



MANAGING AND SUPPORTING EMPLOYEES WITH LONG-TERM HEALTH CONDITIONS

Guide for people
professionals

The CIPD is the professional body for HR and people development. The registered charity champions better work and working lives and has been setting the benchmark for excellence in people and organisation development for more than 100 years. It has more than 160,000 members across the world, provides thought leadership through independent research on the world of work, and offers professional training and accreditation for those working in HR and learning and development.

Guide

Managing and supporting employees with long-term health conditions: guide for people professionals

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It also draws on research and perspectives of workers with long-term health conditions, colleagues, line managers, occupational health and rehabilitation professionals as well as people professionals.

1 Introduction

This guide aims to provide information on effectively managing an employee with a long-term health condition.

Supporting people's health and wellbeing is also the right thing to do and is part of ensuring that people feel safe and valued at work. Employers should foster a compassionate culture and empower people to take steps to proactively manage their health.

Everyone has a role to play in helping employees with long-term health conditions look after and get support for their health so they can thrive at work:

- Employees need to prioritise self-care and self-management to manage their symptoms and sustain their health and work.
- Work groups and colleagues can provide valuable practical and emotional support.
- Line managers can help employees access the work adjustments and support that they need to manage their health and work effectively.
- Organisations with compassionate and flexible management policies can help to accommodate individual needs.

Everyone also has a role to play in supporting an inclusive, supportive culture, free from discrimination.



What is a long-term health condition?

Long-term health conditions are defined by the UK NHS as *'a health condition that cannot at present be cured but can be controlled by medication and therapies'*.¹

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216528/dh_134486.pdf

Long-term health conditions require management over many years and can lead to permanent or temporary impairment or disability. The most prevalent long-term health conditions include:

- common mental health problems (for example, anxiety or depression)
- musculoskeletal conditions (for example, arthritis, backpain)
- cardiovascular conditions (for example, heart disease)
- respiratory conditions (for example, asthma)
- neurological conditions (for example, multiple sclerosis)
- cancer
- menopause
- other conditions include diabetes, hearing and sight loss, among many others.

Everyone's experience of a long-term health condition is unique and individual to them. Symptoms can vary from mild to severe and some require no changes to the way they work, while others require changes to their job or working pattern. Often, someone's symptoms can be hidden to others.

The most common problems reported by people with long-term health conditions of working age relate to mental health (42%), mobility (41%), or stamina/breathing/fatigue (32%). Many also experience difficulties with impaired dexterity, memory, hearing, vision, learning or social activity.

Defining and identifying long-term health conditions is often made difficult as many people have more than one condition, and some people with physical conditions can subsequently develop mental health conditions. The relationship between mental health, physical health and neurological conditions is very complex but, for example, an individual may develop mental health problems (such as depression or anxiety) due to their diagnosis.

The pathway to diagnosis and identifying a successful plan for someone to manage their health condition is often not straightforward:

- The onset of the condition may be acute and rapid or may build up over a long period of time, being ignored or passed over as temporary, until an employee seeks advice and help from their GP and/or the health service.
- For many conditions, there's no single test to detect the condition. To get a diagnosis an employee may need to attend multiple specialist appointments and undergo a series of tests and referrals, the majority of which are offered in working hours. A diagnosis can take three or four months, or even much longer.
- Once a diagnosis is obtained, there's a new journey to identify the most appropriate treatment to manage the symptoms and develop new strategies and skills to learn to live with the condition.
- Over time an employee's condition may fluctuate; some symptoms can vary over the course of a month, day or even hour, making life unpredictable.
- Over time treatments may become less effective and need review, or new treatments may become available, so there is a need for ongoing review and possible modifications.
- For many, this occurs against a backdrop of uncertainty about what their condition, its symptoms and the impact of treatment means for their ability to live in the way they had done before – both at home and at work. Understandably, for many people this can lead to a re-evaluation of their identity and a loss of confidence in their abilities. This

also often occurs against a backdrop of delays in accessing timely support and advice from healthcare professionals.

