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[^{F1}SCHEDULE 1

Regulation 2(1)

F1 Sch. 1 substituted (6.4.2010) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2010 (S.I. 2010/137), regs. 1(2), **2(3)**

PART 1

RULES

1. In these rules, unless the context otherwise requires—

“assessment” means either a consultation between a patient and a [^{F2}healthcare professional] which takes place in person or by telephone or a consideration by a [^{F2}healthcare professional] of a written report by another [^{F2}healthcare professional] or other health ^{F3}...professional;

“condition” means a specific disease or bodily or mental disability;

^{F4} ...

“ [^{F5}other health professional] ” means a person (other than a [^{F6}healthcare professional] and not being the patient) who is^{F7}..., a registered midwife, ^{F8}... or a member of any profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002;

“patient” means the person in respect of whom a statement is given in accordance with these rules.

F2 Words in Sch. 1 rule 1 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(5)(a)(i)**

F3 Word in Sch. 1 rule 1 omitted (1.7.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(5)(a)(ii)**

F4 Words in Sch. 1 rule 1 omitted (1.7.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(5)(b)**

F5 Words in Sch. 1 rule 1 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(5)(c)(i)**

F6 Words in Sch. 1 rule 1 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(5)(c)(ii)**

F7 Words in Sch. 1 rule 1 omitted (1.7.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(5)(c)(iii)**

F8 Words in Sch. 1 rule 1 omitted (1.7.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(5)(c)(iv)**

2. Where a [^{F9}healthcare professional] issues a statement to a patient in accordance with an obligation arising under a contract, agreement or arrangement under Part 4 of the National Health Service Act 2006 or Part 4 of the National Health Service (Wales) Act 2006 or Part 1 of the National

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Health Service (Scotland) Act 1978 the [F10healthcare professional’s] statement shall be in a form set out at Part 2 [F11or Part 2A] of this Schedule F12....

- F9 Words in Sch. 1 rule 2 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), 2(6)(a)
- F10 Words in Sch. 1 rule 2 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), 2(6)(b)
- F11 Words in Sch. 1 rule 2 inserted (6.4.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), 2(2)(a)
- F12 Words in Sch. 1 rule 2 omitted (6.4.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), 2(2)(b)

3. Where a [F13healthcare professional] issues a statement in any case other than in accordance with rule 2, the [F14healthcare professional’s] statement shall be in the form set out in Part 2 [F15or Part 2A] of this Schedule or in a form to like effect F16....

- F13 Words in Sch. 1 rule 3 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), 2(7)(a)
- F14 Words in Sch. 1 rule 3 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), 2(7)(b)
- F15 Words in Sch. 1 rule 3 inserted (6.4.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), 2(3)(a)
- F16 Words in Sch. 1 rule 3 omitted (6.4.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), 2(3)(b)

4. A [F17healthcare professional’s] statement must be based on an assessment made by that [F18healthcare professional] .

- F17 Words in Sch. 1 rule 4 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), 2(8)(a)
- F18 Words in Sch. 1 rule 4 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), 2(8)(b)

5. A [F19healthcare professional’s] statement F20... shall contain the following particulars—
- (a) the patient’s name;
 - (b) the date of the assessment (whether by consultation or consideration of a report as the case may be) on which the [F19healthcare professional’s] statement is based;
 - (c) the condition in respect of which the [F21healthcare professional] advises the patient they are not fit for work;
 - (d) a statement, where the [F21healthcare professional] considers it appropriate, that the patient may be fit for work;
 - (e) a statement that the [F21healthcare professional] will or, as the case may be will not, need to assess the patient’s fitness for work again;
 - (f) the date on which the [F19healthcare professional’s] statement is given;
 - (g) the address of the [F21healthcare professional][F22;][F23and]

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(h) [^{F24}the name of the [^{F21}healthcare professional] (whether in the form of a signature or [^{F25}otherwise); and]]

[^{F26}(i) the profession of the healthcare professional]

F27
...

- F19** Words in Sch. 1 rule 5 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(9)(a)**
- F20** Words in Sch. 1 rule 5 omitted (6.4.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), **2(4)(a)**
- F21** Words in Sch. 1 rule 5 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(9)(b)**
- F22** Sch. 1 rule 5(g): semi-colon substituted for comma (6.4.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), **2(4)(b)**
- F23** Word in Sch. 1 rule 5(g) inserted (6.4.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), **2(4)(b)**
- F24** Sch. 1 rule 5(h) inserted (6.4.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), **2(4)(c)**
- F25** Words in Sch. 1 rule 5(h) substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(9)(c)**
- F26** Sch. 1 rule 5(i) inserted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(9)(d)**
- F27** Words in Sch. 1 rule 5 omitted (6.4.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), **2(4)(d)**

[^{F28}**5A.** Where the healthcare professional's statement is in the form set out in Part 2 of this Schedule—

- (a) the healthcare professional's name shall, irrespective of their profession, be recorded next to the words "doctor's signature";
- (b) the healthcare professional's address shall, irrespective of their profession, be recorded next to the words "doctor's address"; and
- (c) the healthcare professional shall record their profession within the statement in such place as appears to them to be appropriate.]

