

## The epidemic of sickness absence



Even before winter flu hits, the UK is experiencing a record high of long term sickness absence. In May 2023, 2.55 million people were off work due to long term sickness, with 438,000 between January and March 2023 more people not looking for work because they were on long term sick leave, according to [The Office for National Statistics](#). This equates to one in 13 people being on long term sick.

It can be difficult to deal with employees on long term sickness absence. Their absence can disrupt other members of the team, reduce productivity and risks overloading the remaining staff with work.

### What is “long term” sick?

Long term sick is generally seen as a period of sickness for more than four weeks. We know certain conditions, like flu or seasonal affective disorder are more common in the winter months, and adding new Covid variants in to the mix, means employers need to hope for the best, but plan for the worst, as we approach the end of the year.

The key concern for our clients isn't usually the cost. Yes, their employees are entitled to statutory sick pay (SSP) for the first 28 weeks whilst on sick leave – currently £109.40/week ([gov.uk](#)). It's more an issue of how to support their employees and get them to engage with them so that the company understands the health condition, what adjustments it needs to make and has some indication of when the employee might be able to return to work.

## Top tips

- It always helps where you have a robust sickness absence policy covering what constitutes long term sick leave, what sick pay is paid, what is expected from the employer and employee and how to support a return to work.
- You should maintain contact with the employee and others such as line managers, occupational health and doctors so that you are making the best decisions you can based on up-to-date information about the employee's health and when they might return to work. HR or the line manager should aim to contact the employee every 28 days and adjust the method and frequency of contact to suit the employee, without losing contact.
- Whether or not you consider if the employee is disabled, it is always worth considering discuss any reasonable adjustments can be made to assist an employee back to work. This could include a phased return to work, lighter duties or a change to their working hours.
- Check in periodically with the employee when they return. Holding a meeting on the first day back to confirm the adjustments and allow concerns to be raised, often reduces anxiety.

## What if the employee is unable to return?

- Always obtain medical advice and consult the employee before you make any decisions about parting ways. If the advice is that the employee will be unable to work for the foreseeable future and no reasonable adjustments can be made, you will still need to treat the employee fairly.
- Explore all options ensuring you are taking appropriate steps to facilitate a return to work for example reducing work hours as part of a phased return.
- Check whether the employee could qualify for a payment under any income protection scheme or critical illness insurance. If they do, you shouldn't dismiss them as it deprives them of this benefit.
- Follow your Capability Procedure or Absence Policy carefully. This will guide you through a fair process in case you need to bring the employment to an end on the grounds of ill-health.
- You may also want to ask the employee if they would prefer a negotiated exit. Many employees welcome the additional payments that accompany a Settlement Agreement, particularly if they have exhausted their SSP entitlement.
- Keep dismissal as a last resort – yes, it frees up head count but it may also lead to claims and cause other employees' morale to flag if it isn't handled well.

## How we can help

If you would like help with dealing with employees on sick leave, please contact the [employment team](#) who will be happy to assist.

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