

SCHEDULE 4 SECTION 4.4

SERVICE DESCRIPTIONS

HM REVENUE and CUSTOMS STATUTORY SICK PAY/STATUTORY MATERNITY PAY

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SCHEDULE 4 SECTION 4.4**SERVICE DESCRIPTIONS****HM REVENUE and CUSTOMS STATUTORY SICK PAY/STATUTORY MATERNITY PAY****1. GENERAL**

- 1.1 The CONTRACTOR shall adhere to the medical and common business requirements set out in Section 4.1 of this Schedule 4
- 1.2 The CONTRACTOR shall return all documentation to the AUTHORITY in the same format as received, including any Further Medical Evidence which the CONTRACTOR has obtained in order to advise the AUTHORITY, unless instructed to do otherwise by the AUTHORITY.
- 1.3 The CONTRACTOR shall use reasonable endeavours to provide advice from the evidence presented by the AUTHORITY. Where it is not able to do so because the existing evidence does not support the Claimant's stated incapacity, the CONTRACTOR shall use reasonable endeavours to ensure that any Further Medical Evidence it gathers shall materially contribute to the advice given to the AUTHORITY. If the CONTRACTOR is unable to ensure that the Further Medical Evidence will materially contribute to its advice, then the CONTRACTOR shall arrange for an examination to be undertaken.
- 1.4 The CONTRACTOR shall ensure that authorisation for the examination is given by Medical Personnel Approved by the Secretary of State.
- 1.5 The CONTRACTOR shall undertake Own Occupation Test medical examinations by the one hundred and ninety sixth day (196th) of the Period of Interruption of Work, as indicated by the AUTHORITY on the appropriate form, irrespective of the prescribed Service Level targets. Referrals for the Own Occupation Test will be sent to the CONTRACTOR by the AUTHORITY no later than ten (10) weeks before the one hundred and ninety sixth (196th) day of the Period of Interruption of Work.
- 1.6 Where in the CONTRACTOR's opinion the Claimant's prognosis indicates that a further Referral is to be made at a later date, the CONTRACTOR shall indicate if Further Medical Evidence is required from the AUTHORITY.

2. SPECIFICS**2.1 CN Referral to Determine If Incapacity is Pregnancy Related**

- 2.1.1 The CONTRACTOR will receive the appropriate form from the Claimant's Medical Practitioner.
- 2.1.2 Upon receipt of this form, the CONTRACTOR shall determine if the Claimant's/employee's incapacity is related to her pregnancy.
- 2.1.3 The CONTRACTOR shall reply in the format required by the AUTHORITY and shall return the same to the AUTHORITY.

2.2 SO Disputed Pregnancy-Related Incapacities

- 2.2.1 The CONTRACTOR will receive the following from the AUTHORITY:
- the appropriate Referral documents
 - the date of issue of the appropriate form requesting Further Medical Evidence from the Claimant's Medical Practitioner, if appropriate.
- 2.2.2 Upon receipt of the appropriate Referral documents from the AUTHORITY, the CONTRACTOR will allow a reasonable time for the form to be returned from the

Claimant's Medical Practitioner and then proceed with the action as described in Paragraph 2.2.3 below.

2.2.3 The CONTRACTOR shall give an opinion, as to whether the Claimant's/employee's incapacity is wholly or partly pregnancy related. Where the CONTRACTOR is unable to advise in accordance with the provisions of Paragraph 1.3 of this Section 4.4 of Schedule 4, it shall arrange for an examination to be carried out.

2.2.4 The CONTRACTOR shall complete all forms as required by the AUTHORITY and shall return the same to the AUTHORITY.

2.3 SL Referrals for advice where an employer/employee has applied to the AUTHORITY for a decision on payability of Statutory Sick Pay (including cases where the employer refuses to pay Statutory Sick Pay).

2.3.1 The CONTRACTOR will receive the appropriate Referral documents from the AUTHORITY.

2.3.2 The CONTRACTOR shall advise as to whether or not the Claimant is capable of his/her own occupation and if not, when a significant improvement can be expected. Where the CONTRACTOR is unable to advise in accordance with the provisions of Paragraph 1.3 of this Section 4.4 of Schedule 4, it shall arrange for an Own Occupation Test examination to be carried out.

2.3.3 The CONTRACTOR shall reply in the format as required by the AUTHORITY and shall return the same to the AUTHORITY.

2.3.4 The CONTRACTOR shall provide advice for a retrospective period after incapacity has ended as directed by the AUTHORITY.

2.4 SK Referrals when the AUTHORITY has received a request for advice from an Employer regarding Repeated Short Period Claims

2.4.1 The CONTRACTOR will receive the following from the AUTHORITY:

- the appropriate Referral documents
- the date of issue of the appropriate form requesting Further Medical Evidence from the Claimant's Medical Practitioner, if appropriate.

2.4.2 Upon receipt of the Referral documents from the AUTHORITY, the CONTRACTOR will allow a reasonable time for the form to be returned from the Claimant's Medical Practitioner and then proceed with the action as described in Paragraph 2.4.3 below.

2.4.3 The CONTRACTOR shall advise as to whether or not there are reasonable grounds for the Claimant having frequent absences from work and as to whether the evidence accounts for the current/recently-terminated absence from work. Where the CONTRACTOR is unable to advise in accordance with the provisions of Paragraph 1.3 of this Section 4.4 of Schedule 4, it shall arrange for an Own Occupation Test examination to be carried out.

2.4.4 The CONTRACTOR shall reply in the format as required by the AUTHORITY and shall return the same to the AUTHORITY.

2.4.5 The CONTRACTOR shall provide advice for a retrospective period after incapacity has ended as directed by the AUTHORITY.