

**COMMERCIAL ALERT**

**12 March 2010**

**“Fit Notes” to replace “Sick Notes” with effect from 6 April**

From 6 April 2010 the format of medical statements (also known as medical certificates or sick notes) issued by doctors to employees will change. These are intended to save the taxpayer some £240 million over 10 years.

Medical statements are issued by doctors to people when they are ill or injured, and are commonly used by employers as evidence for sick pay purposes. The statements describe an individual’s condition and indicate whether or not they are fit to work.

The new statement – known as a statement of fitness for work or ‘fit note’ – will mean doctors can advise that the patient is either

- Not fit for work, or
- May be fit for work

A doctor will give a ‘may be fit for work statement’ if they think an individual’s health condition may allow them to work, as long as the employer will give them the appropriate support.

If the doctor uses the second option they will give advice about the effects of the patient’s health condition and, if appropriate, some suggestions about the types of adjustment or adaptations an employer could consider making to help the individual back to work.

While an employer does not have to act on the doctor’s advice, it may help employers to make simple and practical adjustments to help the employee back to work and thereby reduce unnecessary sickness absence.

If, for any reason, it is not possible to make the necessary changes, the employer should treat the statement – for sick pay purposes – as if the advice had been ‘not fit for work’.

Employers’ obligations to pay statutory sick pay and make reasonable adjustments under the Disability Discrimination Act 1995 will not change.