the fit note and your discussions with your employee. See some [examples](#) of employers making changes to support someone to return to work.

You may need to carry out a risk assessment to accommodate the clinical judgment in the fit note (eg if it states that your employee should avoid lifting, you are liable if you give them work that involves manual handling). Guidance on risk assessments is available on [the HSE website](#)

If you can't agree on any changes, you should treat the fit note as if it says that your employee is not fit for work and use it as described above. Your employee does not need a new fit note from their doctor to confirm this. See an [example](#) of this situation.

Fit for Work

If your employee has been off work sick for four weeks, or their GP thinks they are likely to be off work that long, they can refer them to Fit for Work, though a fit note may be required to cover the first two weeks of sickness absence.

They will get an assessment that will provide advice on interventions and steps on a Return to Work Plan to help support them back to work. The Return to Work Plan will be shared with their GP and employer, subject to the employee's consent. A Return to Work Plan can be used in place of a fit note. See case study three for an example of a situation when it may be appropriate to refer someone to Fit for Work. As an employer you can make a referral to a Fit for Work assessment if the GP has not already done so after 4 weeks.

You can also access the advice line or use their website to get general health and work advice. Contact information and website details are on page 11 of this guidance.

Supporting your employee back to work

The tick boxes

The tick boxes enable your employee's doctor to indicate the kind of general adaptations that might help your employee return to work. This is not binding on you, and you should feel free to discuss other options.

- **A phased return to work:** a gradual increase in work duties or hours
- **Altered hours:** changing their work times or total hours
- **Amended duties:** changing their work duties
- **Workplace adaptations:** changing aspects of the workplace

The comments box

Your employee's doctor may also use the comments box to give you more detailed advice about what your employee can do at work. This advice will be about their general fitness for work, not just related to their current role, so that you have maximum flexibility to consider how you could support them to return to work. If there are particular parts of your employee's role that may be affecting their health, these will be mentioned in the comments box.

If your employee's GP thinks that a referral to Fit for Work is useful, they can record that they made that referral. If they decide the patient is eligible but has decided not to refer to Fit for Work they can record their reasons for not doing so.

Possible changes

There is a wide range of support available to help you make changes. Check the [Further support](#) pages for additional help and condition-specific guidance.

Some examples of possible changes are listed below - remember that this list is not exhaustive, and the best changes are ones that are tailored to your organisation and your employee.

- Changing to a different job or location
- Changes to work equipment
- Reduced or flexible hours
- Adjustments to work premises
- A phased return to work
- Giving some of their tasks to somebody else
- Providing training or additional supervision
- Providing a reader or interpreter
- Working from home
- Voice-activated software
- Arranging a mentor or work buddy
- Working in a team instead of by themselves (or vice versa)
- Arranging for an [occupational health assessment](#).

Explaining the sections of the fit note

1

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

Patient's name Mr, Mrs, Miss, Ms / /

I assessed your case on: / /

and, because of the following condition(s):

I advise you that: you are not fit for work.
 you may be fit for work taking account of the following advice:

2

3

4

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

a phased return to work amended duties
 altered hours workplace adaptations

Comments, including functional effects of your condition(s):

5

This will be the case for / / to / /
or from / / to / /

6

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

7

Doctor's signature

8

Date of statement / /

Doctor's address

Unique ID: Med 3 04/10-

For the patient – what to do now
Please read the notes below then fill in your details and, if you are claiming social security benefits, sign and date the declaration. If you cannot fill in your details yourself, ask someone else to do it for you.

What your doctor's advice means
Not fit for work: Your doctor will advise this when they believe that your health condition means you should refrain from work for the stated period of time.
May be fit for work taking account of the following advice: Your doctor will recommend this when they believe that you may be able to return to work with some support from your employer. Sometimes it may not be possible for your employer to act on the doctor's advice and you will not be able to return to work until you have further recovered. You do not need to get a further statement from your doctor to confirm this.
If you are employed
If you are not fit for work, or your employer cannot support your return to work, your employer should consider paying Statutory Sick Pay (SSP) based on the information provided. If SSP cannot be paid, or your SSP is ending, your employer will give you form SSP1 to claim social security benefits. If you are self-employed, you may be able to claim social security benefits because of your health condition.
Social security benefit claimants
If you are claiming social security benefits because of your health condition, send this form to your Jobcentre Plus office. If you are claiming social security benefits for any other reason, you should contact a Personal Adviser to discuss the advice on the form. If you do any work you must inform Jobcentre Plus of your change of circumstances.
If you want to make a new claim to social security benefits you can:
• download a claim form at www.direct.gov.uk/benefits, or
• phone 0800 055 6688 (8am to 6pm Monday to Friday). Textphone users call 0800 023 4888.