- The stigma and lack of openness that exists in society about ill health, in particular some conditions such as mental ill health, can add another layer of complexity. This can make it challenging for individuals to talk about a health condition at work and seek the support and adjustments that could make it much easier to manage the impact on their job.

Having good management practices, being prepared to work with the employee through their journey of diagnosis, and to develop a management plan, will give the employee the best chance of staying in work and fulfilling their potential. Should an employee need to take sickness absence, it will also give them the best chance of returning to work effectively, confidently and in a sustainable way. See our [guidance for HR and line managers](#) on managing a return to work after long-term sickness absence.

This guide introduces long-term health conditions and sets out the reasons why organisations need to take action. While there are many different long-term health conditions, the principles-based guidelines provided here offer organisations a starting point when providing effective support for any condition. There are also links to more in-depth resources on specific conditions.

The principles of shared responsibility for supporting employees with long-term health conditions are outlined. HR professionals are encouraged to review and update existing policies and practices in light of recent learnings from research and practice. The legal obligations of employers to employees with long-term health conditions are also provided. Together this information equips HR professionals with the information needed to effectively manage employees with long-term health conditions.

2 Why we need to support employees with long-term health conditions

Over 15 million people live with a long-term health condition and the number of people with multiple conditions is increasing: more than one in four of the adult population in England lives with two or more conditions. The reasons for better supporting people with long-term health conditions and enabling them to stay, and thrive, in work are compelling.

From an organisational perspective

- In 2019/20, there were 32.5 million estimated working days lost due to work-related ill health. Stress, depression or anxiety and musculoskeletal disorders accounted for the majority of days lost due to work-related ill health, 17.9 million and 8.9 million respectively.
- 300,000 people with a long-term mental health condition lose their job each year, many of whom may have stayed in work with better support. This is a significant loss of talent, skills, knowledge and training investment.
- Employees with long-term health conditions are protected under legislation, including the Health and Safety at Work Act and Equality Act 2010. Employers have a duty of care not to discriminate and to provide an environment where employees are treated with respect.

- Long-term health conditions can have an impact on an individual's productivity at work, and their ability to stay in work. However, this impact can be lessened when work is designed and managed in a supportive and flexible way.
- For many people, small, practical changes can often make a significant difference on their ability to work and to manage their health condition successfully.
- Employer support can help employees to stay in productive work and maintain financial security and independence; employers can also realise benefits through better attendance, work engagement and reduced staff turnover.
- Worklessness (where an individual or no one in a household aged 16 or over are in employment) and sickness absence are persistent problems and present a major public health and economic concern. Approximately 3.5 million people with health conditions are not currently working. As the UK faces a labour shortage, better supporting employees with long-term health conditions into work, and to stay at work, could deliver untapped potential and boost productivity.

Unfortunately, CIPD research shows only 32% of HR professionals report that their organisation has a well-communicated workplace adjustment process, suggesting that too many people are not accessing the help and support available to them. In addition, half of HR professionals (50%) think that line managers lack the knowledge and confidence to manage people with long-term health conditions, and 38% report that they experience challenges in supporting managers to develop an understanding about making reasonable adjustments.

HR perspective

- Support from HR professionals can help to ensure employees with long-term health conditions are managed fairly and are supported, decreasing the likelihood of them claiming unfair dismissal or discrimination. These situations often cause distress, cost and an increased workload for everyone.
- Employees exiting the workforce can significantly add to HR professionals' workload recruiting and training for roles.
- Poor management or the long-term absence of one team member can have a significant knock-on effect for other team members, for example affecting their workload, motivation, engagement and wellbeing.

Employee perspective

- Good work is good for health and can reduce health and economic inequalities.
- Work often forms an important part of an individual's identity, which can lead to an increase in self-respect, self-esteem, mental wellbeing and social inclusion.
- A poorly managed work environment can make it difficult for employees to manage their health condition and work, contributing to flare-ups, sickness absence and in some cases an exit from work.
- The impact extends beyond the individual to their colleagues, who may be taking on additional duties, and their family and friends, who may be taking on more home responsibilities or sharing the financial burden of reduced work capacity.

