Footwear and Leather Industries
Health & Safety
Committee

INTRODUCTION TO SICKNESS ABSENCE MANAGEMENT

Fact Sheet

For the Footwear and Leather Industries

INTRODUCTION

Long -term sickness absence represents a significant burden on both employers and employees in the public and the private sector. It involves a relatively small number of people, but has a huge cost. All too often the outcome for employers is mounting sick pay, reduced productivity and unnecessary recruitment and, for employees, reduced earnings, job loss for some and an increased workload for colleagues.

This fact sheet takes you through the process of helping ill, injured or disabled employees on long-term sick leave to return to their jobs as soon as possible. Its contents will be of interest to employers and to employee representatives.

Research shows that after only six weeks' sickness absence, a person's ability to return to work falls away rapidly. Almost one in five people who reach this point will stay off work and eventually leave paid employment.

But this journey is not inevitable and you can take action to prevent the loss of your employees through poor health. If you do this you will:

- Avoid unnecessary recruitment and training expenditure and maintain competitiveness in a full employment economy;
- Reduce your Statutory Sick Pay (SSP) and overall sickness absence costs;
- Avoid significant penalties for discriminating against disabled workers;
- Improve workplace relations;
- Raise your organisation's reputation;
- Safeguard the livelihood of your employees, and so benefit their families and communities.

HOW WILL THIS NOTE HELP ME?

This note sets out best practice, with examples, for managing sickness absence and return to work. It covers all absence due to ill health, injury or disability whether or not it is related to work.

In particular, it:

- Takes you through the steps to helping people back to work;
- Provides advice on workplace and external factors that can act as barriers to successful return to work;
- Offers suggestions on developing a company or organisational return to work policy;
- Gives advice on preventing risks to the health and safety of ill, injured or disabled employees;
- Summarises relevant legislation;
- Lists other sources of help and information.

THE SCALE OF THE PROBLEM – HSE ESTIMATES FOR 2010-2011

Each week:

- One million workers take time off because of sickness and most return to work within days, but
- Around 17,000 people reach their sixth week of Statutory Sick Pay, and
- At this point, almost one in five people will stay off sick and eventually leave work.

The HSE has traditionally estimated costs for four types of stakeholder: individuals, employers, government and society as a whole.

The total costs in billions of pounds are estimated as:

- Individuals - £6.5 to 8.0
- Employers - £3.1 to 3.2
- Government – £2.6 to 3.5
- Society as a whole - £12.2 to 14.7

THE EMPLOYER'S ROLE

Isn't management of sickness best left to medical people?

No - using good practice to help employees return to work and stay in post after sickness absence need not be difficult. It goes hand-in-hand with good people management and effective health and safety management. You may already have a number of building blocks in place. Getting started on good practice will usually mean taking a fresh look at the ways in which:

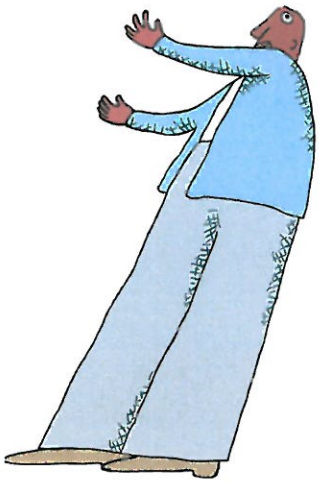
- You check and record sickness absence;
- Your managers are trained to deal with sickness absence and disability;
- You involve absent employees in planning their return to work;
- Wage arrangements and conditions of work can help or hinder return;
- You plan reasonable adjustments for disabled workers;
- You control any risk to employees from work activities;
- Work is managed to prevent poor health being made worse by work.

MANAGING RETURN TO WORK

When are employees likely to need help?

Employees who may need your help and support to stay at work include people:

- Who become ill or injured and whose job performance could be affected if their condition gets worse;
- Already in poor health, or experiencing stress, whose condition might be made worse unless the system of work is changed;
- Whose condition already affects their job performance



and may begin to affect their attendance;

- Whose condition has resulted in long-term absence who need help to return;
- Who become disabled as defined by the Equality Act 2010.

Employees to whom the first 3 bullets apply also risk entering the fourth unless someone intervenes to help them. People at particular risk are those with common health problems for which there is no clear medical diagnosis. Often it is work-related barriers that prevent their return and you can help them to overcome these.

What does managing return to work involve?

There are six elements in the return to work process:

- Recording sickness absence;
- Keeping in contact with sick employees, including return to work interviews;
- Planning and undertaking workplace controls or adjustments to help workers on sickness absence to return and stay in work;
- Making use of professional advice and treatment;
- Agreeing and reviewing a return to work plan;
- Co-ordinating the return to work process.

Note: you may find it helpful to set out a company or organisational approach to these elements, termed a `policy'.

RECORDING SICKNESS ABSENCE

How do I use sickness absence data to manage return to work?

