Let's talk about fit notes and workplace adjustments

Dr Sisi Chen

Portfolio GP

Occupational Health Physician

Coach/Mentor

Sisi.chen@nhs.net

Structure of the session

- Relationship between work and health
- Focus on “may be fit for work” section and what advice can be given
- Legal factors to consider
- Case studies
- HSE guidance on DSE and workplace stress review
- Fit note myth busting
- Questions

IS WORK GOOD FOR YOUR HEALTH AND WELL-BEING? (Waddell & Burton 2006)

"There is a strong evidence base showing that work is generally good for physical and mental health and wellbeing. Worklessness is associated with poorer physical and mental health and well-being. Work can be therapeutic and can reverse the adverse health effects of unemployment. That is true for healthy people of working age, for many disabled people, for most people with common health problems and for social security beneficiaries. The provisos are that account must be taken of the nature and quality of work and its social context; jobs should be safe and accommodating. Overall, the beneficial effects of work outweigh the risks of work, and are greater than the harmful effects of long-term unemployment or prolonged sickness absence."

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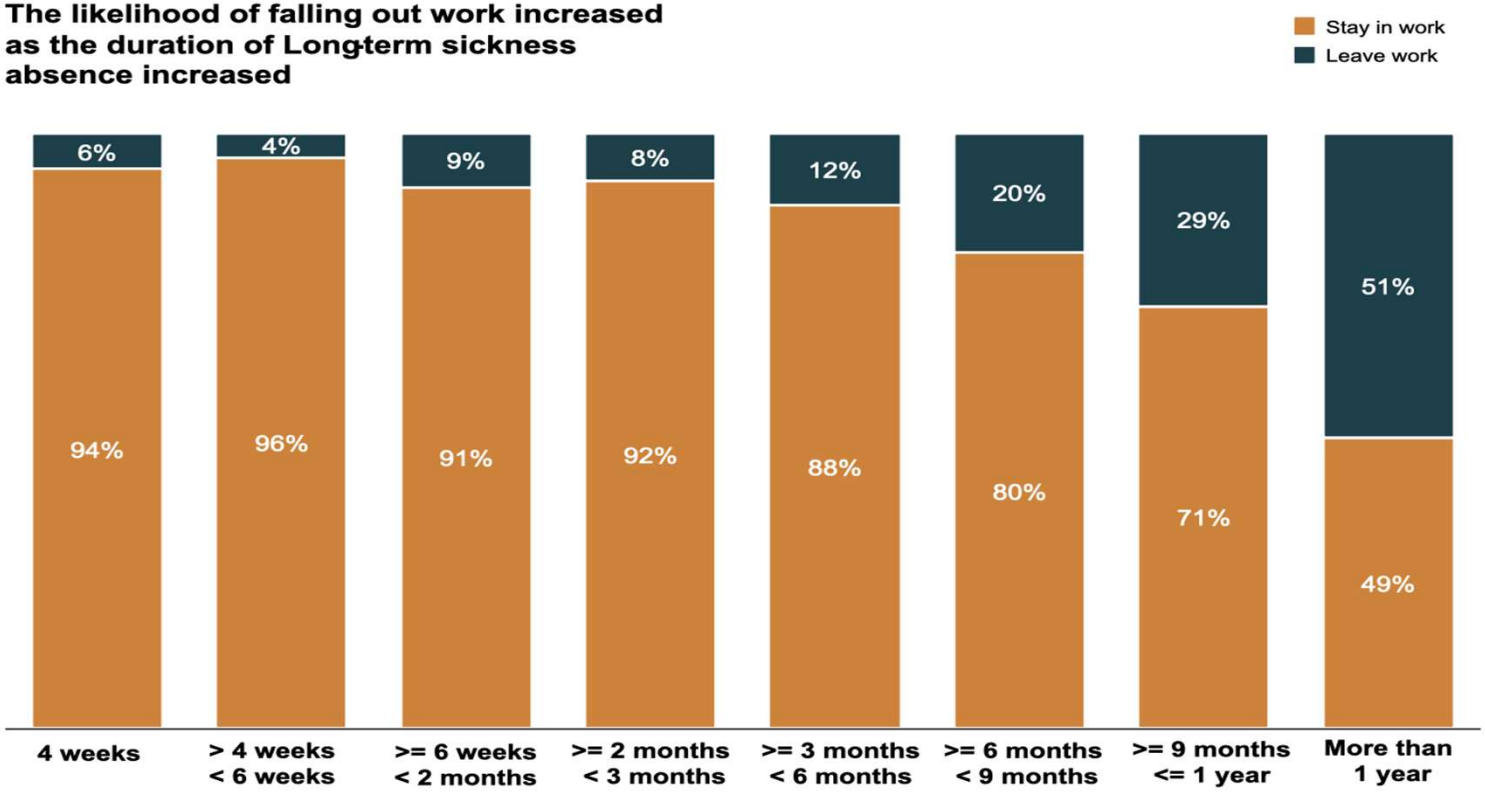
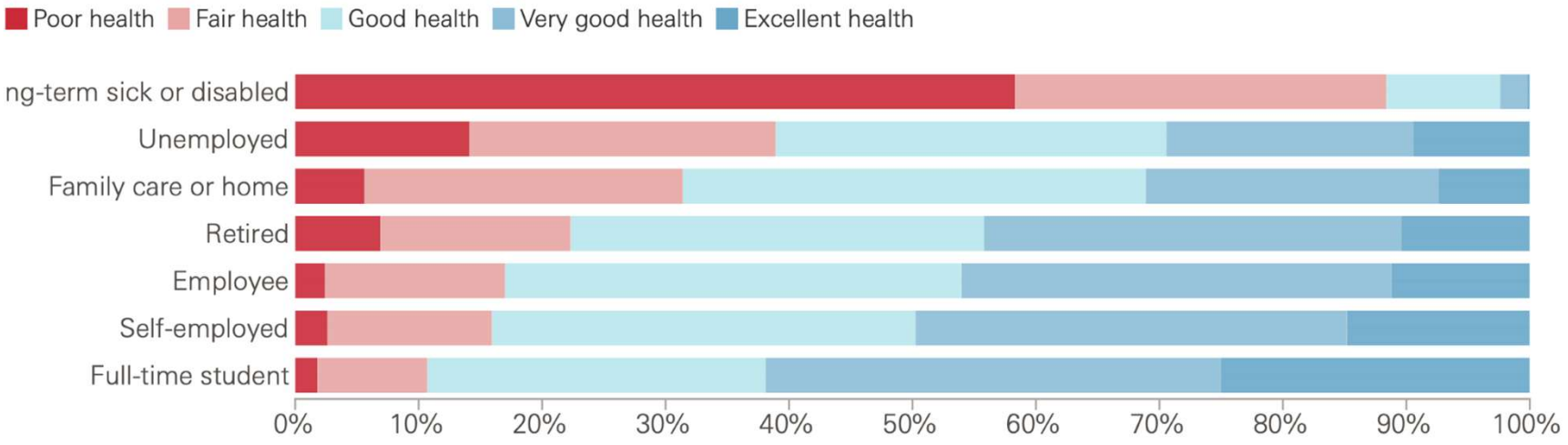
The likelihood of falling out work increased as the duration of Long-term sickness absence increased