Your details – Please use BLOCK CAPITALS

Surname Mr, Mrs, Miss, Ms

Other names

Address

Date of birth / / Postcode

National Insurance (NI) number

Declaration – for social security benefit claimants only
I agree that my doctor may give the Department for Work and Pensions or a healthcare professional acting on its behalf information which is needed to process my claim for benefit and any request for it to be looked at again.

Signature

Date / /

If you have signed this form for someone else, please tick here:

- 1 The date your employee was assessed by their doctor. This could be a face-to-face or telephone consultation, or consideration of a written report from another doctor or healthcare professional.
 - 2 The condition(s) affecting your employee's fitness for work.
 - 3 The doctor's assessment as to whether your employee is either:
 - **Not fit for work**
 - Your employee is not fit for work of any kind.
- OR
- **May be fit for work taking account of the following advice**
 - Your employee may be fit for work, taking account of the doctor's advice in the fit note. This does not necessarily mean doing their normal role.
 - 4 The doctor's advice about how you can support your employee to return to work. See the **tick boxes** and the **comments box** for more information.

A GP can record whether you have made a referral to **Fit for Work** here, or their reason for not referring, if relevant.

- 5 The period that the fit note covers. This will either be from the date of the assessment (Box 1), or between particular start and end dates. The dates are inclusive, (so a fit note dated from 2 April to 10 April will no longer apply from 11 April onwards).
- 6 This section may cover an earlier period if your employee's doctor judges that their condition affected their fitness for work before the assessment date.

- 7 The dates in this section (including any which cover an early period) can be for any period that your employee's doctor considers appropriate.
- 8 This box tells you whether your employee's health condition is expected to affect them after their current fit note expires.

I will not need to assess your fitness for work again at the end of this period

Your employee's health condition is not expected to affect their fitness for work once the fit note has expired.

I will need to assess your fitness for work again at the end of this period

Means your employee's health condition may still affect their fitness for work beyond the end of the fit note (so they may need a new fit note at that point).

- 9 Your employee's doctor needs to sign the fit note.
- 10 The date the fit note was issued – this may not always be the same as the date of the assessment.

IMPORTANT: Your employee can go back to work at any time (including before the end of the fit note) without going back to see their doctor - even if their doctor has indicated that they need to assess them again. This will not breach your Employers Liability Compulsory Insurance, providing a suitable risk assessment has taken place if required.

Additional questions

Does my employee need a fit note saying they are fit for work?

No. People do not need to be signed back to work and there is no option on the fit note to do so. If your employee's doctor assesses that they are fit for work, they will not be issued with a fit note.

Your employee should return to work once their fit note expires (if they have not already done so) or will need a new fit note.

For a limited number of jobs, there are separate procedures to ensure someone is fit to carry out their role. Your HR, occupational health or legal department should know if this applies to your organisation.

If your organisation has a separate policy which requires someone to obtain medical evidence that they are fit for work, this should be arranged through a private arrangement with a GP or occupational health specialist. Once your employee's doctor has assessed them as fit for work, they cannot issue any further fit notes to cover a period while they are waiting for additional health checks required by your organisation.

Can Return to Work Plans from the Fit for Work programme be accepted as evidence of sickness absence?

Yes. The Government has recently launched a new programme called Fit for Work, which is designed to help employees return to work more quickly. Once referred, an occupational health professional helps design a Return to Work Plan for your employee. Legislation now means this plan can be accepted as evidence in the same way as a Fit Note. You do not need to ask your employee to obtain further fit notes from their GP.

What should I do if I do not understand the advice on the fit note?

First, see if your employee can provide any more information. If you are still unsure, you could consider advice from an occupational health specialist. You can write to the doctor for more information although you may have to pay for this service and doctors may not be able to respond immediately.

What if a fit note says my employee's job may be affecting their health?

You should consider this carefully and bear in mind your responsibilities under health and safety regulations. The law requires you to record work-related injury and illness and report certain cases to the relevant enforcement authority. It is very easy and straightforward to do this – you will find all the information you need at www.hse.gov.uk/riddor/index.

What if a fit note recommends that I seek occupational health advice?

It is your decision whether to act on this advice and in some cases you may be able to support your employee without needing additional expertise. For complex and / or possible work-related conditions, support from occupational health specialists should be seriously considered.

What should I do if I offer support to an employee and they refuse?

Your first step should always be to ask your employee why they believe they cannot return to work, as there may be something you have not considered.

If you can't reach agreement, you may want to consult an occupational health specialist. If necessary you should consider your organisational policy for absence disputes, which may give you guidance about sick pay rules when suitable work is refused.

