**Occupational Health Service**

**Fitness for Work Referrals – Managers Guidance**

**When do I refer an employee to Occupational Health?**

Manager’s should follow their respective organisations absence policy and may refer an employee to the Occupational Health Service normally under the following circumstances:

1. Where the employee has been absent from work for 3 weeks.

2. Where the employee is suffering from stress related symptoms or musculoskeletal injury even if they have not been absent from work.

3. Where the employee has been persistently absent from work on a short term basis or there is a trend to their periods of absence.

4. Where the employee is attending work but is perhaps experiencing difficulty carrying out his or her full duties due to a medical condition.

**How do I refer an employee to the Occupational Health Service?**

Managers must complete a **CCC- Fitness for Work referral** questionnaire on the Occupational Health Service portal.

You will need to log into the eOPAS managers portal (link below) further guidance is available in the Managers Portal Guidance which provides a step by step guide to the system also found on the occupational health pages of the internet.

[Portal (cumbria.gov.uk)](https://genohsisportal.cumbria.gov.uk/Portal/login.aspx)

This will need to be discussed with the employee concerned.

Note: Once the questionnaire has been submitted the information given is locked and cannot be changed. If further information comes to light a manager should complete an **CCC - medical referral additional information** questionnaire which can then be linked to the original questionnaire.

**When referring an employee to the Occupational Health Service what information do I need to provide?**

To enable the Occupational Health Service to carry out an informed assessment and provide you with a relevant response they require as much information as possible from you about each specific referral.

The doctor or nurse will produce the report using the information you provide combined with outcomes from the appointment with the employee.

Managers should include the following information on the questionnaire along with an up to date copy of the employee’s job profile:

1. Sickness absence history - list all absences and reasons for absence.

2. Reason for referral.

3. Steps / actions you have already taken as the manager to assist the employee.

4. Questions you would like to be addressed in the Occupational Health Report.

5. Details of any capability or outstanding disciplinary issues.

6. Details of any concerns or grievances the employee has raised with you.

Insufficient information from the manager at the point of referral could ultimately affect the balance of the report.

**What else do I need to do before I make a referral?**

In order to get the best out of the referral process it is vital that you speak to the employee to inform them of your intention to refer them to the Occupational Health Service and your reasons for the referral. You should also provide them with a copy of the employee guidance on fitness for work referrals which is available on the Occupational Health pages on the intranet. This will ensure that the employee fully understands the process and the reasons for it. It also provides the employee with an opportunity to share with you any information that is relevant to the referral.

**Ill Health Retirement Referrals**

If you are considering ill health retirement for the employee then you must first contact Human Resources.

[Link to: HR advisory Portal](https://servicecumbria.service-now.com/peoplemanagementportal)

For Cumbria Fire and Rescue please ring the HR team

The criteria for ill health retirement are:-

That the employee is permanently incapable of their current employment

**and either**:-

Tier One - are unlikely to be capable of undertaking gainful employment before their normal pension age.

or

Tier Two - are unlikely to be capable of undertaking any gainful employment within 3 years of leaving but are likely to be capable before their normal pension age

or

Tier Three - provides a reviewable pension for a member whose Scheme employer terminates their employment because they are permanently incapable of their current job but are likely to be capable of undertaking gainful employment within 3 years or before their normal pension age, if earlier.

These tiers are for the Local Government Pension scheme, however similar tiers are used for other pensions schemes i.e. Fire and Teachers

An Independent Registered Medical Practioner (IRMP) will assess if the employee meets one of the above tiers. In the EWS this role is the Occupational Health Physician.

If the employee does not meet one of the above tiers then ill health retirement will not be granted. Their absence will be managed through the absence management process.

Managers should ask the individual to complete the consent form below and then complete the ill health retirement questionnaire on the Occupational Health portal. They will then be referred to the Independent Medical officer for a medical assessment.

**When I have referred an employee to the Occupational Health Service what happens next?**

*Telephone Consultation*

When the Occupational Health service has received the referral form with all the necessary information and a **copy of the Job Profile**, an Occupational Health Nurse will telephone the employee to discuss their medical situation and absences.

Based on the information gathered from the telephone conversation and the medical condition, the nurse will then decide whether or not the employee needs to have a face to face consultation with an Occupational Health doctor or nurse to assess their condition further.

If the employee does not require a face to face to consultation then the nurse will write a report to you which you should receive 5 working days after employee consent (see also **What if the employee won’t consent to the occupational health process?** below)

*Face to Face Consultation*

If the employee requires a face to face appointment then an appointment will be made for the employee to attend an occupational health clinic.

As the manager, you will be notified when the appointment will take place.

Following a face to face or telephone consultation, with an Occupational Health doctor or nurse, you will receive a report (see also **What if the employee won’t consent to the occupational health process?** below)

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**Who receives a copy of the Occupational Health Report?**

Both the employee and the line manager who makes the referral (where the employee consents) will receive a copy of the Occupational Health report.

Upon receipt of the Occupational Health report you should ideally take the opportunity to discuss this and agree the way forward with the employee.

If the case is complex then you should contact People Management for advice and support.

**What if the employee won’t consent to the occupational health process?**

Whist the fitness for work referral process aims to assist the employee to attend work regularly and be effective in their role it is not possible to force an employee to participate in the referral process.

If your employee withholds consent to any part of the process it is advisable to speak with them so that you can understand their reasons for withholding consent and provide reassurance where necessary.

If, having tried to offer reassurance or resolve any queries, the employee is still not willing to consent to the process you should continue to manage the situation in accordance with the organisation’s Absence Policy based on the limited information that is available to you.

**What happens if I don’t understand the report or have any further questions?**

The table below has been designed to assist managers in deciphering medical reports and to understand what further management action needs to be taken following a referral to Occupational Health.