Source: The employment of disabled people 2024 – GOV.UK

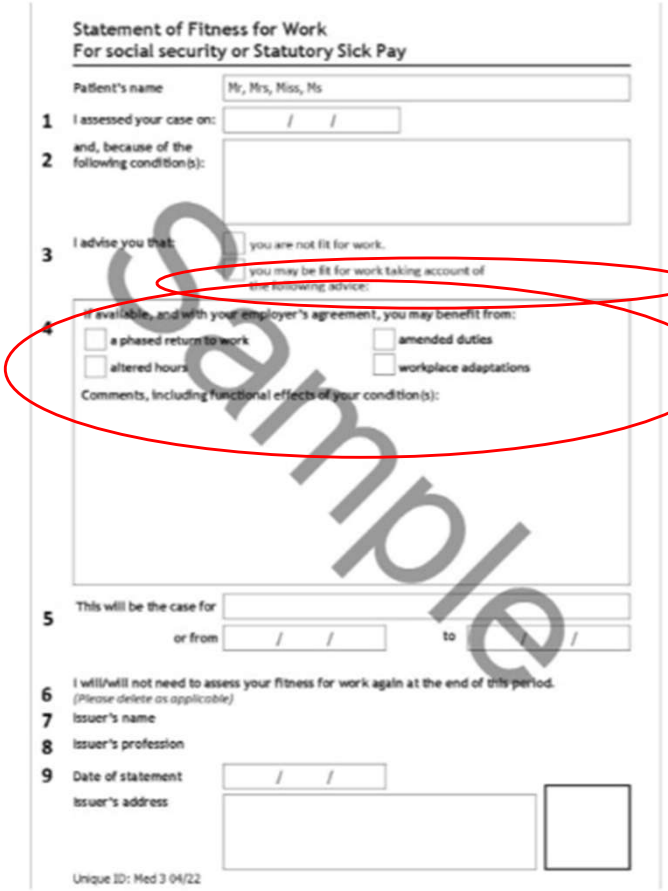
Aside from long-term sick or disabled people, unemployed people report the worst health