You can get more information from [Acas](#), and your employee may wish to seek advice from their trade union or an advice centre.

How does the fit note affect sick pay?

The fit note can be used as evidence for your sick pay procedures. If your employee's fit note states that they may be fit for work but you agree that they should remain off work, then they can still receive sick pay (because in these circumstances you treat the fit note as if it stated not fit for work).

If your employee returns to work on reduced hours, you should consider whether your employee might be financially disadvantaged. In such cases you may decide to pay sick pay for the hours not worked, or to pay full pay despite the reduced hours.

More guidance about sick pay is available at www.gov.uk/sick-leave-pay-employees.

Can I refuse to pay sick pay even if my patient has a fit note?

If there is good reason to believe that an employee's incapacity is not genuine, you can refuse to pay sick pay despite your employee having a fit note. For more information, visit the HMRC website at <https://www.gov.uk/statutory-sick-pay-employee-fitness-to-work> or ring their helpline on 08457 143143.

Am I still covered by Employers' Liability Compulsory Insurance?

Your liability insurance does not prevent employees who may be fit for work from returning to work. You should ensure that you take account of the advice in the fit note, perform any relevant safety procedures and consider whether a risk assessment is necessary. Contact your insurer if you have any concerns.

What if a fit note is for an 'indefinite' period but I can't accommodate any of the advice?

You should consider as many ways as possible to help your employee back to work, including moving them to a different role. There may be additional legal issues to consider, for example your duties under the [Equality Act](#). Find out more at <https://www.gov.uk/equality-act-2010-guidance>.

Dismissal is a last resort and could be unfair if not handled properly. There is more information at www.gov.uk/dismiss-staff. Ideally you should follow the Acas code of practice at www.acas.org.uk/index.aspx?articleid=2174.

Is the fit note binding on me?

No. The assessment about whether your employee is not fit for work or may be fit for work (and any other advice in the fit note) is classed as advice, and it is for employers to determine whether or not to accept it.

Occasionally, you may believe that your employee is not fit for work when they have been assessed as fit for work by their doctor, or you may think that your employee could do some work when they have been assessed as 'not fit for work' by their doctor.

In situations like this you are within your rights to gather other evidence about your employee's fitness for work from other doctors or healthcare professionals. You can choose to give this other evidence precedence over the advice in the fit note. Your employee may disagree with you, and you may need to demonstrate to an employment tribunal why the alternative source of evidence was more acceptable to you than the fit note.

Further support

Occupational Health Advice Service

Free professional occupational health support for individual patient cases or about occupational health in general. Contact numbers are:

England	0800 0 77 88 44 www.health4work.nhs.uk
Scotland	0800 019 22 11 www.healthylivinglives.com
Wales	0800 107 0900 www.healthylivingwales.com

Supporting employees with health conditions

Access to Work provides practical and financial support to people with a physical or mental health condition or disability to help them keep a job. This can include paying towards aids or equipment; support workers; support services or travel to and in work www.gov.uk/access-to-work.

The Royal College of Surgeons of England have produced a Get Well Soon resource with practical tips about getting back to work following some common surgical procedures. www.rcseng.ac.uk/patients/recovering-from-surgery.

The Royal College of Obstetricians and Gynaecologists' website gives advice on returning to work after gynaecological surgery. www.rcog.org.uk/recovering-well/.

The Royal College of Psychiatrists provide advice about returning to work after a period of mental ill health, with specific sections for workers, employers and clinicians. <http://www.rcpsych.ac.uk/usefulresources/workandmentalhealth.aspx>.

Macmillan provides information about work and cancer for patients, carers and employers.

<http://www.macmillan.org.uk/Cancerinformation/Livingwithandaftercancer/Workandcancer/Workandcancer.aspx>.

Occupational health services

Occupational health support can be very helpful in complex cases and when work may be affecting your health. Occupational health services are often provided by large employers and sometimes by the NHS or local authorities. Trade or regional business associations may have details of occupational health providers or other sources of help. For details of providers in your area, contact:

Commercial Occupational Health Provider Association www.cohpa.co.uk

NHS Health at Work
www.nhshealthatwork.co.uk/support-for-business.asp

Society of Occupational Medicine
www.som.org.uk

Safe Effective Quality Occupational Health Service (list of approved occupational health providers) www.seqohs.org

Fit for Work

England and Wales
Telephone number - 0800 032 6235 (English language line) or 0800 035 6233 (Llinell Gymraeg)

Website - www.fitforwork.org

Fit for Work Scotland

Telephone number - 0800 019 2211

Website - www.FitforWorkScotland.scot

Managing sickness absence, disputes and sick pay

Gov.uk - www.gov.uk/sick-leave-pay-employees

The Health and Safety Executive has provided guidance for employers and managers on managing sickness absence and return to work. www.hse.gov.uk/pubns/priced/hsg249.pdf.

