

# How to handle long term sickness absence



---

With Amanda Chadwick

Date: 2/7/25

Run Time: Approx 50 Mins

24/7 professional support for businesses,  
across **Employment Law, HR and Health & Safety**

The detail contained within this webinar is based on GB & Northern Ireland employment legislation.

Members in the jurisdictions of the Republic of Ireland, Jersey, Guernsey and Isle of Man are asked to please contact the Advice Service to obtain the information relevant to your jurisdiction.

## Croner Clients:

As a Croner Client, you have access to free advice and support by calling your dedicated helpline on 0808 145 3386, please ensure to have your account number to hand.

 0808 145 3386

## Association & Partnership Members:

Through your **association membership**, you have access to **free advice and support** by calling your dedicated helpline on **0844 561 8133** or email **partnerships@croner.co.uk**

 0844 561 8133

# Today We Will Cover

---

- Why you need to address long term sickness absence
- Key steps in managing long term absence
- How to protect yourself from the risks involved
- How will the employment rights bill impact long term sickness

## Current sickness position in UK

Latest figures on absenteeism show that, in 2024:

- The meaning and definition of 'absenteeism' in the workplace.
- 148.9 million working days lost because of sickness or injury
- Employees took on average 4.4 days' sickness absence
- 'Days lost' increased with age: 9.0 million (age 16-24); 59.9 million (age 50-64)
- 22.2% of absence was due to minor illness (such as coughs or colds);
- 13.7% was due to mental health conditions.



## What is long-term absence?

- No legal definition
- Some employers consider absence of 4 weeks or more to be 'long-term'
- Staff can claim up to 28 weeks' worth a year if they call in sick for seven calendar days.
- The sick leave reasons are many and varied. It could be due to:
  - An accident or injury.
  - Sudden illnesses (such as the flu)
  - Long-term illnesses.



## Cost of long-term absence

- SSP or company sick pay
- Cost of covering work
- Management time
- Occupational health involvement
- Missed deadlines
- Rushed work
- Unhappy clients



## Prevention better than cure

- Open door practice
- Get policies in place
- Train your staff to respond to dips in performance/signs of burnout etc
- Make reasonable adjustments
- Keep under review



## Get your records right

- Set out your notification procedures to employees
- Use that notification call to full effect
- Keep good notes of sickness absence including dates/reasons
- Ask for probable return date
- Ensure required certification is in play for absences exceeding 7 days



# Communication

- Myth: You cannot contact an employee when they are on sickness absence
- It's actually **avital** part of the process
- Agree frequency and method of contact
- Includes welfare meetings to talk about absence
- Keep communication going when they return



## Formal procedure

- Start formal medical capability process
- Series of formal hearings with a right to a companion. Consider where to hold them. Neutral location?
- Can result in formal warnings with review period
- It will be rare that jumping straight to dismissal at this point will be fair
- Recommendations for adjustments must be considered and made where reasonable



## What is expected of you

- Investigate cause and likely length of absence
- Consult with the employee
- Make reasonable adjustments, including to the process itself
- Set review periods and monitor progress
- Keep your knowledge of medical position updated



## Possible reasonable adjustments

- Change working hours/times
- Amend working duties
- Change working location
- Adjust productivity/performance targets
- Use of software



## Your considerations

- Dismissal for medical capability is a management one, not a medical one
- What is the prospect of their return?
- How long is the absence sustainable for?
- What adjustments can be made and what effect will they have on the employee's capability?
- Can you transfer employee to an alternative role?
- Has illness been caused by work?



## On their return

- Return to work interview
- Confirm any adjustments to be made
- Return to work plan
- Phased return?
- Re-training?
- Assign a buddy
- Regular communication



# Risks

- Not considering whether the condition is a disability
- Not making reasonable adjustments
- Not taking into account up to date medical position
- Not giving the employee time to return
- Jumping to dismissal straight away without a fair procedure
- Dismissing during company sick pay period



# The Effect of the Employment Rights Bill

- The removal of the Lower Earnings Limit—currently this disqualifies any lowpaid workers from receiving Statutory Sick Pay
- Removal of the waiting period for SSP
- Strengthening of Flexible working
- Take steps to minimise sickness absence by taking charge of things within your control. This could include:
  - Keeping a close eye on workload and working conditions to avoid undue stress
  - Implementing robust measures to prevent employees from feigning sickness
  - Managing longterm absences to ensure a smooth and swift return to work.

# Summary

---

- Managing long term absence is not a quick process
- Risks of unfair dismissal and/or disability discrimination
- Communication and collaboration with employee is key
- Dismissal decision is management one but need expert medical information to make the decision
- Changes to the Employment Rights Bill will potentially result in an increase of sickness absence, businesses should prepare to manage this increase.

## Croner Clients:

As a Croner Client, you have access to free advice and support by calling your dedicated helpline on 0808 145 3386, please ensure to have your account number to hand.

 0808 145 3386

## Association & Partnership Members:

Through your **association membership**, you have access to **free advice and support** by calling your dedicated helpline on **0844 561 8133** or email **partnerships@croner.co.uk**

 0844 561 8133



Croner

# Thank you!

Any questions

[Events@croner.co.uk](mailto:Events@croner.co.uk)

Quote: CGLW0270



Follow us

