

Key Considerations When Managing Employee Absence

Gathering the relevant information and reviewing the circumstances carefully can help employers follow a fair process and identify the support or action that may be appropriate.

-  **Your Absence Policy**
Check what your policy says about reporting sickness, medical evidence, contact during absence and review procedures. Following a clear policy consistently can help employees understand what is expected.
-  **The Nature of the Absence**
Establish whether the issue involves short-term, recurring, long-term or unauthorised absence. Different patterns may require different management processes and forms of support.
-  **Governing Documents**
Gather the articles of association, shareholders' agreement, partnership agreement or LLP agreement. These documents may contain important provisions on decision-making, exits, transfers and dispute resolution.
-  **Absence Records**
Prepare an accurate record of the dates, reasons and previous discussions connected with the absence. Employers should be careful not to apply trigger points in a way that discriminates against disabled or pregnant employees.
-  **Communication with the Employee**
Maintain reasonable contact and explain the purpose of meetings or requests for information. Communication should be supportive without placing inappropriate pressure on an employee who is unwell.

-  **Medical and Occupational Health Evidence**
Consider whether further medical information is needed to understand the employee's condition, likely return and possible support. An employer must obtain the employee's permission before requesting a report from their healthcare professional.
-  **Disability and Reasonable Adjustments**
Consider whether the employee may be disabled and whether adjustments could help them remain at or return to work. A failure to make reasonable adjustments for a disabled employee can amount to disability discrimination.
-  **Return-to-Work Support**
Think about whether a phased return, amended hours, alternative duties or workplace changes may be appropriate. Any temporary arrangements should be clearly recorded and reviewed.
-  **Consistency and Individual Circumstances**
Review how similar cases have been handled while considering the employee's particular circumstances. Consistency is important, but employers should avoid applying policies mechanically without considering disability or other protected factors.
-  **The Operational Impact**
Record how the absence is affecting the role, colleagues and the wider organisation. This information may become relevant when assessing whether continued absence can reasonably be accommodated.
-  **The Potential Outcome**
Consider what a sustainable resolution might look like, including a supported return, redeployment, capability action or another agreed outcome. Dismissal for ill health should normally be considered only after appropriate evidence, consultation and alternatives have been explored.



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