British Occupational Health Research Foundation has also developed guidance for managing sickness absence and return to work. www.bohrf.org.uk/downloads/Managing_Rehabilitation-Guidance.pdf.

For questions about Statutory Sick Pay you can visit the HMRC website at www.gov.uk/employers-sick-pay or call them on 08457 143143.

The Employer's Charter helps employers understand what they can do in respect of a number of issues. www.gov.uk/government/uploads/system/uploads/attachment_data/file/32147/employerscharter.pdf.

For help on avoiding or managing work-related disputes you can contact Acas at www.acas.org.uk or 08457 474747.

Fit for Work

You can access **Fit for Work** advice and, when available, also make a referral to an assessment by using the following web links and telephone numbers below:

England:

www.fitforwork.org

0800 032 6235

Opening hours advice: Monday to Friday 8.30am to 6.00pm

Opening hours assessment: Monday to Friday 8.30am to 6.00pm

Wales:

www.fitforwork.org

0800 032 6233

Opening hours: Monday to Friday 8.30am to 6.00pm

Opening hours assessment: Monday to Friday 8.30am to 6.00pm

Scotland:

www.FitforWorkScotland.scot

0800 019 2211

Opening hours advice: Monday to Friday 9.00am to 5.00pm

Illustrative examples of the fit note in action

Case study one

An employer makes changes - working from home

You run a publishing firm with 10 employees. One of your proof readers gives you a fit note saying that he has a common cold and cystic fibrosis, but that he may be fit for work taking account of the following advice, and the workplace adaptations box is ticked. His fit note has a duration of ten days and his doctor has indicated that they do not need to see him again once it expires.

The advice in the comments box reads: Your employee cannot travel into the office because he is at high risk of developing a chest infection whilst he has a cold. The increased risk is due to his pre-existing chest condition - cystic fibrosis. He is able work from home during this period.

You jointly discuss his fit note and agree that he should work from home for the next ten days – you email him some work to do, and he does not go on to sick leave. After ten days, your employee has recovered from his cold and goes back to work in his previous duties without going back to see his GP.

Case study two

An employer makes changes - a delivery driver who can't drive

You manage three people in a delivery company. One of them is a driver who has just had laser eye surgery and cannot drive for two weeks. Because the fit note is about someone's general fitness for work, your driver's doctor assesses that he may be fit for work taking into account the following advice and ticks the amended duties box.

The advice in the comments box reads 'Dry eyes, may experience temporary blurring of vision. Should not drive for two weeks. Can still perform other reasonable physical tasks. Mental function unaffected. If he uses a VDU he should take regular short breaks as per standard guidance.'

The fit note states that the doctor will not need to assess him again once it expires, so you plan for him to be back to work as normal at this time.

You discuss the fit note with your driver and agree that although he should not drive, his knowledge of the company and its operations means you decide to use him in a back office role for the two weeks. After two weeks his eyesight is back to normal and he goes back to his driving job, without going back to see his doctor.

Cases study three

An employer makes changes based on a Fit for Work Assessment

You are the manager of a local supermarket. One of your checkout assistants sends you a fit note saying she has anxiety disorder. The assistant's fit note states that she may be fit for work. The comments box says 'can perform physical tasks, but she gets anxious when faced with confrontations and difficult customers and should not be left alone'. Her doctor ticks 'amended duties'.

The fit note has duration of two weeks. You make arrangements for SSP to be paid and decide to keep in touch with the assistant while she is away so she doesn't feel cut off. Within a few days of receiving a fit note, you also receive a Return to Work Plan which has been completed by a health professional from Fit for Work. The Return to Work Plan recommends that the assistant has a phased return to work starting with just a few hours a day as well as other workplace adjustments which include not having to speak to customers during busy periods.

You are happy with these recommendations and arrange for her to do quieter shifts or work away from the shop floor during busier times. Following another recommendation in her Return to Work Plan you also arrange for her to attend a course which teaches coping techniques. This is intended to help Alice become more confident when dealing with customers.

After four weeks, the assistant informs you and her Fit for Work case manager that she feels more confident when dealing with the public and says she would like to return to normal duties. You agree to this and she returns to work as normal.

Important information about this leaflet

This is only a guide and does not cover every circumstance. We have done our best to make sure that the information is correct as of September 2015. It is possible that some of the information is oversimplified, or may become inaccurate over time, for example because of changes in the law.



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The content of the leaflet is for illustrative purposes only.