Ill Health & Injury Information & Accommodation Checklist

1 / Ask the right work questions, lawfully

Use secure references rather than unnecessary clinical details. This is an investigation aid, not a diagnostic form or medical-consent form. A diagnosis alone does not establish employment incapacity or decide fairness.

Secure case reference: _____ Role / essential duties: _____

Prepared by: _____ Date: _____ Review date: _____

A. Scope and lawful information gathering

[ ] Identify the affected duties, work demands and actual concerns. Ask about functional ability, restrictions, likely duration, uncertainty and possible adjustments.

[ ] Identify and record the lawful basis for the proposed enquiry or testing. Under EEA section 7, consent alone does not make otherwise unjustified medical testing lawful.

[ ] Explain the purpose, minimum information requested, intended recipients and arrangements. Obtain specific permission for treating-practitioner disclosure or identify another applicable lawful basis.

[ ] Apply POPIA and confidentiality safeguards: necessary information only, restricted recipients, secure storage and an appropriate retention basis. Give managers functional information they need, not an unrestricted clinical file.

[ ] If information is missing or cooperation is difficult, investigate the reason and consider reasonable alternatives. Refusal or silence does not automatically prove misconduct or make dismissal fair.

Work questions / information still required / lawful basis / responsible person:

Keep detailed clinical records in an appropriately restricted location. Do not attach them to a widely circulated management checklist.

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2 / Understand function and test accommodation

B. Evidence summary

Relevant evidence source and date (restricted reference, not a full diagnosis):

Functions supported / limitations / safety considerations / uncertainty:

Likely duration: temporary / enduring or long-term / uncertain. Basis and review needs:

The medical or functional evidence informs the overall enquiry; it does not alone determine the employment-incapacity conclusion. Not every illness is a disability. Where disability protections apply, investigate reasonable accommodation with the employee.

C. Options assessment

Consider adjustments to duties, hours, work environment, equipment, temporary cover and available suitable work as relevant. Do not presume a literal permanent prognosis is required before investigating the appropriate options.

Option / employee proposal	Trial, evidence and practical impact	Workable / not workable / uncertain; reasons

Further assessment, information or trial needed; owner and review date:

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3 / Consult, review and record a reasoned next step

D. Review the investigation

[ ] Consider the actual duties, likely absence, seriousness of the condition and possible temporary replacement. No fixed absence period determines the result.

[ ] Give particular consideration to work-related illness or injury where relevant. Assess accommodation in context; inconvenience alone is not the disability-law hardship test.

[ ] Consult on options and material adverse information. Record the employee's proposals, response and any unresolved questions.

[ ] Check scheme rules and the relevant decision-maker before discussing medical boarding, insurance or retirement benefits. Do not promise eligibility or equate a benefit decision with the employer's capacity assessment.

[ ] Keep the decision open. A further assessment, trial adjustment, continued review or another lawful route may be appropriate. Neither accommodation nor dismissal is an automatic outcome.

E. Action and review record

Employee input and response to proposed options:

Reasoned next step and any further information required:

Action / option to test	Owner	Review date / outcome

Recorded by: _____ Date: _____
Employee comments / corrections recorded at: _____
Acknowledgement of receipt, if given: _____

Source: Preparing for Incapacity Enquiries, Chapter 3 and Templates 12-17. Legal anchors: 2025 Dismissal Code item 21; EEA section 7 and applicable disability protections; POPIA general conditions and applicable health-information authorisation. Adapt to current law and facts.

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The complete professional publication

Preparing for Incapacity Enquiries: A Practical Guide to Managing Performance, Ill Health and Other Forms of Incapacity — Philip Maré

The complete publication contains the full practical framework, worked examples and 31 adaptable templates.