

Fit notes and keeping in touch

Fit notes used to be called sick notes. A fit note is an official written statement from a doctor giving their medical opinion on a person's fitness for work.

They might also make recommendations for how the employer could support the employee.

Whether you need a fit note depends on the length of sickness absence.

2. Off sick for 7 days or less

If someone is absent due to sickness for 7 calendar days or less (including weekends), they do not need a fit note.

This means they tell their employer they're not well enough to work and do not need to provide any further medical evidence.

This is called 'self-certifying' their sick leave.

Off sick for more than 7 days

If someone has a period of sickness absence for longer than 7 calendar days (no matter how many days they work each week), then they should get a fit note from their doctor.

Getting a fit note

If the employee knows they're likely to be off sick for longer than 7 days, they should try and get the fit note to their employer on the 7th day of sickness absence.

Doctors cannot provide a fit note before the 7th day of absence.

If there's a delay getting a fit note, for example difficulty booking a doctor's appointment, the employee should contact their employer and explain.

What a fit note says

A fit note will say the employee either:

- is not fit for work
- might be fit for work

Where the doctor says the employee might be fit for work, they can give details of what level of work they consider the person is able to do.

They might say the employee is fit for work in general, but not for a specific task.

For example, a factory employee with a back injury might be able to come back to work to do light tasks, but would not be able to do any heavy lifting.

The doctor might suggest in the fit note ways the employer can help their employee get back to work. For example:

- a ['phased' return to work](#) where they might come back for a limited number of hours or days a week to start with
- flexible working
- different duties
- making changes to their workstation (['reasonable adjustments'](#))

The employer should carefully consider any fit note recommendations as they can help the person get back to work quicker.

If it's not possible for the employer to do anything the doctor has recommended, the fit note will change from 'might be fit for work' to 'not fit for work'. There is no need to get another fit note.

Some workplaces might have an occupational health scheme or employee assistance programme (EAP) to help the [return to work](#) process.

If the employee has a disability, by law the employer must consider making reasonable adjustments to help them return to work and carry out their job.

When an employer can ask to see an employee's medical records

An employer can ask for a doctor's report about their employee's health if it's needed to stick to the law. For example to:

- assess whether the employee is fit to carry out their work
- prevent health and safety risks
- prevent disability discrimination

The employer can only do this if the employee agrees.

The employee can also:

- ask their doctor not to give information they think could be damaging or is not relevant
- ask to see the doctor's report first
- not agree to the doctor's report being shared with their employer if they disagree with what it says

If the employee does not wish the employer to see their medical

information, the employer will have to make a decision based on what they know and are told by the employee.

[Download a template letter to an employee's doctor.](#)

Keeping information confidential

Any guidelines on privacy and personal information should be in the employer's privacy notice under the General Data Protection Regulation (GDPR).

For more information on GDPR, see the [Information Commissioner's Office \(ICO\) website](#).

Any information the employer does get about an employee must be stored and kept confidential. Only appropriate senior and involved members of staff should have access to the information.

The employee should be kept informed of how their records are being stored or used. The employer should let them know from the start how to withdraw their consent if they later wish to.

If an employee is unhappy with how their confidential information has been handled, they can [raise this with their employer](#).

Keeping in touch

It's important that both the employer and employee stay in regular contact, especially during long-term absence.

They should agree:

- how often the contact should be
- if the contact is to be by email, phone or face-to-face meetings
- who the employee is to be in contact with. This might be their line manager, another manager or a HR manager

Keeping in contact is a good chance to:

- check on the wellbeing of the employee
- see if the employee needs any support
- talk about any relevant updates or changes happening at work

Where an employee's absence is due to a mental health condition, it's particularly important to consider whether less or more frequent contact is most appropriate.

If the employee is unhappy with how their absence has been handled

If the employee feels their absence or sick pay was not handled fairly or correctly, they can [raise the issue with their employer](#).

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