Self-rated health by employment status, UK, 2022–23



The Health Foundation

Source: Health Foundation analysis of University of Essex, Institute for Social and Economic Research, Understanding Society: Wave 14, UK,



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

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

1 I assessed your case on: / /

2 and, because of the following condition(s):

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

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
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 Issuer's name

8 Issuer's profession

9 Date of statement / /

Issuer's address

Unique ID: Med 3 04/22

Qs to consider when fit note is considered

- Are they capable of some form of work?
- How would return to work/being off work serve them?
- External non-work related factors to consider
- If they are capable of some form of work – consider adjustments/employer support

Legal factors to consider

- **Health and Safety at Work Act 1974**
  - DSE Regulations 1992
  - PPE Regulations 2018
  - Management of Health and Safety at Work Regulations 1999
  - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
  - Manual handling Operations Regulations 1992
- **Equality Act 2010**
  - Disability – If you have a physical or mental impairment and that impairment has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities

Case 1

- 50 year old, secretary, outpatient clinic
- In role since November 2023
- Part time – 16 hours over 3 days
- Final stage sickness absence – repeated sickness absences past 2 years

Case 1

PMHx:

- Rheumatoid Arthritis
- Fibromyalgia
- OA both hands
- Depression and anxiety

Case 1

- Poor mental health – abusive relationship last year
- Bullying at work
- Worsening fibromyalgia symptoms
- Ongoing dizziness for many years
- Swollen finger joints
- Right foot plantar fasciitis past 1 month

Case 1

- MSK symptoms
  - Workstation review
  - IT support
- Mental health
  - Clinical support
  - Work stress review
  - Consider workload/pace of work/workplace support
- Fibromyalgia
  - Support remote working
  - Flexible work hours
  - Access to work

Work related stress

- What is the role of a GP?
  - Support associated mental health illness
  - Be direct
  - Separate the mental health illness management and work stress management

Work related stress – 5 pillars

- **Demands:** This includes factors like workload, working patterns, and the work environment.
- **Control:** This refers to the amount of influence an individual has over their work and how they do it.
- **Support:** This encompasses the encouragement and resources provided by managers and colleagues.
- **Relationships:** This category focuses on how well relationships function at work, including preventing issues like bullying and conflict.
- **Role:** This concerns how clear people are about their job responsibilities and what is expected of them.
- **Change:** This relates to how well organizational changes are managed and communicated.

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Return to work questionnaire

