



Managing Sickness Absence

CBI statistics suggest that long term sickness absence costs UK businesses over £3.8 billion per year and accounts for 33% of working days lost due to sickness. Failure to manage sickness absence can have significant effects on the health and well-being of employees as well as the effects on business productivity and competitiveness. There is also clear evidence to the effect that employees are less likely to return to work the longer an absence is left unmanaged. In the civil claims arena, unmanaged long term absence due to work related illness or injury can lead to very large claim settlements. Typical claims arise from cumulative musculoskeletal disorders and after episodes of stress related absence, often co-occurring with grievance procedures.

BEST PRACTISE STANDARDS

1. A systematic approach is taken to dealing with sickness absence. A statement of intent, policy document, or set of guidelines outlines the organisation's approach to sickness absence, the return to work process, and individual responsibilities. This is distinctly separate from disciplinary processes. The overarching intention is to facilitate early intervention leading to a successful return to work.
2. Sickness absence is recorded, and trends analysed, monitored and benchmarked (similar to accident data) such that patterns of long term absence, frequent absence, and patterns of ill-health can be identified and appropriate interventions sought.
3. Protocols are in place to contact absent employees at various timescales depending on the type of absence recorded. Discretion is used where genuine reasons are observed. Return to work interviews are handled sensitively and utilised to identify remaining health issues, and to identify any required work adjustments.
4. Where necessary, efforts are made to enable the employee to continue working by making reasonable workplace adjustments, re-deployment to an alternative job, or agreeing a phased or gradual return to work via a 'return to work plan' within an agreed timescale. The Disability Discrimination Act 1995 contains certain legal requirements.
5. Risk assessments are reviewed and amended where necessary e.g. if there has been a significant change to the employee through injury, ill-health or disability. This will also be the case if adjustments are to be made to the workplace affecting others.
6. You and your employees have access to professional advice, support & treatment, in facilitating the return to work process. This may be via access to occupational health services, or sources such as NHS plus and schemes such as 'Access to Work'.
7. Insurers are contacted where they offer rehabilitation services as part of their EL Insurance policies, normally where absence is work related and liability may attach.
8. A co-ordinator or independent case manager for complex cases is appointed, or available to manage and co-ordinate the return to work process, acting as a central contact for the claimant and line managers/work departments.

LEGAL REQUIREMENTS

There are no specific legal requirements to manage sickness absence. Disabled employees are protected by the Disability Discrimination Act 1995 requiring employers to make reasonable adjustments to ensure they are not treated less favourably than other employees. There are employment law responsibilities under the Employment Rights Act 1996 and Employment Act 2002 when considering dismissals and retirements due to ill health. There will also be contract of employment obligations to consider on both sides.

GUIDANCE & USEFUL INFORMATION

- HSE Website 'sickness absence' pages: www.hse.gov.uk/sicknessabsence/index/htm
- HSE, Managing sickness absence and return to work in small businesses, INDG399 2004

For further information contact RM@UK.qbe.com