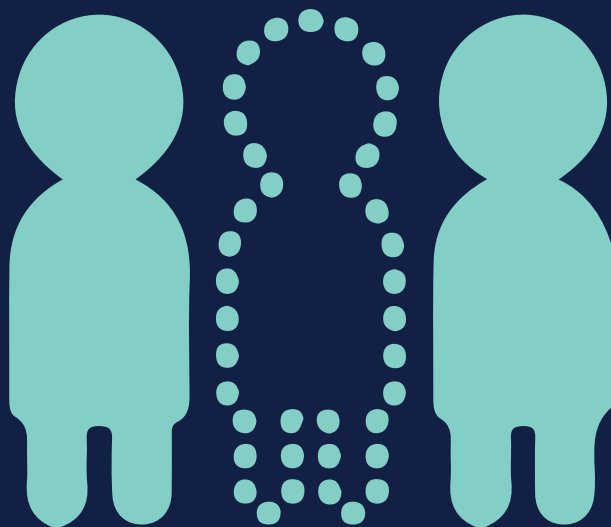


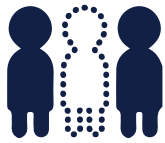
# TAKE FIVE

Your guide to dealing  
with absenteeism



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## Your guide to dealing with absenteeism

### 1. How can I begin to deal with an employee who is often absent?

When an employee is often away from your business - whether that's on long-term sick leave, or several shorter occasions - you may feel frustration. However, it's important to stay calm and try to get to the bottom of the reasons for prolonged or regular absence.

Start with a meeting, in person if you can, or on a video call for remote workers. Try to get to the root cause of the absences - are there long-term health issues? Are there any underlying issues that may be affecting their willingness to work?

Understanding and providing a sympathetic ear may be half the battle - and the simple act of talking it out could highlight issues that mean you can nip the problem in the bud and avoid further action.

### 2. Could there be a way to encourage the employee back to work?

Once you've spoken to the employee, it may be that you can make simple changes at work to better accommodate the employee and reduce stress levels that may be contributing to absence.

We are now in a world where people can work more flexibly than ever, so explore options that may fit for you and your employee. Would a change of working patterns - such as flexible hours - help that employee reduce stress by improving work/life balance? Would some element of remote or hybrid working be of benefit?

Or are there even simpler changes - like a change of desk and chair - that could help alleviate some of the problems they are experiencing?

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### 3. Am I entitled to see an employee's medical reports?

If an employee says they have a medical problem that is affecting their ability to work then you can, with their permission, ask for medical reports. These can be obtained from their doctor with the patient's consent, or you could seek Occupational Health advice, but you must ensure that you are accessing such data lawfully in line with GDPR regulations and storing and processing that data legally.

Employers often need to give a specific and valid reason for processing the data and be able to demonstrate a need for it. If you do go down this route, you should be seeking help from a legal or HR professional to make sure you remain within the law.

### 4. What are the alternatives to dismissal?

Dismissing an employee should always be the last resort. It is possible that an employee may be unable to perform their current duties because of a health condition but may be suited to other roles in your organisation or could do their role subject to some reasonable adjustments being made.

Could a new position, a part-time role, or retraining provide an alternative? For the benefit of the employee, and to protect your business from a potential tribunal claim, you will want to demonstrate that the problem has been looked at from every angle before starting a dismissal process.

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## 5. What happens if I do have to dismiss an employee?

Sometimes, no matter how hard you try, dismissal is unfortunately the only option left open. This is a potential minefield and you will need to ensure that you act fairly and reasonably at all times, while treating the member of staff with sensitivity.

There is very clear advice set out by Acas (the Advisory, Conciliation and Arbitration Service) which sets out a code of practice all employers should follow - failure to do so can result in an employment tribunal at which you may be ordered to pay compensation.

If you do not have experienced HR or legal professionals in house then it is highly advisable to enlist professional support during this process.



### Would you like to know more?

Please contact one of our expert lawyers in this sector:

[Kerrie Hunt](#)