F28 Sch. 1 rule 5A inserted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(10)**

6. Subject to rule 8, the condition in respect of which the [^{F29}healthcare professional] is advising the patient is not fit for work or, as the case may be, which has caused the patient's absence from work shall be specified as precisely as the [^{F30}healthcare professional's] knowledge of the patient's condition at the time of the assessment permits.

F29 Words in Sch. 1 rule 6 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(11)(a)**

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F30 Words in Sch. 1 rule 6 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(11)(b)**

7. Where a [^{F31}healthcare professional] considers that a patient may be fit for work the [^{F31}healthcare professional] shall state the reasons for that advice and where this is considered appropriate, the arrangements which the patient might make, with their employer's agreement, to return to work.

F31 Words in Sch. 1 rule 7 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(12)**

8. The condition may be specified less precisely where, in the [^{F32}healthcare professional's] opinion, disclosure of the precise condition would be prejudicial to the patient's well-being, or to the patient's position with their employer.

F32 Words in Sch. 1 rule 8 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(13)**

9. A [^{F33}healthcare professional's] statement may be given on a date after the date of the assessment on which it is based, however no further statement shall be furnished in respect of that assessment other than a [^{F33}healthcare professional's] statement by way of replacement of an original which has been lost, in which case it shall be clearly marked "duplicate".

F33 Words in Sch. 1 rule 9 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(14)**

10. Where, in the [^{F34}healthcare professional's] opinion, the patient will become fit for work on a day not later than 14 days after the date of the assessment on which the [^{F34}healthcare professional's] statement is based, the [^{F34}healthcare professional's] statement shall specify that day.

F34 Words in Sch. 1 rule 10 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(15)**

11. Subject to rules 12 and 13, the [^{F35}healthcare professional's] statement shall specify the minimum period for which, in the [^{F35}healthcare professional's] opinion, the patient will not be fit for work or, as the case may be, for which they may be fit for work.

F35 Words in Sch. 1 rule 11 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(16)**

12. The period specified shall begin on the date of the assessment on which the [^{F36}healthcare professional's] statement is based and shall not exceed 3 months unless the patient has, on the advice of a [^{F37}healthcare professional], refrained from work for at least 6 months immediately preceding that date.

F36 Words in Sch. 1 rule 12 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(17)(a)**

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F37 Words in Sch. 1 rule 12 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(17)(b)**

13. Where—

- (a) the patient has been advised by a [^{F38}healthcare professional] that they are not fit for work and, in consequence, has refrained from work for at least 6 months immediately preceding the date of the assessment on which the [^{F39}healthcare professional’s] statement is based; and
- (b) in the [^{F39}healthcare professional’s] opinion, the patient will not be fit for work for the foreseeable future,

instead of specifying a period, the [^{F38}healthcare professional] may, having regard to the circumstances of the particular case, enter, after the words “case for”, the words “an indefinite period”.

F38 Words in Sch. 1 rule 13 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(18)(a)**

F39 Words in Sch. 1 rule 13 substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(18)(b)**

PART 2

FORM OF [^{F40}healthcare professional’s] STATEMENT

F40 Words in Sch. 1 Pt. 2 heading substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(19)(a)**

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STATEMENT OF FITNESS FOR WORK FOR SOCIAL SECURITY OR STATUTORY SICK PAY

Patient's name

Mr, Mrs, Miss, Ms

I assessed your case on:

/ /

and, because of the following condition(s):

I advise you that:

- you are not fit for work.
 you may be fit for work taking account of the following advice:

If available, and with your employer's agreement, you may benefit from:

- a phased return to work amended duties
 altered hours workplace adaptations

Comments, including functional effects of your condition(s):

This will be the case for

or from

I will/will not need to assess your fitness for work again at the end of this period.
(Please delete as applicable)

Doctor's signature

Date of statement

Doctor's address

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[^{F41}PART 2A

ALTERNATIVE FORM OF [^{F42}healthcare professional's] STATEMENT

- F41** Sch. 1 Pt. 2A inserted (6.4.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298), regs. 1(2), **2(5)**
- F42** Words in Sch. 1 Pt. 2A heading substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **2(19)(b)**

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Statement of Fitness for Work For social security or Statutory Sick Pay

Patient's name

I assessed your case on:

and, because of the following condition(s):

I advise you that:
 you are not fit for work.
 you may be fit for work taking account of the following advice:

If available, and with your employer's agreement, you may benefit from:
 a phased return to work
 amended duties
 altered hours
 workplace adaptations
Comments, including functional effects of your condition(s):

This will be the case for

or from to

I will/will not need to assess your fitness for work again at the end of this period.
(Please delete as applicable)

Issuer's name

Issuer's profession

Date of statement

Issuer's address

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