

# Fit note reform: call for evidence

5 July 2024

## About us

We're RCOT, the Royal College of Occupational Therapists. We've championed the profession and the people behind it for over 80 years; and today, we are thriving with over 36,000 members. Then and now, we're here to help achieve life-changing breakthroughs for our members, for the people they support and for society as a whole.

An occupational therapist (OT) helps people of all ages overcome challenges completing everyday tasks or activities – what we call 'occupations'. Occupational therapy can help you live your best life at home, at work – and everywhere else. It's about being able to do the things you want and have to do. That could mean helping you overcome challenges learning at school, going to work, playing sport or simply doing the dishes. Everything is focused on increasing independence and wellbeing.

OTs can play a major role in helping people who are not working due to health, or other reasons, get back into employment. OT considers a person's overall health and well-being and aims to overcome obstacles preventing them from working. Since 2022, occupational therapists have had legislative powers to certify fit notes.

The benefits of OTs issuing fit notes include:

- Having the core skills to relieve pressure on GPs/doctors so they can focus on other medical needs. This approach ensures NHS resources are used wisely.
- Expertise in providing work and health advice.
- Ensuring people receive more tailored advice quickly.
- Building innovative pathways to vocational support based on the whole person needs of an individual.
- Providing comprehensive solutions through occupational therapy rehabilitation, addressing the worker's health/disability, job tasks, and work environment

However, the OT workforce is in crisis. We're spread too thinly – with around six occupational therapists for 10,000 people in the UK, based mainly in inpatient services. And, only a small proportion are situated in GP surgeries, where they can deliver the greatest impact to support people to get back in to work.

To fully realise the benefits of having OTs involved in the fit note process, we need to increase the presence of OTs in the community, particularly within primary care settings. By embedding OTs in primary care, we can leverage their expertise in assessing work-related capabilities and providing tailored recommendations for people recovering from illness or injury. This proactive approach not only enhances patient outcomes but also alleviates the workload of GPs who can focus predominantly on medical issues. To inform our response, we received input from the RCOT Specialist Section for Work and hosted a webinar with members on Tuesday 4 June 2024 attended by over 70 members.

Our priorities for reforming the fit note are:

- **Reposition OTs in primary and community settings:** OTs have the perfect skill set to help, and their effectiveness can be increased if we reposition them more in primary and community settings. This will allow OTs to focus on early intervention and prevention for individuals with health and work problems.
- **Reanalyse the fit note:** To address the current challenges of health, work, and the fit note, we need a brave and bold reanalysis of the form and function of this tool. The variety of people's working lives and health conditions is much more complex than it was 20 years ago, making the fit note a blunt instrument that needs refinement.
- **Create a personalised approach to support:** We need to develop a more personalised, tailored, and granular approach to supporting people and their employers with health and work issues. This involves matching individuals' needs with various types of support and assistance. Maximising the use of AI and technological help, alongside expert clinicians like occupational therapists, and positioning support across universal, targeted, and specialist levels will be crucial.

## Our response

### About you

#### 1. Please tell us in what capacity you are responding:

A stakeholder organisation

#### 2. If you are responding on behalf of an organisation, what is its name?

Royal College of Occupational Therapists. We operate throughout the UK, including England, Wales, Scotland and Northern Ireland.

### Overarching views of the fit note process

#### 4. How effective do you feel current fit note process is at supporting individuals' or patients' work and health needs?

Ineffective

#### 6. What can be done to improve the fit note process to meet individuals' or patients' work and health needs?

#### **Harnessing the expertise of OT**

OTs are uniquely qualified to assess work-related health issues and provide comprehensive rehabilitation plans. They possess the specialised skills needed to conduct thorough and holistic assessments, understand patients' strengths and needs, and create realistic return-to-work plans based on task analysis skills. As the only undergraduate profession dual-trained in both physical and mental health conditions, OTs bring a unique and comprehensive perspective to patient care. Their ability to consider the environment in their assessments ensures that all factors impacting a patient's ability to return to work are addressed. Leveraging OTs for this role ensures that fit notes are not only issued efficiently but also include detailed and applicable advice that truly supports patients' health and work needs.

