

**HR Guide:
Dealing with Occupational Health
Referrals & Reports
Version: 2.1**

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North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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Related documents	➤ Maximising Attendance Policy & Procedure

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2.1	18.07.14	Updated onto new policy template

Section 1: Introduction

- 1.1 Employees should be referred to Occupational Health following discussion with their Manager/Supervisor where it is considered that a medical opinion is required to confirm the nature of the illness, return to work date, identify any suitable alternative work and/or where advice is required about the duties that the employee is able to perform.
- 1.2 The Occupational Health Service provides unbiased and impartial advice regarding an employee's:
- Fitness for work
 - Functional capabilities
 - Likely timescales of recovery
 - Possible return to work date
 - Interventions to assist such as Physiotherapy or Counselling
 - Likelihood of meeting the criteria for disability under the Equality Act 2010
- 1.3 The Occupational Health Service cannot make people better, predict the future, overturn a 'fit-note' or challenge reasons for absence.

Section 2: How do I make a referral to Occupational Health?

- 2.1 To best enable line management support of the employee, Managers should make the referral and not ask employees to self-refer.
- 2.2 Line manager referrals to Occupational Health are made by completing a Request for Medical Examination of Employee Form. Occupational Health will arrange consent forms as appropriate. Detailed questions should be asked in the referral to enable Occupational Health to respond accordingly.
- 2.3 When referrals are made to Occupational Health the following accompanying documentation should be included with the referral form:
- Confirmation that the employee has been made fully aware of the reason for referral
 - Three years attendance/sickness records for the employee
 - A copy of the Role Profile for the job and any additional information on the role which is considered relevant.
 - A summary of meetings held between the Manager and the employee including any relevant issues such as absence trends, comments, and if available appropriate action plans made. It might also be useful to provide information as to whether or not the employee has been cooperating with management during the maximising attendance procedure.

2.4 Remember to include on the form any additional specific questions you may need to help with supporting the employee, such as whether the sickness would be likely to be considered a chronic illness or disease.

2.5 Following the examination or consultation, a report will be written from the Occupational Health Service. Employees can see this before it is released to North Ayrshire Council and have the right to request a copy of this report. It is sent directly to the appropriate referring line manager marked 'Strictly Private & Confidential – To Be Opened by Addressee Only'.

2.6 On receipt of the report the line manager is responsible for reviewing report, deciding upon the appropriate course of action and meeting with the employee to develop a joint action plan based on the following;

- The information from any Maximising Attendance interviews
- Occupational Health's report concerning the employee's fitness for work
- The operational impact of the employee's absence

2.7 The Manager/Supervisor must then decide if:-

- Further absence can reasonably be sustained by the service
- Action must be taken as set out in the Maximising Attendance Procedure.

Section 3: What might the Occupational Health Report advise?

3.1 Reports from Occupational Health will, depending on the information sought, indicate the following:

a) **Employee is fit to return to work**

It is acknowledged that the manager and employee may have anxieties about the employee's ability to cope with the demands of the job when they return after a long and/or difficult period of absence. Depending on the medical advice given and any further information from the employees GP the following courses of action may be considered to allow both physical and psychological stamina to build up:

- A modified workload for an agreed period so that the employee is not overwhelmed
- Mid-week return so that the employee has only to work two or three days before having a weekend break or
- A phased return starting part-time or part-week and building up over period recommended by Occupational Health to full-time working. This is normally only recommended if absence goes beyond 12 weeks, see HR Guide: Dealing with GP Fit Notes and Phased Returns to Work.

b) Employee is fit to return to their current post but may require restricted duties/adaptations to the workplace

Managers should consider adjusting the employee's workload or workplace in the short term, to enable the employee to return to work. In the longer term, more significant restrictions or adaptations may need to be made to the workplace or alternative employment sought within the Service and access to Redeployment across North Ayrshire Council can be considered.

These options should be discussed with the employee and Occupational Health. For more information regarding restrictions/adaptations/redeployment please speak to an HR Adviser. In the event that the employee is still unable to return to work, it may be appropriate to consider dismissal due to incapability by following the Maximising Attendance Procedure and meeting the employee at Stage 3.

c) Employee is fit to Return but to an Alternative Post

Where the Employee is permanently unable to carry out their current duties but could return to alternative employment the manager should consider alternative employment based on the medical evidence provided. The Service should try and redeploy the Employee within that Service, however if this is not possible redeployment to another Service should be pursued through Human Resources. Please see the Council's Redeployment Policy for further details.

On identification of a redeployment opportunity, a further referral to Occupational Health would advise regarding an assessment of the employee's fitness for the redeployed post.

d) Employee is not expected to return to work in near future but may eventually be fit to return

If the report from Occupational Health at this point in time indicates that the Employee is not expected to return to work in the near future, the line manager must review the absence on a regular basis, in line with the Maximising Attendance Procedure.

Where it is not possible to conclude the case after one consultation, for example because of the need to obtain external reports, Occupational Health will make this clear in the report detailing the reasons for continuing the case, and the proposed timescale of review.

Once the report is received from Occupational Health and there is still no indication of a return to work date, the manager will arrange to meet with the employee as soon as possible, to discuss the absence under the Maximising Attendance Procedure, this may be a review or a stage depending on the timescales.

e) Employee is permanently unfit to carry out their duties and those of any other post

A meeting should be arranged with the employee, as a review under the Maximising Attendance Procedure, to discuss the medical report/s from Occupational Health with a view to progress the possibility of Ill Health Retirement if they are a Pension Scheme member and meet the criteria laid out in the regulations.

Ill Health Retirement is based on approval of the Strathclyde Pension Fund Office (SFPO) and the requirement of an independent Doctor's medical certificate. The Occupational Health Doctor will need to know that all due process under Maximising Attendance has been undertaken, such as consideration of redeployment. Once the Occupational Health Doctor has awarded tier one or two ill-health retirement, notification of this will be sent to HR where a request for approval and a pension quote will be made to SPFO. This can take up to 3 months to be processed by SFPO. Only when this has arrived, will an HR Adviser contact the Line Manager to arrange to meet the employee to discuss the pension quote. The effective date of termination of employment will be agreed when the employee signs to accept their pension.

Should Ill Health Retirement not be an option then on receipt of such a report from Occupational Health, the line manager is required to ensure all the Maximising Attendance paperwork is together, along with a chronology of the employees absence so that the Senior Manager and HR Adviser can undertake a case management discussion prior to moving to Stage 3 of the Maximising Attendance Procedure which could result in dismissal on the grounds of incapability.