Managing staff absence
A step-by-step guide

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Looking after your staff and your business

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People are going to be off sick from time to time. Most employees feel bad about letting down their colleagues and most employers are reasonably sympathetic about their staff’s welfare.

But absence because of sickness, or another unexpected reason, can put your business in a tricky situation, particularly if you have no policies in place for dealing with it.

- You need to know why staff are off, when they will come back and how you will deal with:
  - Short-term sickness absence which lasts less than a week;
  - Repeated short-term sickness absences which may follow a pattern;
  - Long-term sickness absence lasting several weeks or more;
  - And unauthorised absence for other reasons.

- Sickness absence can be caused by a mixture of:
  - An employee’s general physical condition;
  - Working conditions including health and safety standards, levels of stress, and harassment and bullying;
  - Family or emotional problems, or mental health issues other than stress.

- Managers and employees often appreciate clarity and honesty about how such personal issues will be managed.

- There are some legal issues to take into account, but making sure your staff are well, happy and working effectively is largely a matter of doing the right thing and using common sense.

This tool is aimed at small firms, and line and team managers in larger organisations.
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Be prepared
Know the basics
To manage sickness levels and keep absence from work down, you need to:

- **Monitor absence levels** to find out how much they are costing you. Keep a record for each employee and see if there are any patterns. Absence costs the UK economy £17 billion a year in work falling behind schedule, damage to customer service and company reputation, reduced morale among colleagues trying to cover and hiring temporary staff.

- Have a **clear policy** for managing sickness absence and unauthorised absence. This should include how employees tell you they are sick, and both managers and staff understanding the purpose of ‘return to work interviews’, and any triggers towards disciplinary action. For more information on handling discipline, see Managing discipline: Investigation to possible dismissal, another online tool in this series of guides.

- Understand the role **GPs** play in helping employees return to work and how the ‘Statement of Fitness for Work’, commonly called a ‘Fit Note’, is used.

- Think about the impact on employees’ physical and emotional wellbeing of:
  - Working conditions;
  - Your business’s culture - for example, is it open and inclusive or hostile and unsupportive?
  - Working patterns - for example, are there peaks and troughs of activity, or can shift patterns mean employees lose sleep?

Legal check
- Employees have the legal right to be absent for annual leave, maternity leave and many other reasons. For more information on time off and absence see the Acas booklet Managing attendance and employee turnover.
- You are liable to pay the employee’s statutory sick pay for certain periods. Contact the Employers’ Helpline for further help on 0845 713 143 or [www.hmrc.gov.uk](http://www.hmrc.gov.uk)

Step 1
**Short-term sickness**
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Step 1: Short-term sickness
Half-an-hour late and no word – what’s your policy?

For many employers, particularly those running a small business, trying to work around sickness or unauthorised absence can be very difficult.

Most ailments last only a day or so - some a week or two. But they are short-term illnesses - and this is what your employee should do if they are not coming in:

- Speak to you or their manager as soon as possible.
  Many employers specify that within an hour of the employee’s normal start time they must be notified of:
  - The nature of the illness;
  - A likely return date.
- If the illness lasts less than seven days, provide a self-certificate.
- If the illness lasts seven days or more, provide a Statement of Fitness for Work (or Fit Note) from their GP.

The Fit Note allows the doctor to advise you if the employee is ‘unfit for work’ or ‘may be fit for some work’. GPs now have to advise on fitness for work in general rather than fitness for the employee’s specific job.

For example, it may be possible for the employee to return to work gradually or lighter duties, and not necessarily in their normal job. The GP can help advise on this

If the employee cannot give you a Fit Note, you need to find out why at Step 2, the return-to-work interview - this matter could actually be a conduct issue where you should consider taking disciplinary action.

And where warranted, you could arrange for them to have a medical with a company doctor.

In an unexpected absence, they simply might not turn up or be late, but you must still manage this kind of unauthorised absence and find out why they were absent.

If you have to deal with these circumstances, go to Step 1: Gone AWOL - where are they?

And what should you do?

See example absence policies in the Acas booklet Managing attendance and employee turnover.
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**Step 1: Where are they?**
And what should you do?

