

Managing Absence



Practical information on :

- Why its important to manage employee absence?
- Fit Notes
- Short Term and Long Term Absence
- The Role of the Line Manager
- The Legal Position

This Guide has been prepared as a brief overview on the subject of Managing Employee Absence. It should be read in conjunction with more detailed advice. For HR advice specific to your business on this or other subjects please contact us.

The materials contained in this guidance are provided for general information purposes only and do not constitute legal or other professional advice. FPA Consulting Ltd accepts no responsibility for any loss which may arise from reliance on information contained in this guidance.

Our Guide to Managing Absence is designed to provide business owners and line managers with practical guidance on how to manage absence in the workplace.

Why Manage Absence?

Absence can impact on a business in a number of ways; CBI statistics¹ shows that sickness absence costs:

- UK Plc. over £12 billion a year;
- Employers £495 a year in direct costs for every worker employed.
- Additional overtime costs / additional workload for other team members

Sickness absence not only costs the business but can also have a significant impact on employees in terms of their health and well-being.

Considerable benefits can be delivered from managing sickness absence and return to work. In particular:

- Improved business performance;
- Keep valued staff and avoid unnecessary recruitment and training costs;
- Safe and healthy workplaces;
- Keep your business productive, and where the absent employee has built up a loyal client base, retain these;
- Reduce unnecessary overheads, e.g. saving on lost wages and sick pay costs;
- Help meet your legal duties and avoid discriminating against disabled workers;

Types of absence

There are many reasons why people take time off work. These can be categorised as:

- short-term sickness absence
- long-term sickness absence
- unauthorised absence or persistent lateness
- other authorised absences, for example, annual leave; maternity, paternity, adoption, or parental leave; time off for public or trade union duties, or to care for dependents; compassionate leave; educational leave.

Main causes of **employee sickness absence** have been identified as:

Minor illness e.g. colds, flu, stomach upsets
Musculoskeletal injuries
Back pain
Stress
Home/family responsibilities
Recurring medical conditions
Mental Ill health e.g. clinical depression and anxiety

¹ http://www.cbi.org.uk/media/955604/2011.05-healthy_returns_-_absence_and_workplace_health_survey_2011.pdf

Fit Notes

In April 2010 'sick notes' were replaced by 'fit notes'. When completing a fit note a doctor has the choice between two options:

- not fit for work
- may be fit for work.

If the doctor selects 'may be fit for work', one of the following four options also has to be selected:

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

The doctor then has the option to make any additional comments.

Five things to do if you're given a fit note

1. Check whether your employee's doctor has assessed that they are not fit for work, or may be fit for work.
2. Check how long your employee's fit note applies for, and whether they are expected to be fit for work when their fit note expires.
3. If your employee may be fit for work, discuss their fit note with them and see if you can agree any changes to help them come back to work while it lasts.
4. If your employee is not fit for work, or if they may be fit for work but you can't agree any changes, use the fit note as evidence for your sick pay procedures.
5. Consider taking a copy of the fit note for your records (your employee should keep the original).

Further information about Fit notes can be accessed at:

<https://www.gov.uk/government/publications/fit-note-guidance-for-employers-and-line-managers>

Managing Short-Term Absence

Absence interventions

Effective interventions in managing short-term absence include:

- return-to-work interviews
- use of trigger mechanisms to review attendance
- providing sickness absence information to line managers
- disciplinary procedures for unacceptable absence levels
- involving trained line managers in absence management
- providing leave for family circumstances
- offering flexible working
- involving occupational health professionals.

Return-to-work interviews can help identify short-term absence problems at an early stage. They also provide managers with an opportunity to start a dialogue with staff about underlying issues which might be causing the absence.

Disciplinary procedures for unacceptable absence may be used to make it clear to employees that unjustified absence will not be tolerated and that absence policies will be enforced.

The role of line managers

Line managers have an important role to play in the management of absence. Managers need good communications skills to encourage employees to discuss any problems they may have at an early stage so that employees can be given appropriate support or advice before matters escalate.