The impact of the COVID-19 pandemic

Everyone has been affected by the COVID-19 pandemic. However, it has three specific implications for the management of employees with long-term health conditions:

- Many people with long-term health conditions are also considered to be clinically vulnerable and were required to take additional precautions, and many still need to do so. The impact of these additional restrictions and the associated anxiety should not be overlooked.
- Many people with long-term health conditions have experienced significant delays in accessing healthcare services during the pandemic. For example, surgery and tests have been delayed or cancelled, annual check-ups have not happened and some regular appointments (for example physiotherapy) have been difficult to access. While the true picture is not yet clear, this has been a source of anxiety for many people, and it is likely that many people are living with deteriorating health conditions and yet-to-be diagnosed conditions that could otherwise have been managed.
- An estimated 1.3 million people with COVID in the UK continue to experience symptoms after 12 weeks. While we are still learning about long COVID, its symptoms are diverse, unpredictable, fluctuate over time and recovery can be slow. Diagnosis of long COVID isn't straightforward, or some individuals could receive a different diagnosis such as FND (functional neurological disorder). As a new, long-term health condition, organisations, alongside health professionals and the individuals affected, need to learn how best to support employees to navigate work. Given the high numbers of people affected, it is vital that we move quickly to ensure that those who are able to are supported to stay in work.

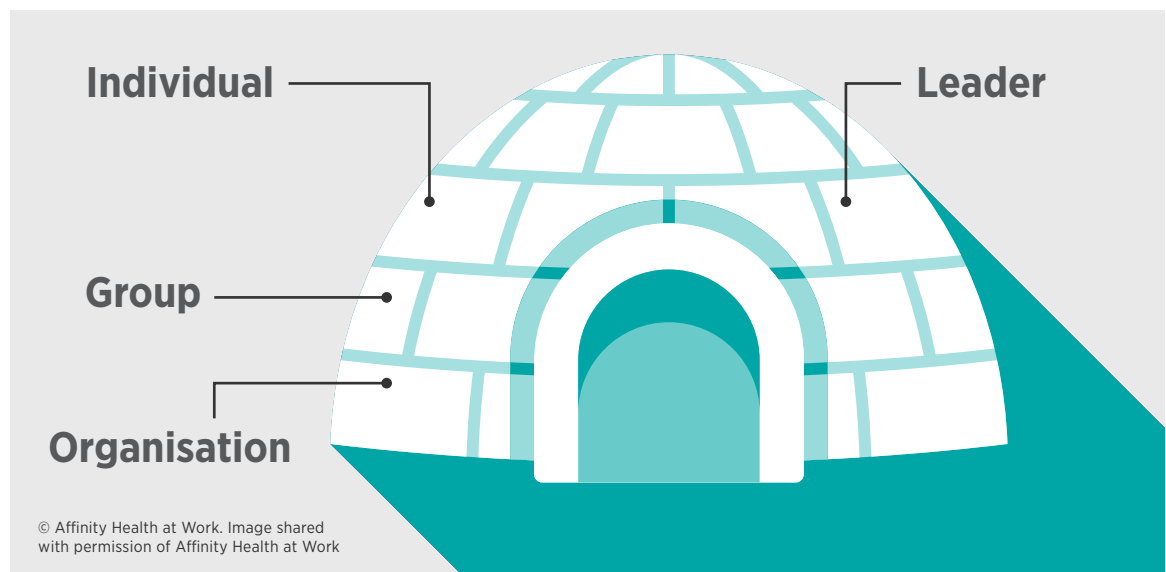
While more people with long-term and chronic conditions are able to stay in work now compared with five years ago, people with fluctuating and chronic conditions are still not adequately supported to return to and stay in work. The growing understanding of chronic conditions, coupled with an ageing workforce (in whom chronic conditions and co-morbidities are increasingly prevalent) creates an environment in which supporting employees to manage long-term health conditions well has benefits for everyone.