Sometimes employees can be absent for a host of reasons, some completely justified, others not:

- They may phone in claiming to be ill, when you suspect all they want is a day off.
  
  At this stage all you can do is follow the **Step 1: Short-term sickness** page of this tool.
  
  But **Step 2: Holding the return-to-work interview** should help uncover why they were really off, and any underlying problems.

- They may phone in with another reason why they will not be coming into work:
  
  ○ If it's an emergency, and they've briefly explained the basics of the situation, ask them to phone you back later in the day when the situation is in hand. When they phone back, be reasonable in discussing with them when they will return to work and give them enough time to deal with anything that's important.
  
  ○ If it's a serious family or personal problem, be flexible and come to an agreement about when they’ll be back at work, but if they’re away more than a day also agree about how and when they’ll keep in touch.

  Remember, they may be entitled to unpaid time off because of dependents’ problems under the Employment Rights Act 1996.

  But some employers allow some paid compassionate leave - you will need to decide your policy so managers are not left with the difficult task of using their discretion in very sudden and sensitive situations.

- If they're missing from work and do not make contact, and you cannot reach them, when they do come back, go to **Step 2: Holding the return-to-work interview**.
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Step 1: Long-term illness
Will they come back?
- Handling long-term absence is a delicate matter:
  - The illness may be serious, and also involve an operation and recovery time, or could be a mental health problem. These require a sympathetic approach.
  - Or you may suspect an illness is being drawn out to delay a return to work.

However, these two scenarios, although contrasting, still mean the absence can be a strain on the business. How you manage them in some areas can be similar. But remember, these situations are poles apart and will require sensitivity to be used in very different ways.

You should:
- Assess if colleagues can manage for a while without a replacement, or whether you need to hire someone on a temporary contract;
- Keep in regular contact with the employee about their position, be clear about their sick pay and explain any updates - for example, promotion opportunities or any other important workplace changes;
- Consider whether it might be best, in some cases, to simply keep in touch and give them the time they need to get better;
- Think whether you need to ask the employee for permission to contact their GP, or whether they would see the company doctor, to assess:
  - When a return to work will be possible;
  - Will there be a full recovery and is a return to the same work advisable?
  - Should it be phased - may be part-time or flexible hours to begin with?
  - Whether the employee is disabled - if so, reasonable adjustments must be made so they can return to work.
  - Or whether a return to lighter, less stressful, work would be advisable.

Download Acas booklets Health, work and wellbeing, Promoting positive mental health at work and Stress at work for more on these topics. For more on managing long-term absence see the Acas guide on Discipline and grievances at work. For tips on helping an employee return to work after a long absence see the Acas booklet Managing attendance and employee turnover.
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Step 2
Hold a return-to-work interview

Use return-to-work interviews to:

• Welcome the employee back, check they are well enough to resume duties, focus on their value to your business and update them on any changes;
• And if they have a Fit Note, discuss the details. If it says ‘may be fit for some work’, you will need to discuss a new working arrangement. For example, if it says the employee must avoid lifting, you might be able to get them to do more administrative duties until they are feeling better;
• Get a better understanding of their problem. They may tell you, for example, that their sickness is a result of them being run-down through having to care for an elderly relative or through stress caused by bullying at work. If being a carer is the root of the problem, see if they have any ideas for overcoming it so it does not affect their work, or you could make suggestions. If the root cause is bullying, you need to discuss it with them and then consider your next move. But deal with these matters - they are only likely to recur if you don’t.

See Acas guides Challenging conversations and how to manage them and Bullying and harassment at work for more on these topics.

• In cases where there is room for improved attendance, an employee must be told what is expected and the likely consequences if this does not happen. They should also be told if their level of absence is putting their job at risk.

If the employee is disabled or becomes disabled

In these cases, you are legally required to make reasonable adjustments to enable the employee to continue working. For example, providing an ergonomic chair or a power-assisted piece of equipment. If absence is related to disability, keep the record separate from other sickness absence.
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Step 3
Taking action if the problem persists

If an employee is absent repeatedly and the return-to-work interviews are failing to result in an improvement in their attendance record, you will need to take further action...

- Agree trigger points with your employees, making it clear when repeated absence automatically leads to formal action.
  
