

# FIT NOTES GIVE INSIGHT ON MENTAL HEALTH AT WORK

## Mental health disorders

**Mental health disorders are on the increase, according to recent research. Back-up reports.**

Mental health problems experienced by working people – including depression, anxiety and stress – are the most commonly stated illnesses for sickness absence, says a study commissioned by the Department for Work and Pensions (DWP).

Among the main findings of the research, published in June and undertaken by the Institute for Employment Studies and the University of Liverpool to assess the impact of “fit notes”, was that mild-to-moderate mental health disorders (M-MMDs) are increasing – over a third of all fit notes issued (35%) related to these disorders.

The Statement of Fitness for Work, more popularly known as the fit note (see box), was introduced in April 2010 across England, Wales and Scotland. It replaced the previous sickness certification system for entitlement to Statutory Sick Pay (SSP).

The research, *Evaluation of the statement of fitness for work (fit note):*

*quantitative survey of fit notes*, was based on 49 GP practices across Britain and collected data on 58,700 fit notes between October 2011 and January 2013.

It found that mental health conditions were the most commonly specified conditions for sickness absence and that one in 10 employees who had a mental health condition did not return to work. The survey suggests that more research

may be needed on how to help this group return to work, where possible.

And it showed that while these types of mental health disorders were most commonly found in all fit notes issued across the country, over 41% of all fit notes for M-MMDs were for patients who lived in the most deprived areas. Less than 31% were issued for M-MMDs in the least deprived areas of the country.

The study also found that female patients were more likely than men to receive a fit note for M-MMDs. And younger patients were more likely to suffer from the disorders than older people.

Asked how useful they found the fit note system:

- just over seven in 10 employees (71%) said they found the fit note helpful;
- two-thirds agreed that the fit note and their discussions with their GPs made a difference to their employer's willingness to make changes to help them to return to work; and
- between 70% and 82% of employees agreed that both GPs and employers had understood the types of changes needed to help them return to work.

The DWP issued guidance in March this year reminding employees how to correctly use the fit note.

It points out that if an employer wants a fit note before seven days after the first day of sickness (when an employee is only required to self-certify their illness) they must arrange and pay for any such fit note to be provided.

The TUC's guidance on fit notes urges union reps to ensure that employees are not forced onto reduced pay and forced back to work early, and that employees have

proper access to union reps as well as to grievance procedures.

The guidance, which includes a useful checklist, also warns reps to ensure that employers do not ignore GPs' advice and expect employees simply to come back to work.

Other points for reps to look out for when dealing with fit notes include:

- reps should ensure that a GP has fully consulted an employee about any additional information on the fit note and that the employee is fully aware of what their GP is suggesting. There should not be any unnecessary information. There is space on the fit note for the GP to provide additional information about the employee's condition and its effect on an employee's work.
- check that employers are doing revised risk assessments in situations where employees are returning to work with

changes proposed by the fit note; and

- an employer does not have to follow the advice of a GP on a fit note. So reps should ensure that an employer is acting reasonably in this type of situation.

The fit note does not affect the employer's

legal duty to make reasonable adjustments for disabled employees.

*Evaluation of the statement of fitness for work*, is at: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/207525/rrep841.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207525/rrep841.pdf)

DWP guidance, *The fit note: a guide for patients and employees*, is at: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/192657/fitnote-patients-employees-guidance.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/192657/fitnote-patients-employees-guidance.pdf)

The TUC guidance is at: [www.tuc.org.uk/sites/default/files/extras/fitnote.pdf](http://www.tuc.org.uk/sites/default/files/extras/fitnote.pdf)

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## THE FIT NOTE

**The fit note determines entitlement to Statutory Sick Pay and should be provided to the employer seven days after the first day of sickness absence.**

**An employee needs to self-certify any sickness absence that is less than seven days.**

**The fit note can say if an employee is not fit for work at all or, that they may be fit to work if certain changes are made.**

**The fit note has four options that the GP can**

**suggest to an employer about a return to work.**

**This suggestion should be made by the GP after assessing and, if possible, diagnosing the employee as well as discussing any suggestions about a return to work.**

**The four options are:**

- a phased return to work;
- altered hours;
- amended duties; and
- workplace adaptations, which will be particularly relevant if the employee is disabled.