

When is “enough enough” in mental health absence cases — sporadic absences, refusal to engage with OH, and prolonged absence



Speaker



Bryn Doyle
Partner, Employment
Lewis Silkin LLP, UK

Tel: +44 (0)20 7864 1290
Email: bryn.doyle@lewissilkin.com

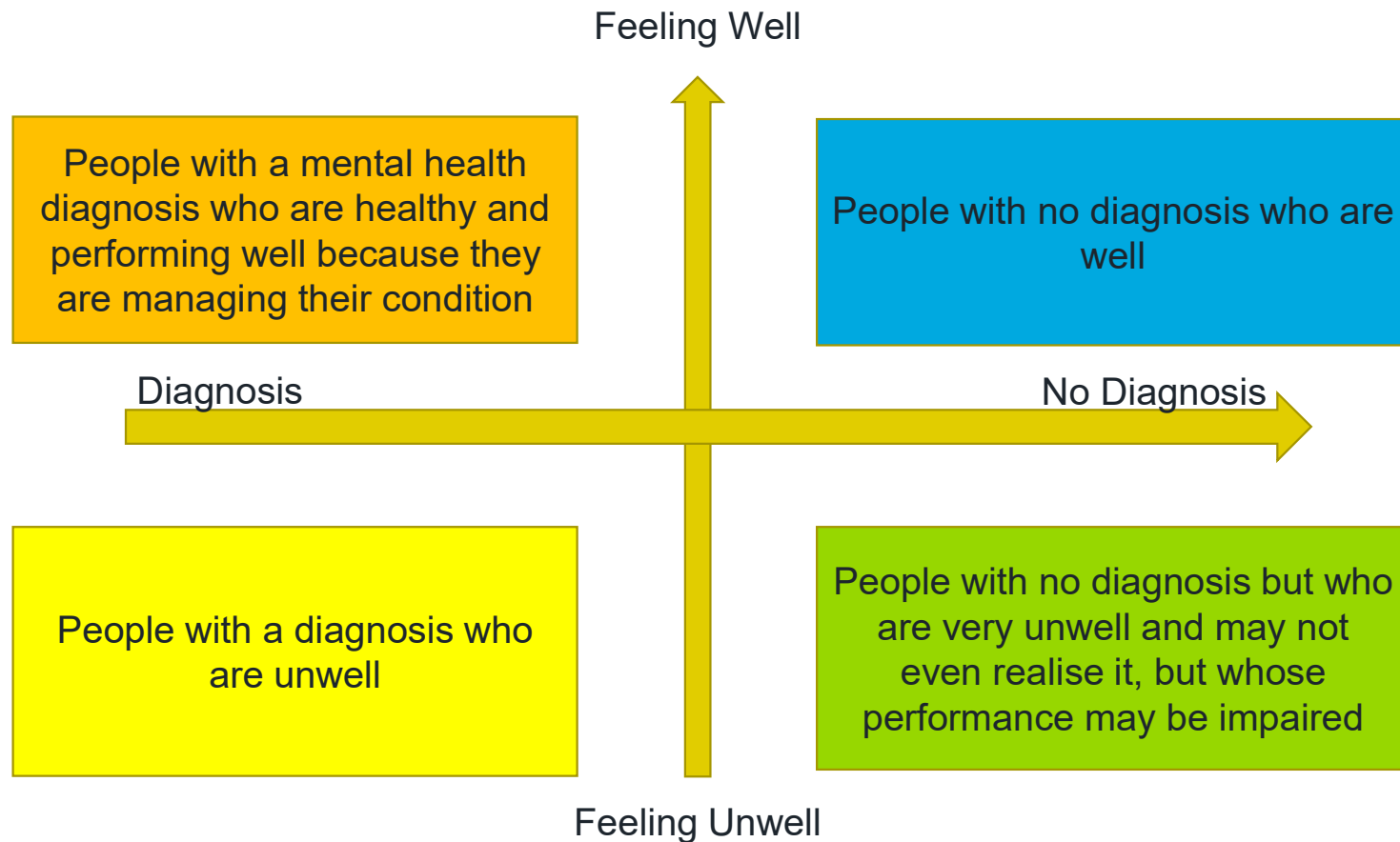


What is mental health in the context of the work environment?