If you need further advice on how to progress an absence case following receipt of an Occupational Health report you should seek advice from Human Resources.

[Link to: HR Advisory Portal](https://servicecumbria.service-now.com/peoplemanagementportal)

For Cumbria Fire and Rescue please telephone the HR team

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| **Response from Clinician** | **Interpretation by Manager** |
| 1 Employee is fit to return to work. | Self explanatory. |
| 2 Employee is fit to return to work in X  weeks. | Self explanatory. If the employee has  not returned in X weeks then the Occupational Health Service should be informed and a review arranged to determine why a return to work has not occurred. |
| 3 Employee is fit to return and a phased rehabilitation programme is recommended. | As the manager you should be considering options for rehabilitation as recommended by the Occupational Health Service. If you need further information on rehabilitation programmes then you should seek advice from the manager’s advice line. |
| 4 No timescale for a return to work can be given. | This may be relevant early in an absence or when timescales for appointments under the NHS are uncertain. Managers should arrange a case conference to decide how to progress the case. |
| 5 Employee is unfit to return for the foreseeable future. The future employment of the employee is a management decision. | No timescale can be given. This usually appears on a report when the possibility of Ill-Health Retirement has been excluded. The Equality Act may apply but if all adjustments have been made then the decision rests with management. Managers should be seeking advice on how to bring  this absence to a resolution from the People Management Service. |
| 6 There is insufficient medical evidence to justify Ill-Health Retirement. | Self explanatory. Again, managers then need to consider alternative resolutions to the absence and should seek advice from the People Management Service. |
| 7 There are no medical reasons why the employee should not give regular and effective service over the next 12 months. | This statement is likely to be used when an employee has a record of none connected persistent short term absences. Managers should consider setting an attendance standard, in line with the Positive Attendance Policy. Managers should seek advice from the People Management Service. |
| 8 There are no medical contra- indications to administrative action if deemed appropriate. | The manager should now seek to bring the absence to a conclusion. Manager should seek advice from the People Management Service. |
| 9 Ill-Health Retirement is supported | Employee meets the criteria for Ill- Health Retirement under the Local Government Pension Scheme. |

**As the manager will I be informed of when the appointment is?**

Yes, managers will receive an email informing them when the appointment has been scheduled for. Managers will also be informed if the employee does not attend the appointment. Manager will be able to see actions that have taken place on the Occupational Health portal by logging on and looking under “My forms”

**When can I expect to see a copy of the Occupational Health Service Report?**

Managers and employees will be sent a copy of the Occupational Health Service report within 5 working days of the employee giving consent

**What format will the Occupational Health Service report come in?**

The Occupational Health Service report will be written in a standard format and will address any specific questions that you have asked to be answered. Due to medical confidentiality it may not be possible to reply to your questions in full but if this is the case then the report will inform you as to why this is not possible.

To assist you a standard set of questions has been compiled on the referral form. You should tick the appropriate questions that you would like the Occupational Health doctor or nurse to address in their report.

The report will be uploaded onto your portal account and you will receive an email notifying you that it is ready to view.

**As the manager will Occupational Health Service provide me with information about the medical condition of the employee?**

Not necessarily. Occupational Health Service medical reports are covered by the Access to Medical Records Act 1988. With written ‘informed consent’ from the employee the Occupational Health nurse or doctor may release confidential medical information to you in the report as to how their condition affects their ability to carry out the day to day duties of their role.

If the employee has not provided their ‘informed consent’, then the information that the Occupational Health doctor or nurse can disclose will be limited.

***Example***

**The Occupational Health Service report recommended that the employee be** **referred for physiotherapy which may help their medical condition. The waiting list for physiotherapy on the NHS is 12 weeks. Is there anything the Council can do to speed this process up and assist the employee in returning to work?**

The Occupational Health Service has the facility to refer County Council employees for private medical treatment such as physiotherapy, cognitive behavioural therapy, MRI scans and counselling.

Managers should balance the cost of funding treatment against the benefits to the employee’s condition and a speedier return to work. Managers will only be asked for consent for physiotherapy, cognitive behavioural therapy and counselling referrals after 6 initial sessions which are pre-authorised by the referral process.

No two cases are the same and as such Managers should consider such requests on a case by case basis and in conjunction with an up to date medical report from Occupational Health Service.

Any funding for treatments as above is met through directorate budgets.

**The Occupational Health Service report advises me that I have to make “reasonable adjustments” which may assist the employee in returning to work. As the manager do I have to make these reasonable adjustments?**

Under the Equality Act 2010 employers have a legal duty to consider all “reasonable adjustments.”

It is good practice whether an employee is considered to be disabled or not to look to implementing any adjustments that will assist the employee in remaining at work or returning to work if absent.

Where specialist adjustments are required it is advisable to consult the individual involved and to seek advice and assistance from specialist organisations which may be able to help. For further information on reasonable adjustments and organisations which may be able to help please speak with the Council’s Equality & Cohesion Manager or from the Human Resources Service.

**Who do I contact if I need any further advice or help with regards to making a referral to Occupational Health Service?**

If you require any further advice you can in the first instance contact the Occupational Health Service by clicking the link below

[Link to: Occupational Health portal](https://genohsisportal.cumbria.gov.uk/Portal/login.aspx)

or alternatively speak to the Human Resources Service.

**Who do I contact if I have a complaint about the Occupational Health Service?**

Any concerns about the Occupational Health Service should be made in the first instance to the Human Resources Team via the HR Portal link below and a member of the team will be in contact with you as soon as possible.

[Link to: HR Advisory Portal](https://servicecumbria.service-now.com/peoplemanagementportal)

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