You need to keep records for Statutory Sick Pay purposes, but knowing who among your employees is off sick and why is also essential information for:

- Identifying employees whose return may be delayed or

prevented unless you intervene;

- Helping employees whose frequent absences may disguise other problems e.g. domestic;
- Planning cover for the absent employee's work;
- Checking for patterns of ill health that could highlight possible work-related, or the onset of disability;
- Benchmarking your performance against your competitors to judge whether your own record is good or bad.

Early action on your part can increase the chances of a quicker return to work significantly. Recording sickness absence daily and summing it up on a weekly basis will help keep the information accurate and prompt you to make contact with absent employees at suitable intervals.

The suggested minimum information that you will need to help you manage absence and return to work, some of which you already keep for SSP purposes, is the:

- Name or identification of the employee concerned and where they can be contacted;
- Date of the first day of absence;
- Cause of absence;
- whether the injury or illness is considered to be work-related, once this is known;
- working days absent (updated regularly);
- date employee last contacted and the outcome;
- expected length of absence if known;
- Return to work date.

Do I have data protection responsibilities?

The sickness absence data that you keep has to comply with the Data Protection Act 1998.

RELEVANT LEGISLATION

Health & Safety at Work etc Act 1974 (HASWA), ,

Management of Health & Safety at Work Regulations (MHSWR) 1999

Health & Safety (Miscellaneous Amendments) Regulations 2002 (NI 2003) that amended the Workplace (Health, Safety and Welfare) Regulations 1992

Safety Representatives and Safety Committees Regulations 1977

Health & Safety (Consultation with employees) Regulations 1996

Equality Act 2010

Employment Rights Act 1996

Employment Act 2002

The Access to Medical Reports Act 1988

Data Protection Act 1998

SUGGESTED CONTENT OF A RETURN TO WORK POLICY

What should a written policy look like?

There is no "one size fits all"; the format needs to be one that suits your circumstances.

It is useful to:

- Consider whether the written policy should stand alone or form part of other company or organisational policy documents, e.g. staff handbooks;
- Avoid confusion by not including the policy in statements that you are legally required to provide, e.g. the Health & Safety Policy Statement, which you must provide under the HASWA.

Note: there is no legal requirement to provide a policy statement on return to work.

What should I include in a written policy?

Information that is useful to put into a policy statement includes:

- Your organisation's commitment to helping employees return to work;
- Your arrangements for recording sickness absence, as appropriate;
- Provision of leave and time-off to aid return to work or to attend medical appointments;
- Procedures for keeping in contact with staff on sick leave and what is expected from the employees;
- Agree and support return to work plans;
- Ensure employees are treated fairly, equally and consistently.

If your organisation has a line management structure and access to human resource or Occupational Health support, you may wish to consider including:

- What action line managers should take and when and how the action will be supported;
- Responsibilities for putting return to work plan into action and reviewing its progress;
- Sources of advice within the organisation on what can be done to help an employee's return to work and continued employment.

KEY ACTIONS FOR A SUCCESSFUL POLICY STATEMENT

- Get the practice right - consider piloting it before committing it to a statement;
- Write the content in plain language, making sure it is clear who is responsible and accountable for carrying out any actions or procedures;
- Check that procedures are put into operation and they

are carried out consistently for all employees affected;

- Invite feedback from employees and Trades Unions and other employee representatives and review the content regularly.

A REHABILITATION POLICY

. Key elements of a rehabilitation policy could include the following:

- Making rehabilitation a policy goal;
- Investing in employee health, providing access to good OH facilities and workplace health initiatives;
- Being responsive to absence - monitoring health, keeping in touch with sick employees, responding early with referral for medical checks, being alert to disability issues and applying practical rehabilitation measures;

- Assuming in the first instance that sickness absence may be due to work-related causes that should be investigated;
- Involving all levels of management in rehabilitation, including line managers, personnel/human resources managers, OHS's and Senior Managers;
- Working with Unions and their members, being open on health and absence issues and involving them fully in the development of relevant policies.

The Health & Safety Executive has provided guidance for Safety and other Trades Union Representatives called *Working Together to Prevent Sickness Absence becoming Job Loss* at www.hse.gov/pubns/web02.pdf

PREVENTING HEALTH BEING MADE WORSE BY WORK

Safety Representatives can work with the employer and workers to help identify action that will help sick workers to return to work safely and, at the same time, this may also benefit others in the workplace.

Successful returns to work depend on constructive cooperation between everyone involved. A good foundation for this is a workplace plan or return to work policy. The HSE Guide *Managing Sickness Absence and Return to Work* provides further advice for employers about putting together a policy and facilitating the return to work of ill, injured and disabled workers as soon as it is appropriate, **based on partnership with the workforce.**

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This document will be available on the following websites:

British Footwear Association – www.britishfootwearassociation.co.uk

UK Leather Federation – www.uk.leather.org

Community – www.community-tu.org