Cause of stress	Question	Was it a problem for you? *Use this space to detail what the problem was. If it was not a problem leave it blank*	What can be done about it? *Can we make any adjustments?*
Demands	Did different people at work demand things from you that were hard to combine?		
	Did you have unachievable deadlines?		
	Did you have to work very intensively?		
	Did you have to neglect some tasks because you had too much to do?		
	Were you unable to take sufficient breaks?		
	Did you feel pressured to work long hours?		
	Did you feel you had to work very fast?		
	Did you have unrealistic time pressures?		
Control	Could you decide when to take a break?		
	Did you feel you had a say in your work speed?		
	Did you feel you had a choice in deciding how you did your work?		
	Did you feel you had a choice in deciding what you did at work?		
	Did you feel you had some say over the way you did your work?		
	Did you feel your time could be flexible?		
Support* (Manager)	Did your manager give you enough supportive feedback on the work you did?		
	Did you feel you could rely on your manager to help you with a work problem?		
	Did you feel you could talk to your manager about something that upset or annoyed you at work?		
Support* (Manager)	Did you feel your manager supported you through any emotionally demanding work?		
	Did you feel your manager encouraged you enough at work?		
(Peers)	Did you feel your colleagues would help you if work became difficult?		
	Did you get the help and support you needed from your colleagues?		
	Did you get the respect at work you deserved from your colleagues?		
	Were your colleagues willing to listen to your work-related problems?		
Relationships*	Were you personally harassed, in the form of unkind words or behaviour?		
	Did you feel there was friction or anger between colleagues?		
	Were you bullied at work?		
	Were relationships strained at work?		
Role	Were you clear about what was expected of you at work?		
	Did you know how to go about getting your job done?		
	Were you clear about what your duties and responsibilities were?		
	Were you clear about the goals and objectives for this department?		
	Did you understand how your work fits into the overall aim of the organisation?		
Change	Did you have enough opportunities to question managers about change at work?		
	Did you feel consulted about change at work?		
	When changes were made at work, were you clear about how they would work out in practice?		
Other issues	Is there anything else that was a source of stress for you, at work or at home, that may have contributed to you going off work with work-related stress?		

Factors outside work

This list of questions on return to work has mainly focused on factors at work. However, there may be factors outside work, for example in your family life, which may have contributed to or added to the pressures at work. These may have made it harder to cope with demands at work that you would normally be able to cope with.

You may want to share these issues with your manager – they may be able to help at work and make adjustments, for example, being more flexible with working hours or just being sympathetic to the pressures you are under.

If you do not feel happy telling your manager about these things, is there anyone else you can turn to, for example, your human resources department or employee assistance programmes at work? You may also like to look at the links at http://www.hse.gov.uk/stress/ on the HSE Stress website

Display Screen Equipment assessment

- https://www.hse.gov.uk/pubns/ck1.pdf

HSE

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Display screen equipment (DSE) workstation checklist

This is a web-friendly version of *Display screen equipment (DSE) workstation checklist* published 05/13

Workstation location and number (if applicable): .....

User: .....

Checklist completed by: .....

Assessment checked by: .....

Any further action needed: Yes/No

Follow-up action completed on: .....

The following checklist can be used to help you complete a risk assessment and comply with the Schedule to the Health and Safety (Display Screen Equipment) Regulations 1992 as amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002.

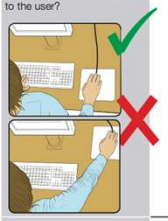
The questions and 'Things to consider' in the checklist cover the requirements of the Schedule. If you can answer 'Yes' in the second column against all the questions, having taken account of the 'Things to consider', you are complying. You will not be able to address some of the questions and 'Things to consider', eg on reflections on the screen, or the user's comfort, until the workstation has been installed. These will be covered in the risk assessment you do once the workstation is installed.

Work through the checklist, ticking either the 'Yes' or 'No' column against each risk factor:

- 'Yes' answers require no further action.
- 'No' answers will require investigation and/or remedial action by the workstation assessor. They should record their decisions in the 'Action to take' column. Assessors should check later that actions have been taken and have resolved the problem.

Remember, the checklist only covers the workstation and work environment. You also need to make sure that risks from other aspects of the work are avoided, eg by giving users health and safety training, and providing for breaks or changes of activity. For more advice on these see *Working with display screen equipment (DSE): A brief guide*.

Risk factors	Tick answer		Things to consider	Action to take
	Yes	No		
1 Keyboards				
Is the keyboard separate from the screen?			This is a requirement, unless the task makes it impracticable (eg where there is a need to use a portable).	
Does the keyboard tilt?			Tilt need not be built in	
Is it possible to find a comfortable keying position? 			Try pushing the display screen further back to create more room for the keyboard, hands and wrists. Users of thick, raised keyboards may need a wrist rest.	
Does the user have good keyboard technique?			Training can be used to prevent: ■ hands bent up at the wrist; ■ hitting the keys too hard; ■ overstretching the fingers.	
Are the characters clear and readable?			Keyboards should be kept clean. If characters still can't be read, the keyboard may need modifying or replacing. Use a keyboard with a matt finish to reduce glare and/or reflection.	