Line managers need to be trained in:

- the company's absence policies and procedures
- their role in the absence management programme
- the way fit notes operate and how to act upon any advice given by the doctor
- the legal and disciplinary aspects of absence, including potential disability discrimination issues
- maintaining absence record-keeping and understanding facts and figures on absence
- the role of occupational health services and proactive measures to support staff health and wellbeing
- the management of complex cases, in particular 'myth-busting' about what they can, and cannot, do
- the operation (where applicable) of trigger points
- the development of return-to-work interview skills
- the development of counselling skills.

Monitoring Absence

In order to allow managers to manage absence it is important to ensure that absence is monitored and up to date records are maintained. This could be from maintaining a simple spreadsheet to absence management IT based software. Some companies prefer to use triggers whereby after a specific number of absences in a given period this will result in a review of absence. Other companies use more sophisticated methods such as the Bradford Factor for measuring absence.

The Health and Safety Executive have developed a free sickness absence recording tool. (SART) was designed to help small and medium sized enterprises record, monitor and analyse absence data as a means to better manage sickness absence and return to work.

This is available using the link below from the Health and Safety Executive website.
<http://www.hse.gov.uk/sicknessabsence/sart/index.html>

Managing Long-Term Absence

A recent CBI survey Fit for purpose: Absence and workplace health survey 2013² found that long-term absence accounts for a third of lost working time. Across respondents as a whole, long-term absences lasting over four weeks made up nearly a third (30%) of total working time lost

Therefore companies need to ensure that they have a formal return to work strategy for those returning after prolonged absence. In addition they need to have awareness of potential disability discrimination.. The role of the line manager is vital in managing long-term absence but other interventions are also important. These include:

- occupational health involvement and proactive measures to support staff health and wellbeing
- restricting sick pay
- changes to work patterns or environment
- return-to-work interviews and rehabilitation programmes.

There are four typical elements in the recovery and return-to-work process:

- keeping in contact with sick employees
- planning and undertaking workplace controls or adjustments
- using professional advice and treatment.
- planning and co-ordinating a return-to-work plan.

Guidance on how to manage absence and an absence management toolkit can be accessed from the Health and Safety Executive website using the link below:
<http://www.hse.gov.uk/sicknessabsence/toolkit.htm>

² http://www.cbi.org.uk/media/2150120/cbi-pfizer_absence_workplace_health_2013.pdf

The Legal Position

Employers should refer to the Acas Code of Practice *Disciplinary and Grievance Procedures* together with their own procedures which will provide the main tools for addressing unacceptable absence.

The Acas Code of Practice on Disciplinary and Grievance Procedures can be accessed using the link below:

<http://www.acas.org.uk/index.aspx?articleid=2174>

Disability discrimination

The management of employees who become disabled as a result of sickness may mean employers have to make 'reasonable adjustments' as required by the disability discrimination provisions of the Equality Act 2010 before they can return to their job. Employers should be aware that conditions such as stress might be covered under this legislation.

The types of adjustments that employers might be required to consider include:

- making physical adjustments to the workplace
- allocating some of the disabled person's duties to another person
- transferring the disabled person to another vacant post with or without reasonable adjustments being made
- altering the disabled person's working hours through, for example, part-time working, job sharing or other flexible hours arrangements
- providing special equipment to assist the disabled person to perform their tasks and giving training in the use of the equipment.

It is recommended that employers seek advice when dealing with any disability related absences prior to taking any action, as this can be an area where specialist advice will benefit greatly.

Other legislation to take into consideration when dealing with absence management

There are also other areas of legislation which the employer should consider such as:

If an employer requests a medical report from a health professional, it is essential that the Access to Medical Records Act 1998 is adhered to.

Employers must also be careful not to breach the Data Protection Act 1998 (DPA) when they collect, use and store information about their employees' absence. Details of an employee's health, either physical or mental, are categorised as 'sensitive personal data' under the DPA.

For further advice and guidance please contact our HR team on 01332 604 328 who will be happy to assist.