### **Integration and collaboration**

Integration and collaboration between OTs, GPs, and occupational health services and employers are vital. Joint working and ongoing communication between healthcare providers, including primary care, community teams, and secondary care, will ensure cohesive and coordinated support for patients returning to work. Collaboration with primary care providers, job centres, and other relevant stakeholders should be encouraged.

To achieve this, the government should expand the number of OTs in GP surgeries. This would enhance the fit note process by providing direct access to specialised work-focused assessments and interventions. This will promote seamless joint working and communication between healthcare providers to support patients returning to work. Additionally, OTs trained to provide vocational rehabilitation advice should be integrated into the patient pathway in secondary care.

### **Early intervention and holistic assessment**

Referring patients to OTs at the earliest point for work-related conversations and assessments will help identify their strengths, needs, and potential reasonable adjustments. Conducting thorough assessments and focusing on setting SMART goals and creating realistic, graded return-to-work plans based on OT task analysis skills will improve patient work outcomes. This ensures that goals are specific, measurable, achievable, relevant and time-bound.

### **Adopting proactive and preventative approaches**

OTs can play a pivotal role by providing specialised assessments and interventions aimed at early intervention and prevention of health and work-related issues. This proactive approach ensures that individuals receive tailored support, improving their chances of sustainable return to work.

Using population health management to identify individuals at risk of needing a fit note and engaging in preventative measures will help manage conditions better. This approach aims to manage health conditions more effectively by intervening early, providing tailored interventions, and supporting individuals to maintain their health and function. Encouraging proactive discussions and education for patients with new or long-term health conditions and integrating OTs into first-contact therapy clinics in medical practices will provide timely interventions.

### **Role clarification and capacity management**

Confusion often arises from a lack of standardised guidelines or clear communication within healthcare settings. Our members tell us that they face inconsistent interpretations of their role in issuing fit notes.

Role clarification and capacity management are essential to ensure that OTs can provide comprehensive work support. By clearly defining the roles and contexts in which OTs are involved in issuing fit notes, managing capacity and demand, and addressing concerns about signing people off work, we can ensure these processes align with OTs' expertise and capacity.

### **Policy and systemic support**

Changes should be made to support the broader social contract related to work, housing, and benefits, along with ensuring continuity of care when patients transition between different levels of healthcare. This should include developing standardised assessments will reduce variability in the fit note process and improve consistency across different issuers.

### **Professional recognition and advocacy**

Many members have reflected to us that there is lack of awareness of the unique role of OTs in providing meaningful work recommendations and support.

To address this, there needs to be greater education of the wider system on the importance of OTs in the fit note process and advocating for dedicated OT roles in vocational rehabilitation will build professional trust and visibility. This gap in awareness can also be address by ensuring that more OTs are situated in community settings, where they are better positioned to support people to get in to work.

### **Comprehensive support and resources**

OTs need to be equipped to offer both emotional and practical support to patients. OTs already have the core skills, but providing them with top-up training such as OT-specific modules to address the diverse needs of their patients effectively when it comes to issue fit notes. This will ensure they can deliver tailored assessments and interventions that align closely with individual health and work requirements.

Improving data collection and analysis would be welcome. By gathering detailed data on fit note issuance and patient outcomes, we can better understand the impact of OTs. This data will help in identifying trends, challenges, and areas for improvement in the fit note process.

Finally, promoting the use of reasonable adjustments and adaptive equipment is necessary. These resources ensure that the fit note process is effective in supporting patients' health and work needs. By making appropriate adjustments and providing adaptive equipment, we can help patients maintain their ability to work and improve their overall well-being.

### **Employers' experience**

#### **18. What, if any, additional information might be helpful for employers to have within "may be fit for work" fit notes to support employees to successfully return to work from sickness absence?**

OTs can contribute the following information to help employers to support their employees to successfully return from work after a sickness absence.

