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Department for Work & Pensions

Guidance

The fit note: guidance for patients and employees

Updated 1 July 2022

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Changes to the fit note

From July 2022 the Department for Work and Pensions has updated the law for the fit note so that it can now be issued by nurses, occupational therapists, pharmacists and physiotherapists in addition to doctors. This means that you may be issued a fit note by someone other than a doctor as long as they are discussing your fitness to work with you. These health professionals should be treating you through NHS services.

You may notice changes to the fit note you receive from your healthcare professional as a new version of the fit note was introduced in April 2022.

The requirement for the healthcare professional to sign the form in ink has been removed and replaced by the issuer's name and profession.

There will be a period during which both the new and previous version of the fit notes are legally valid.

How the fit note works

Doing the right kind of work is good for your health, including if you have a health condition.

You do not always need to be fully recovered to go back to work, and in fact it can often help your recovery. Your fit note can help you go back to work when you are able to.

Your healthcare professional will not automatically assess that you are not fit for work if you have a health condition. Instead, they will discuss with you how your health affects what you can do at work.

They will think about your fitness for work in general rather than just your current job.

You should ask your healthcare professional to give you practical advice in the fit note about what you can do at work, rather than simply record your health condition.

You should then discuss this advice with your employer, to see if they can make any changes to help you return to work.

How work affects your health

If your healthcare professional doesn't ask you about how your health affects what you can do at work, you should raise the issue yourself.

Research shows that work can be good for your physical and mental health, lowers the risk of experiencing financial difficulties, and improves your overall quality of life.

You do not always need to be 100% 'fit' to be able to do some work, indeed, work can help your recovery from health problems or support your all round wellbeing if you have a long term health condition.

Your healthcare professional is there to help you with your health. Healthcare professional understand that work can be good for your health, and will talk to you about what you can do and whether you could return to work without making your health worse.

Getting a fit note

Your healthcare professional will only give you a fit note if your health affects your fitness for work. The fit note is your property and you should keep it. Your employer can take a copy if they want one for their records.

If you are fit for work, you do not need a fit note. You also do not need one if you are off sick for 7 calendar days or less, because you can self-certify your leave for this time – see guidance on employee's statement of sickness to claim Statutory Sick Pay

(https://www.gov.uk/government/publications/statutory-sick-pay-employees-statement-of-sickness-sc2).

Your healthcare professional cannot give you a fit note for non medical problems (such as problems at home or relationship

trouble at work). They may, however, be able to suggest other sources of help – some are listed in <u>further support</u>.

Rules of the fit note

You should get a fit note from the healthcare professional who is treating you. This should be a doctor, nurse, occupational therapist, pharmacist or physiotherapist delivering NHS services. Your healthcare professional can also issue a fit note based on a written report from another healthcare professional.

Fit notes can be handwritten, computer-generated and printed out or computer-generated and sent digitally to you. It must include the issuer's name and profession and the address of the medical practice. Duplicate fit notes can only be issued if the original has been lost.

If your fit note does not include the issuer's name or signature it is not valid and could be rejected by your employer or the Department for Work and Pensions (DWP) and you may be asked to get a new fit note

The fit note is classed as advice from your healthcare professional Your employer can decide whether or not to accept it, and your healthcare professional cannot get involved in any disputes between you and your employer. You may wish to seek help from a trade union or ACAS (Advisory, Conciliation and Arbitration Service) in such situations.

How your fitness for work will be assessed

Your healthcare professional will assess your fitness for work by considering how your health affects what you can do at work (for example your stamina and concentration).

They will decide whether you are not fit for work of any kind, or whether you may be fit for work taking account of their advice.

Your healthcare professional will not automatically assess that you are not fit for work if you have a health condition, and they will consider your fitness for work in general instead of just thinking about your current job.

This gives you and your employer the maximum flexibility to think about ways to help you go back to work (which might include moving you to a different job for a while or changing your duties).

Making a claim to sickness related benefits

You can use your fit note to support a claim to benefits. More information can be found on how to make a claim on the fit note itself, or on the benefits (https://www.gov.uk/browse/benefits) pages.

If your fit note says that you are not fit for work

Show the fit note to your employer to arrange your sick pay. They can take a copy but you should keep the original.

It's usually a good idea to keep in touch with your employer while you are away, so that you are ready when it's time to go back. You can get advice about sick pay from your trade union or see information about sick pay (https://www.gov.uk/browse/working/time-off).

If your fit note says that you may be fit for work

Your healthcare professional will give you advice in the rest of your fit note about how your health affects what you can do at work. Make sure you discuss this with them and understand their advice.

You should discuss your fit note with your employer to see if they can help you return to work; this won't necessarily mean doing your old job, or working full time. We know that employers want to help their employees return to work, and can often make changes to the workplace or job duties.