3 Shared responsibility for supporting employees with long-term health conditions

Everyone has a role to play in supporting employees with long-term health conditions at work. While many employees with long-term health conditions report long periods of time where their condition does not impact their everyday health or ability to work, they may experience times when they feel unwell or are in pain. At these times they need other people to help them recover and offer support at work. No one can do this on their own.

The IGLOo framework for thriving at work, developed by the University of Sheffield and Affinity Health at Work, outlines the different resources at the individual level, the group level, the leader/line manager level and the organisational level that can help an employee when managing a long-term health condition.

IGLOo framework for sustainable return to work



Individuals

- Wherever possible, it's important for employees with long-term health conditions to prioritise self-care and take appropriate responsibility to manage their condition. This includes developing an understanding of their condition, being able to identify early warning signs of symptoms and how best to manage their symptoms.
- Employees may need support to develop their ability to manage their condition effectively, for example in areas of self-management strategies, resilience and confidence in their ability to manage their work and health.

Groups

- Friends, family and colleagues play a vital role in supporting people with long-term health conditions. They can help them to identify early signs of onset, step in to support them in doing tasks that could exacerbate their condition and help them to feel valued through non-judgemental support and understanding.
- Employees are best able to stay in and thrive at work when their colleagues support them through constructive feedback on tasks, helping when completing challenging tasks and treating them as the person they were before having their long-term health condition. This also means that the organisation, and manager, needs to ensure that there is wider understanding and flexibility in the team to adjust workloads and team objectives to accommodate any impact of the individual's health condition on performance.
- It's very important to agree with the employee what information about their long-term health condition they would like to be shared with others, how this will be communicated and how they would like the team to support them. This helps to avoid unnecessary misunderstandings and uncertainty.

Leaders/line managers

- Evidence shows that line managers have a significant impact on employee health at work, particularly for employees with long-term health conditions. What they do and how they behave can affect whether the employee feels able to take steps to manage their condition in work, to take early action to mitigate deterioration and, ultimately, to stay in work. This is because line managers:

Shared responsibility for supporting employees with long-term health conditions

- are often the employee's first contact point
- are responsible for the day-to-day management of the employee and the tasks required of them
- are key to providing access to work adjustments and the implementation of job modifications
- can influence employees' exposure to workplace psychosocial hazards (for example work demands), which are likely to be felt more keenly by those managing a health condition
- can cause employee stress (or prevent additional stress), or anxiety, particularly in those who are feeling less confident in their abilities due to the impact of their health condition.

Research (funded by the CIPD and led by Affinity Health at Work) identified five key behavioural areas for line managers to support the health, wellbeing and engagement of those who work for them:

- being open, fair and consistent
- handling conflict and people management issues
- providing knowledge, clarity and guidance
- building and sustaining relationships
- supporting development.

To learn more about the five key behavioural areas and access free resources to help develop managers in your organisations, including self-assessments and practical guides, visit the line manager support pages of the [CIPD website](#).

Organisations

- Organisational policies can help or hinder an employee's ability to work effectively in the way that they are designed and implemented. Further information, including the main components of an absence management policy, can be found in our absence measurement and management [factsheet](#). Providing flexibility, including flexible working arrangements, should form a cornerstone of the organisation's support for people to help manage their health condition with the demands of their role. See the [CIPD's guidance and practical resources on flexible working](#).
- People's physical and mental health are closely linked, and someone's mental health can deteriorate as a result of the symptoms or impact of a physical illness and vice versa (as this [report](#) shows). Mental health impacts can result from changes in capacity or a sense of identity, or when someone faces the uncertainty of living with a new or fluctuating illness. [Work-focused counselling has been found](#) to improve an employee's ability to stay in work following absence related to mental ill health and is likely to bring benefits for employees managing long-term health conditions. While counselling is typically seen as relevant for people with mental ill health, it can be useful for people with other conditions as well.
- Advice and guidance from **HR professionals** within the organisation can help make sure that processes and procedures are fair and designed to prevent discrimination.
- Organisations may also provide access to services from other specialist professionals: **occupational health** professionals can generate an individualised stay-at-work plan and can ensure relevant medical investigations have been performed. Other professionals, such as **vocational rehabilitation** practitioners and **occupational therapists**, can provide specialist support depending on the condition and employee's needs.