  For example, if an employee has had four separate periods of absence in a set period, they might be asked to:
  
  - Forward their doctor’s notes to you or their manager, but they need to agree to this;
  - Sit down with you and talk about the causes of their absence and if anything can be done to improve their attendance.

- But you need to be sensitive about reasons for repeated absences.
  
  For example, if an employee has regular hospital appointments, it would not be appropriate to quiz them about their attendance record.

- However, repeated unexplained or unjustified absences may be treated as a conduct issue and lead to disciplinary action and ultimately dismissal.

For more on taking action on conduct issues see Managing discipline: Investigation to possible dismissal, another online tool in this series of guides.

Are your absence problems caused by ‘work-life’ balance issues?

Flexible working can help many employees balance the demands of work and their personal lives. Latest research shows that in 56% of workplaces, some employees are allowed to work reduced hours, in 35% of workplaces some employees use flexitime and in 30% of workplaces some employees work from home.

Parents of children 16 and under (18 and under for disabled children) have the right to request to work flexibly. You have to give serious consideration to their request. For more information go to the Right to request flexible working (on Acas web page 1616)
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Step 4
Your duty of care
You have a legal responsibility to protect the wellbeing of your employees at work. This duty of care, of course, includes the health and safety laws, but also goes beyond those. It might involve:

- **Physical hazards** - check employees have enough rest breaks and they know how to operate any machinery properly;
- **Emotional and psychological pressures** - make sure that they are not exposed to some of the causes of stress, such as too much work, too little control themselves over their jobs and poor working relationships;
- **Promoting awareness** of important health issues – such as smoking, healthy diet, exercise, drugs, and mental health;
- **Using occupational health** where it can help employees return to work sooner.

The Health and Safety Executive have identified six main causes of stress at work and devised a series of management standards to try and tackle these stressors.

For more information go to [www.hse.gov.uk/stress](http://www.hse.gov.uk/stress) or see the Acas guide *Stress at work.*
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An employee is regularly off work ill, sometimes with a bad back, and again it's the problem this time. You've always held return-to-work interviews with her, but her record of attendance is not improving.

What happens next?

Again, you welcome her back to work at a return-to-work interview, saying you're very glad to have her back as she's a skilled member of the team and valued by the company. The truth is she is talented, but can also be moody, but in this situation you are determined to stay positive.

But you do mention that you are concerned by her sickness record, particularly her back problems, and ask if she knows what is causing them.

She doesn't seem to like the questioning, even though it's courteous and well-meant, and replies that she doesn't know what all the fuss is about and that her sickness record is no worse than anyone else's.

You point out that, actually, that's not true. She has the worst sickness record in the company. You ask if she has any idea why that might be. She says she doesn't.

You reply that she should see an occupational health specialist who might be able to help improve her health.

She says she would rather not, but you insist that it is important that she does, as her level of sickness is not acceptable.

She sees occupational health who assess her desk and chair, and make changes including a new chair to help her posture.

The result is she hasn’t phoned in ill with a bad back for months.
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Myth busting: True or false?

If an employee is off sick long-term, and I can no longer hold the job open for them because my business is suffering, I can justifiably sack them without any comeback.

There are a lot of stages to go through before that thought should even cross your mind.

Think about the factors mentioned earlier in this tool:
Have you considered changes so they can return to the job? Would part-time or flexible working be an option? Is there suitable alternative work?

Have you been able to properly explore options with the employee’s GP, or maybe the company?

While you are not expected to create a special job for the employee, you are expected to try hard to work out where they could again play a part.

Where all reasonable options have drawn a complete blank, and the employee’s job can no longer be held open, you may want to inform the employee of the likelihood of dismissal.

And if dismissal action is taken after following fair disciplinary procedures, the employee should be given the period of notice they are entitled to by law, or in their contract. And they should be told of their right to appeal against the decision.

For more on disciplinary procedures, go to Managing discipline: Investigation to possible dismissal, another online tool in this series of guides.

You may find it helpful to seek advice from the Disability Service Teams whose addresses can be obtained from Jobcentre Plus offices.

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How useful is this tool? Email webteam@acas.org.uk to leave feedback.

And if you want to know more...
Download Acas handbook Employing people: a handbook for small firms and booklet Managing attendance and employee turnover.