#### **Detailed recommendations for adjustments**

Employers would benefit from more specific recommendations within "may be fit for work" fit notes regarding the types of adjustments that can facilitate an employee's return to work. This could include suggestions for flexible working hours, modified duties, or ergonomic adjustments to the workplace. Clear guidance on these adjustments can help employers make practical and effective changes that support the employee's health needs while maintaining productivity.

#### **Graded return-to-work plans**

Including a graded return-to-work plan within the fit note can provide a structured pathway for employees returning from sickness absence. These plans should outline a gradual increase in work hours and responsibilities, tailored to the individual's recovery progress. This will support employers to provide sufficient support to their employees to manage their return to work appropriately. OTs are well-suited to create these plans based on their expertise in task analysis and activity modification.

#### **Information on employee's strengths and needs**

Fit notes should include a thorough assessment of the employee's strengths and needs, conducted by OTs or other relevant healthcare professionals. This information can help employers understand the capabilities of their employees and identify suitable roles or tasks that align with their current

health status. OTs, through their expertise in activity analysis, can provide detailed insights into how individuals' abilities and limitations translate into practical workplace tasks and adjustments, ensuring a more accurate fit note process tailored to each employee's specific situation.

### **Potential barriers and solutions**

Employers would find it helpful if fit notes highlighted potential barriers to the employee's return to work and provided practical solutions to overcome these barriers. This could involve advice on managing specific symptoms, stress management techniques, or recommendations for supportive workplace practices.

### **Ongoing support and monitoring**

Guidance on the need for ongoing support and monitoring can help employers ensure that the employee's return to work is successful. Fit notes should specify if follow-up assessments or regular check-ins are necessary, enabling employers to plan and provide continuous support as needed.

## **19. What do employers need to feel confident in having in-depth work and health conversations with employees?**

### **Education and training on health conditions**

Many employers would like to provide more support for their colleagues but lack the necessary information and expertise to do so. They need better information and training so that they can understand how different health conditions can affect the way people work, so that they can more effectively put in place the right support for them. This knowledge can empower them to engage in meaningful conversations with employees about their health and work needs.

Educating employers on the importance of "may be fit to return to work" and reasonable adjustments, along with promoting understanding that working at reduced capacity is beneficial, may support employees in remaining in work. However, it's important to note that working at reduced capacity isn't always beneficial; in some situations, it could exacerbate injuries or conditions. Therefore, professional input is essential to interpret individual circumstances accurately and create the most suitable and safest plan for each employee. This approach ensures that fit notes are issued with careful consideration of both the potential benefits and risks, aiming to support employees effectively in their return-to-work journey.

### **Clear guidance on legal and ethical responsibilities**

Employers need clear guidance on their legal and ethical responsibilities regarding employee health and wellbeing. This includes understanding their obligations under the Equality Act 2010 and knowing how to implement reasonable adjustments. This guidance can build confidence in handling sensitive health-related discussions appropriately and the relationship to OT ensures that occupational therapists can provide expert advice and support in implementing these adjustments effectively.

### **Access to occupational health expertise and increasing the number of occupational therapists**

Having access to occupational health experts can support employers in conducting in-depth work and health conversations. These professionals can offer advice, conduct assessments, and provide tailored recommendations, ensuring that the support provided is evidence-based and effective. Occupational therapist can make an effective contribution to occupational health services. However, there are insufficient numbers of OTs, particularly in community settings, which limits the availability of OT input into these specialised services. Addressing this shortage is crucial to ensure that

employers and individuals have adequate access to occupational health expertise, thereby enhancing the quality and accessibility of support offered.

### **Resources and tools for conversations**

Providing employers with resources and tools, such as conversation guides and checklists, can help structure in-depth work and health discussions. These tools can ensure that all relevant aspects are covered, making the conversations more comprehensive and productive. These tools, typically provided by occupational health professionals or relevant HR departments, ensure that all relevant aspects are covered, making the conversations more comprehensive and productive. This proactive approach supports employers in navigating sensitive health-related discussions effectively and facilitating informed decision-making regarding workplace adjustments.