Risk factors	Tick answer		Things to consider	Action to take
	Yes	No		
2 Mouse, trackball etc				
Is the device suitable for the tasks it is used for?			If the user is having problems, try a different device. The mouse and trackball are general-purpose devices suitable for many tasks, and available in a variety of shapes and sizes. Alternative devices such as touch screens may be better for some tasks (but can be worse for others).	
Is the device positioned close to the user? 			Most devices are best placed as close as possible, eg right beside the keyboard. Training may be needed to: ■ prevent arm overreaching; ■ encourage users not to leave their hand on the device when it is not being used; ■ encourage a relaxed arm and straight wrist.	
Is there support for the device user's wrist and forearm?			Support can be gained from, for example, the desk surface or arm of a chair. If not, a separate supporting device may help. The user should be able to find a comfortable working position with the device.	
Does the device work smoothly at a speed that suits the user?			See if cleaning is required (eg of mouse ball and rollers). Check the work surface is suitable. A mouse mat may be needed.	
Can the user easily adjust software settings for speed and accuracy of pointer?			Users may need training in how to adjust device settings.	

Case 1

- Back to work
- Remote day one day a week permanent
- Continue sickness absence monitoring but not proceeded to hearing

Case 2

- 44 year old
- IT manager
- Traumatic head injury with post concussion syndrome August 2024
- Originally referred September 2024

Case 2

- Initial 1 month off
- Failed return to work
- Off work again October 2024
- Prolonged recovery period until May 2025

Case 2

- Work-place adjustments
  - Prolonged phased return
  - Identified activities which were more demanding and advised for exclusion
  - Commute to work
  - Supernumerary

Case 3

- 38 year old
- Orthopaedic practitioner
  - Fracture clinic
  - Wound review including plastering and casting
  - Ward based review
  - Theatre support
- Off work due to TIA
  - Good recovery
  - Some ongoing fatigue but 80% recovered

Case 3

- Support back to work
  - Phased return
    - 6 weeks
    - Half days, non-consecutive day working
  - Work activities review
    - Clinic
    - Ward based review
    - Theatre based tasks
  - Work place support
    - Temporary period of reduction workload
    - 1 to 1 managerial support next 3 months
    - Time off for medical appointments

Case 4

- 25 year old
- Scaffolder
- Fracture radius – conservatively managed

Case 4

- Temporary change in work
  - Worked on shop floor doing admin based role until able to return to manual handling role

Intention to return to work

- Do they want to?
- What is their motivation to?
- What do they perceive as barriers?
- What do they suggest as solutions?

Summary

- Always ask – could this person do something at work?
- It is up to the employer to decide what constitutes as reasonable adjustments
- If the job is right, it is supportive for health and wellbeing

Fit note myths busting

1. Occupational health physicians can complete fit notes Incorrect
2. Patient can self certify for the first 7 working day of sickness absence Incorrect
3. If I certify a patient fit to work with adjustments, I am then liable if something goes wrong Incorrect
4. The maximum duration a fit note can be issued is 6 months Incorrect
5. I do not need an in-depth understanding of my patient's job to give suggestions on role adjustments Correct

Fit note myths busting

6. Patient can return to work if they feel fit to do so without a further note even if this is within the period covered by the sick note as 'unable to work'

   Incorrect

7. If you issue a 'may be fit for work' fit note and the adjustments suggested could not be accommodated, patient will need to return for a new fit note to be issued which states 'unfit for work'

   Incorrect

Fit note myths busting

8. If a patient is self employed, they do not need a sick note if they are too unwell to work as they are their own employer Incorrect
9. Sometimes you will need to do a fit to certify someone as fit to return to work if the employer asks Incorrect
10. You cannot issue a fit note with a future starting date Incorrect
11. You only need to issue one fit note even if your patient has more than one employment Incorrect

Fit note myths busting

- https://www.gov.uk/government/publications/fit-note-guidance-for-healthcare-professionals/getting-the-most-out-of-the-fit-note-guidance-for-healthcare-professionals

Questions?