Your local safety representative or trade union may be able to help you in your discussions, and the checklist below may help you prepare for them:

- look at the tick boxes and comment box for advice on what you can do at work, and how your employer could support you
- check how long your fit note lasts and whether you are expected to be fit for work when it expires – <u>explaining the</u> <u>sections of the fit note</u> explains how you can do this
- think of possible changes to help you 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. See an <u>example</u> of someone using their fit note to help them go back to work.

If your employer cannot make any changes, they do not have to. In these circumstances, you should treat your fit note as if it said that you are not fit for work and use it as explained above. You should not go back to your healthcare professional for a new fit note.

The tick boxes

The tick boxes enable your healthcare professional to indicate the kind of general adaptations that might help you return to work. This is not binding on you, and you should feel free to discuss other options. Adaptations include:

- a phased return to work: a gradual increase in work duties or hours
- altered hours: changing your work times or total hours
- amended duties: changing your work duties
- workplace adaptations: changing aspects of your workplace

The comments box

Your healthcare professional should use the comments box to give you more detailed advice about the impact of your condition on what you can do at work. This will be advice about what you can do at work in general, and will not be tied to your current job. This gives you and your employer maximum flexibility to discuss ways to help you return to work.

It is helpful for your healthcare professional to give practical information about what you can do at work, eg 'should not drive, take regular breaks if using a display screen' instead of simply 'dry eyes'. If your healthcare professional thinks that your job may be affecting your health, they will also indicate this in the comments box.

The information in this box is often very helpful for employers, so you should ask your healthcare professional to provide advice here if they can. Ask your healthcare professional to include details about how your condition affects what you can do at work, rather than simply a diagnosis or description of your symptoms.

Possible changes

Check <u>further support</u> for other resources which could help, and guidance for particular conditions. You should discuss anything that you think would help. Some examples are listed below:

- changing to a different job or location
- reduced or flexible hours, or a phased return to work
- · changing work premises or equipment
- changing your duties / giving some of your tasks to somebody else
- providing additional training or supervision
- providing a reader or interpreter
- working from home
- arranging a mentor or work buddy
- working in a team instead of by yourself (or vice versa)
- · arranging for an occupational health assessment.

Going back to work

You should go back to work as soon as you feel able to and with your employer's agreement – this may be before your fit note runs out. You do not need to go back to see your healthcare professional before going back to work. Your healthcare professional cannot give you a fit note stating that you are 'fit for work'.

For a small number of jobs there are separate processes to ensure it is safe for you to return. If this applies to you, your employer will tell you. You do not need a fit note to cover this period while you wait for your employer's assessment and your healthcare professional will not be able to issue further fit notes to cover it.

Explaining the sections of the fit note

Fit note issued without signature in ink (Med3 2022 template)



- 1. The date your healthcare professional assessed you, either in person or over the telephone, or when they considered a report from another healthcare professional.
- 2. The condition(s) affecting your fitness for work. It's usually best for your healthcare professional to be as accurate as possible, but they can enter a less precise diagnosis if being too detailed might harm your position with your employer.
- 3. Your healthcare professional's assessment that you are either:
- not fit for work you are not fit for work of any kind
- may be fit for work taking account of the following advice you may be fit for work, taking account of your healthcare professional's advice in the fit note. This does not necessarily mean doing your current job
- 4. Your healthcare professional's advice about the impact of your health condition. See the comments box for more information.
- 5. The period that your healthcare professional's advice covers. This will either be from the date of the assessment (Box 1), or between a particular start and end date. These dates are inclusive (so a fit note dated from 2 April to 10 April will no longer apply from 11 April onwards). This section may cover a previous period if your healthcare professional thinks that your condition has affected your fitness for work before your assessment. This can be for any time up to an indefinite period.
- 6. Whether your healthcare professional needs to see you at the end of your fit note. If they expect you will be fit for work at the end of the fit note, they will indicate that they do not need to see you again.
- 7. The name of the issuer.
- 8. The profession of the issuer.
- 9. The date the fit note is issued. This may not always be the same as the date of the assessment.

Fit note with signature in ink (Med3 2017 template)

Patient's name	Mr, Mrs, Miss, Ms
assessed your case on:	1 1
and, because of the ollowing condition(s):	
advise you that:	you are not fit for work. you may be fit for work taking account of the following advice:
If available, and with y	rour employer's agreement, you may benefit from:
a phased return to	work amended duties
altered hours Comments, including for	workforce adaptations unctional effects of your condition(s):
Comments, including fe	
Comments, including for	unctional effects of your condition(s):
Comments, including for the control of the control	unctional effects of your condition(s):
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Complete sections 1 to 6 as above.

- 7. Your health professional needs to sign the fit note using ink. If they are using the <u>computer-generated fit note</u>, the statement date and address of the practice will be completed automatically by the IT software. If not, they need ensure that these sections are filled in. If your health professional is a nurse, occupational therapist, pharmacist, physiotherapist, they must strike out 'doctors' and replace with their own profession.
- 8. The date the fit note is issued. This may not always be the same as the date of the assessment.

