

Freedom from Infection

Sheffield
LMC



GUIDANCE FOR SHEFFIELD GPs

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GPs are occasionally asked to provide Freedom from Infection Certificates for employees who work in food handling industries.

These requests date back to old product specification regulations regarding meat, dairy, fish and egg manufacturers, such as the Meat Products Hygiene Regulations 1994. These regulations were superseded in 2006, and the new regulations do not require medical certification. Therefore, there is now no specific legal basis for such a certificate. However, certain companies may require their employees to provide pre-employment/return to work questionnaires and certification as part of their internal procedures and policies to satisfy their insurers. This would not be a specific legal requirement, but would be looked upon as good practice, and may form part of their own food safety management systems.

The LMC has sought advice on this issue, and the Health Protection Service has suggested that a practitioner may send a stool sample for a routine culture and provide a copy of the negative lab report for the patient to present to their employer as a certificate.

This work would not form part of a GP's NHS contract. Therefore, a GP can refuse to provide certification or charge a fee (see <https://www.bma.org.uk/advice/employment/fees/fee-finder-what-to-charge-your-patients>). There is a reasonable argument that a good employer would reimburse their employee for any costs incurred, or make arrangements to pay a GP directly.

Some employers do not require written 'clearance' in the form of a certificate, but do need confirmation that they can allow an employee to safely resume their employment. In these circumstances, it would seem reasonable for the employer to simply seek verbal reassurance from their employee that they have had discussions with their doctor as to whether they are fit to return to work.