

More health professionals given powers to issue fit notes

The government has passed new legislation to allow a wider range of healthcare professionals to certify fit notes, in an attempt to ease the pressure on GPs.

- Coming into force on 1 July 2022, nurses, occupational therapists, pharmacists and physiotherapists will be able to legally certify and issue fit notes. Fit notes can only be issued following an assessment of a person's fitness for work, so cannot be issued on request or via over-the-counter services.
- A fit note must be given to an employer if an employee's sickness absence continues for more than seven days. But, extending the scope of providers will make it easier and quicker for staff to do so.
- Doctors can decide if an employee is unfit for work, or 'may be fit for work' subject to recommended adaptations to the workplace or job role. These other health professionals will be expected to make the same assessments when issuing the fit note.
- The new law applies across Scotland, England and Wales and follows other changes made in April 2022, that allow for fit notes to be certified and issued digitally, so doesn't require a healthcare professional to hand-sign them.
- Employers may receive fit notes from these professionals so should ensure HR teams are updated and don't refuse to accept them just because it's not come from a doctor.
- Existing absence management policies and procedures will likely need to be amended, to include reference to fit notes being permissible from a wider range of health providers.

Real Living Wage increase brought forward 2 months

The Living Wage Foundation is set to announce the Real Living Wage (RLW) this September, rather than waiting until November like usual. It's hoped that implementing an increased rate earlier in the year will help alleviate employees' financial difficulties caused by soaring living costs. The RLW rate is currently £11.05 in London and £9.90 in the rest of the UK. Employers will have 6 months to implement the new rate once announced.

Did you know?

The Real Living Wage is a voluntary scheme which shouldn't be confused with the National Living Wage (which is the minimum hourly rate of pay for all 23+ year olds).

Widespread rail strikes planned for June 2022

On 21, 23 and 25 June 2022, around 40,000 rail workers across the UK are set to go on strike. With limited trains running, employees will likely face difficulties commuting to work so alternative arrangements may need to be made, such as temporary homeworking, amended start/finish times or annual leave. It's beneficial to use the next week to agree a plan with staff, to minimise disruption to business operations.

Did you know?

The Transport Secretary has suggested removing the ban on using agency workers during strike action to lessen its impact on the public, but this has been met with strong criticism from unions.

"Joke" threatening text led to unfair dismissal

A text which referenced a knife and an employee asking their manager "Are you scared?" instigated a disciplinary process where the employee was later dismissed for serious misconduct. The employee apologised multiple times and said the text was meant as a joke since he was "mates" with the manager. The ET ruled that there was "no actual threat" and that the company "placed too much weight" on the manager's reaction.

Did you know?

In this case, the employee had worked for 17 years and had a clean disciplinary record so a summary dismissal was deemed unreasonable. The employee was awarded nearly £50,000 compensation.

A return-to-work meeting should be conducted after all absences, even if the employee has only been off for a couple of days so doesn't need a fit note. Contact our 24-hour Advisory Service for up-to-date guidance on this and more.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this publication.