Important: You can go back to work at any time you feel able to (including before the end of the fit note) without going back to see your healthcare professional, even if your healthcare professional has indicated that they need to assess you again.

Illustrative examples of how the fit

note works

Using the fit note to go back to work

Case study 1: Working from home

A proof reader for a publishing company has a fit note from his healthcare professional saying that he has a common cold and cystic fibrosis but that he may be fit for work taking account of the following advice. The workplace adaptations box is ticked. His fit note has a duration of 10 days and his healthcare professional 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 local 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.

The employee and his employer discuss his fit note agree that he should work from home for the next 10 days. His boss emails him some work to do, and he does not go on to sick leave. After 10 days, he has recovered from his cold and comes back to work as normal without going back to see his healthcare professional.

Case study 2: A delivery driver who cannot drive

A delivery driver for a major logistics firm has just had laser eye surgery. He has been told that he should not drive for 2 weeks.

His healthcare professional explains that the fit note is about his general fitness for work, and discusses what other tasks he can do. The healthcare professional indicates on his fit note that he may be fit for work. The comments box reads 'Dry eyes, may experience temporary blurring of vision. Should not drive for 2 weeks. Can still perform other reasonable physical tasks. Mental function unaffected. If he uses a VDU (Visual Display Unit) he should take regular short breaks as per standard guidance.' The healthcare professional ticks 'amended duties'.

His healthcare professional indicates that they will not need to assess him again at the end of the fit note because they expect him to be back to normal by then. The driver and his employer discuss the advice in the fit note.

Although he should not drive, the driver's knowledge of the company and its operations means they decide he can work in a back office role for the 2 weeks. The employee therefore keeps his full pay, and keeps in the routine of working. After 2 weeks, his eyesight is back to normal and he returns to his previous duties without going back to see his healthcare professional.

Further support

Managing health conditions at work

Access to Work (https://www.gov.uk/access-to-work) is a discretionary grant that can provide practical and financial support to people with a disability or health condition to help them start work or keep a job. The grant can contribute towards the disability related extra costs in the workplace that are beyond standard reasonable adjustments, but it does not replace an employer's duty under the Equality Act to make reasonable adjustments. Access to Work offers personalised support and workplace assessments and can fund support such as; travel to/in work, support workers, and specialist aids and equipment.

Access to Work also provides Mental Health Support Services to support people with a disability or health condition in employment with; tailored coping strategies, advice on adjustments and support for employers to enable them to better understand the challenges faced by their employees in the workplace.

Recovery from Surgery – Royal College of Surgeons of England (https://www.rcseng.ac.uk/patient-care/recovering-from-surgery/) provides practical tips and advice about getting back to work after common surgical procedures.

Recovering well from gynaecological procedures – Royal College of Obstetricians and Gynaecologists

(https://www.rcog.org.uk/en/patients/patient-leaflets/recovering-well-from-gynaecological-procedures/) provides advice on recovery, including return to work, following gynaecological surgery.

Work and Mental Health – Royal College of Psychiatrists (https://www.rcpsych.ac.uk/mental-health) provides advice about returning to work after a period of mental ill health.

Work and cancer - Macmillan (https://www.macmillan.org.uk/) provides information about work and cancer for patients, carers, employers and healthcare professionals.

<u>Upper limb disorders: Occupational aspects of management - Royal College of Physicians</u>
(https://www.rcplondon.ac.uk/guidelines-policy/upper-limb-disorders-occupational-aspects-management-2009) Evidence based guidance for employees.

Help with personal or social problems

Fit notes can only be issued for medical problems. Your healthcare professional may be able to refer you to support for other personal or social problems. For example:

Problems at work

For help on dealing with bullying, harassment or discrimination and preventing or managing disputes and conflict at work contact <u>ACAS (https://www.acas.org.uk)</u> or telephone 0300 1231100.

Your local trade union or safety representative may also be able to help with issues at work.

Support for carers

NHS Social care and support guide (https://www.nhs.uk/conditions/social-care-and-support-guide/)

Debt issues

<u>Citizens Advice – Help with debt</u> (https://www.citizensadvice.org.uk/) National Debtline (https://www.nationaldebtline.org/)

Career advice

National Careers Service (https://nationalcareers.service.gov.uk/)

Help with relationships

Relate (https://www.relate.org.uk/)

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 Assocation (https://cohpa.org/)

NHS Health at Work (http://www.nhshealthatwork.co.uk/)

Supporting Organisational Health and Well being Professionals (https://www.som.org.uk/)

<u>Safe Effective Quality Occupational Health Service</u>
(https://www.seqohs.org/): list of approved occupational health providers.

More information on the fit note

For more information on the fit note see <u>fit note guidance</u> (https://www.gov.uk/government/collections/fit-note).

Important information

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 July 2022. 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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