### **Supportive workplace culture**

A supportive workplace culture that values employee wellbeing is crucial for employers to feel confident in having health-related conversations. Promoting a culture of openness and support can encourage employees to share their health concerns without fear of stigma or discrimination, facilitating more effective communication and collaboration.

### **Opportunities for ongoing learning**

Employers should have opportunities for ongoing learning and development in workplace health and wellbeing. Regular workshops, seminars, and access to up-to-date research and best practices can keep employers informed and confident in addressing health and work issues effectively.

## **Clinicians' and non-clinical professionals' experience**

**24. Do you agree that issuing fit notes is a good use of a General Practitioner's (GP) time?**

**Neither agree nor disagree**

**26. What can be done to improve the fit note process to meet healthcare professionals' needs to provide more health and work support for patients?**

### **Promoting best practices and versatile OT services**

To improve the fit note process, it is important to first recognise that OTs already possess essential core skills developed through their training and experience. A national initiative to showcase best practices of OT would help demonstrate what an improved fit note process could look like. This approach includes encouraging the government to adopt a comprehensive model where the fit note is offered at universal, targeted and specialist levels dependent on the person's level of need.

By showcasing local successes and promoting a tiered approach to health and work advice from OTs, we can utilise OTs' skills in improving health and work outcomes, supporting individuals to achieve their full work potential.

### **Accessibility and IT infrastructure**

Improving accessibility and IT infrastructure is necessary to support the smooth processing of fit notes. Enhancing access to IT systems and ensuring interoperability between digital systems will streamline the process. In addition, allowing fit notes from private clinicians to be incorporated into IT infrastructure could be beneficial, especially when processing fit notes remotely. This will ensure OTs have the necessary resources for objective assessments.



**27. What are the enabling factors for healthcare professionals to have an in-depth work and health conversation with individuals requesting a fit note?**

Please refer to previous responses to Q6 and Q26.

**28. What are the challenges for healthcare professionals to have an in-depth work and health conversation with individuals requesting a fit note?**

**Time constraints and workload**

In addition to other challenges cited throughout this response, such as lack of training and resources, and systemic barriers, healthcare professionals often face significant time constraints and heavy workloads. This limits their ability to engage in in-depth conversations with patients.

For further information, please refer to responses to Q6 and Q26.

**29. What are the enabling factors for healthcare professionals in providing detailed and applicable advice in 'may be fit for work' fit notes to support patients' work and health needs?**

Please refer to responses to Q6 and Q19 and Q26.

**30. What are the challenges for healthcare professionals in providing detailed and applicable advice in 'may be fit for work' fit notes to support patients' work and health needs?**

**Limited understanding and training**

Healthcare professionals may lack specific training and understanding of work-related health support, hindering their ability to provide detailed advice. Without comprehensive training and clear guidelines, issuing applicable advice becomes challenging.

**Time and resource constraints**

The heavy workload and time constraints faced by healthcare professionals can limit their capacity to provide detailed and applicable advice. Managing these pressures while delivering quality support is a significant challenge.

Our workforce survey report 2023 outlines that 86% of respondents reported an increased demand for OT services within the previous 12 months. Furthermore, 78% said that their team wasn't large enough to meet the demand, 63% felt they were too busy to provide the level of care they would like.

**Systemic and structural barriers**

Fragmented communication and lack of integration between different healthcare providers can impede the provision of cohesive advice. Ensuring ongoing communication and collaboration between various stakeholders is often difficult, adding to the challenge.

**31. What steps might the government take to support healthcare professionals or work advisers to have an in-depth work and health conversation with individuals requesting a fit note?**

**Funding and resources**

Increasing funding for childcare to enable parents and carers to work, and investing in therapy services, especially for prevention and early intervention, will support healthcare professionals. Ensuring they have the necessary resources and facilities to provide comprehensive support is essential.