How mental health can be present at work





Sporadic absence is not always the same as disruptive absence

- Sporadic is mainly:
 - Irregular(ish)
 - Repeated(ish)
 - Unpredictable(ish)?
- Disruptive is usually:
 - Impactful
 - Damaging to colleagues or business
 - Hard to manage

THE IMPACT IS THE SINGLE MOST IMPORTANT ISSUE IN THESE CASES



Sporadic absences - things to consider

Managing the absences

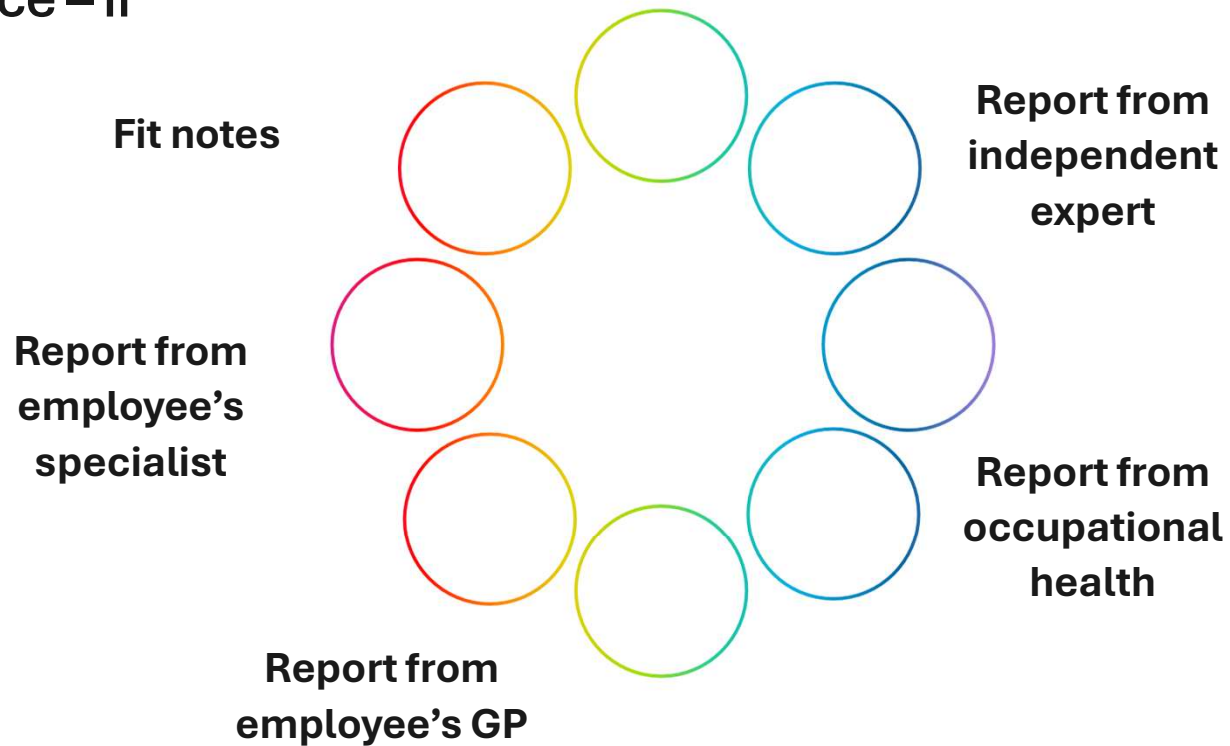
- Is the manager recording it accurately?
- Are there any patterns?
- Return to work meetings
- Is health the real reason?
- Do you have triggers?
- Overlay the mental health condition.....
- Evidence is your friend in defending these cases!

Using your processes effectively

- Ensuring appropriate sickness absence reporting
- What about “working from home?”
- Disciplinary warnings
- Any other concerns?



**Medical advice – if
they engage**





What if the employee doesn't engage?

Points to consider:

- Reasons behind lack of engagement (skill or will)
- Have you removed all barriers to engagement?
- What alternatives are there?
- Can you draw negative inferences?



So when is enough, enough?

Points to consider:

- Reasons behind absence (underlying reasons?)
- Impact of absence
- Medical advice
- Length of absence

.....And then what?



Sporadic absence and dismissal

Full consultation with the employee

Appropriate, up to date medical advice

Consideration of a phased return

Consideration of adjustments to help the employee return to work

Dismissal should be a last resort

Protected conversations?



Any questions?





Thank you

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