### **32. Which patients do you feel would benefit most from more in-depth work and health conversations?**

#### **Patients with long-term health conditions**

Patients with long-term health conditions or chronic illnesses would benefit significantly from more in-depth work and health conversations. Over 50% of GP appointments are for people living with a long-term condition who would benefit from advice on how to manage daily living and their environment so they can continue to work. OTs based in GP practices and community services can advise on strategies and modifications to remain and return to work. These discussions can help identify and implement reasonable adjustments and support plans tailored to their needs.

#### **Patients at risk of sickness absence**

Individuals at risk of sickness absence or those who have experienced frequent absences from work due to health issues would benefit from detailed conversations. People who have been signed off on sick leave for six months have less than a 50% chance of returning to work. Advice and support need to be offered at any point of contact with the health service, whether it is at the GP practice or the emergency department. Early intervention and comprehensive support can help prevent further absences and promote sustained employment.

#### **Patients transitioning back to work**

Patients transitioning back to work after a period of illness or injury would benefit from in-depth work and health conversations. These discussions can facilitate a smoother return to work by addressing any barriers and implementing necessary adjustments. OTs can play a crucial role in this process by providing tailored strategies and modifications to support a successful transition.

### **33. How can those patients who would benefit most from more in-depth work and health conversations be identified?**

#### **Utilising AI in GP surgeries**

Health services in primary care are already using AI to determine those at risk of going into hospital to offer proactive advice [[ link to BRAVE AI] [Using Artificial Intelligence to monitor wellbeing: BRAVE AI - NHS Somerset ICB](#)

A similar approach could be employed in GP surgeries to target who would most benefit from more in-depth health and work advice could help target advice more effectively. Variables which indicate this may include but are not limited to: multiple fit note requests in the past 12 months; multiple long-term conditions; and age. it could help target advice more effectively. This approach could also determine who could self-certify for longer periods and who might need more immediate and detailed support.

Please also refer to our previous responses about accessibility and IT infrastructure.

### **35. What knowledge, skills and support would healthcare professionals need to accurately assess the impact of a patient's health condition on their ability to work?**



Please refer to previous responses to Q6, Q26, Q30, Q31

**36. What knowledge, skills and support would work advisers need to accurately assess the impact of a patient's health condition on their ability to work?**

**Comprehensive training and education**

Work advisers need comprehensive training in the fit note process, and work-related health assessments. Ensuring they have a thorough understanding of how health conditions impact work capabilities and the principles of reasonable adjustments is essential.

**Access to resources and tools**

Providing work advisers with access to resources and tools, such as standardised assessment frameworks and digital systems, will support accurate assessments. Ensuring interoperability between different systems and addressing IT issues will further enhance their capabilities.

**Collaboration and communication**

Encouraging collaboration and communication between work advisers, healthcare providers, and other relevant stakeholders, such as job centres and occupational health services, will facilitate cohesive and accurate assessments. Promoting joint working and maintaining open communication channels will enhance their ability to support people effectively.

**38. How could the fit note process more effectively link to different forms of work and health support, such as vocational rehabilitation, occupational health, and employment support?**

Please refer to previous responses to Q6, Q26, Q31, Q33, Q36

**Miscellaneous**

**39. What, if anything, can be done to incentivise and increase "may be fit for work" fit notes issued by healthcare professionals, where being in work is the best outcome?**

**Education and Awareness**

Educating healthcare professionals on the benefits of issuing "may be fit for work" fit notes and the importance of reasonable adjustments will incentivise their use. Promoting understanding that work, even at reduced capacity, can be beneficial for patients will encourage healthcare professionals to issue these fit notes.

**Policy and systemic support**

The government can provide policy and systemic support to incentivise the issuance of "may be fit for work" fit notes. Ensuring continuity of care, developing standardised assessment frameworks, and providing necessary resources and training will support healthcare professionals in issuing these fit notes.

**Recognition and rewards**

Implementing recognition and rewards systems for healthcare professionals who effectively use "may be fit for work" fit notes can increase their issuance. Acknowledging and valuing their contributions to patient health and work outcomes will motivate healthcare professionals to support this approach.

## Contact

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