HR professionals can play a central role in implementing the IGLOo model through ensuring that:

- Employees managing long-term health conditions can prioritise self-care and have the skills and resources to self-manage their work and health.
- Groups working with the employee know what they can do to support employees managing long-term health conditions and feel confident in doing so.
- Line managers have the knowledge, skills and confidence to implement policies and practices and behave in a way that will support employees to manage their health and work effectively.
- Organisational policies and practices are designed and implemented in a way that fully supports employees with long-term health conditions and are flexible to accommodate the needs of those with fluctuating conditions or conditions that need regular ongoing monitoring or support (for example through paid time off for appointments). As well as effective support for people to stay in work and thrive, this should also include access to advice about ill-health-related retirement to support people to retire 'well', if they decide that's the right approach for them.

The IGLOo resources play a role in helping people to balance their health and work and should be kept in mind at all times, alongside the guiding principles described in the next section.

4 Guiding principles to support employees with long-term health conditions

There is a vast body of research that has examined the experiences of employees working with long-term health conditions. This research has informed the following guiding principles.



Create an open, inclusive and supportive culture

- Employees working in supportive environments are more likely to discuss a health condition, to ask for help when needed and to return to work following sickness absence. Build a culture of psychological safety, where good working conditions and open conversations are prioritised and mental health and physical health are given equal standing.
- The [Thriving at Work report on mental health](#) outlines the economic and social benefits of taking action to protect mental health and outlines the key actions organisations can take to create healthy workplaces.



Embed good people management practices

- Organisations that have good people management practices are best placed to enable employees to thrive when managing a long-term health condition. Good practices include [inclusive recruitment](#) and [assessment processes](#); [training and support for line managers](#) to protect and promote health and work; access to information and support through multiple channels.

- When managers manage well and build trust-based relationships with their team, they help to create an environment that is open, respectful and kind, in which people feel ‘psychologically safe’. This means individuals feel able to speak up about a health or work issue without fear of criticism and in the knowledge they will be listened to and receive support and understanding. This doesn’t mean that a line manager should become a counsellor, best friend or confidant. The line manager is not there to provide advice but to form part of the individual’s support network. Their role is to help them with the work aspects of the situation and ensure that work is not part of the problem and to make helpful adjustments where needed.



Create the conditions and provide support for successful disclosure

- Many employees find telling others about their long-term health condition challenging. Whether they are experiencing menopausal symptoms, chronic back pain or another condition, many people are unsure of what to say and afraid that others will see them differently.

Generally, it is unlawful for an employer to ask any job applicant or employee about their health or disability and an individual doesn’t have to disclose a health condition. There are some exceptions, such as where an employer needs to properly assess an individual’s suitability for the role (for example, if the nature of the role requires a certain level of physical fitness).

- Many people find that talking to others about their condition and its impact on their work can bring a number of benefits, including access to support and helpful work adjustments, improved working relationships and peer support, and feeling they can bring their real self to work. Conversely, research shows that disclosure can lead to negative effects such as stigma and discrimination if it is not managed well or if the organisational culture is not supportive. The organisation needs to make it very clear that any individual who shares information about a health condition will be treated fairly and with compassion, and their career opportunities not jeopardised. This should include reassurance for anyone on an atypical arrangement, such as a zero-hours contract.
- The CIPD people managers’ guide to mental health has useful tips and a conversation checklist that can be followed when opening a conversation about someone’s health and its impact on their work.
- Follow the links at the end of this guide for condition-specific guidance and stories from people working with different health conditions.



Ensure employees have easy access to information and support

- While many companies have absence management and flexible working policies, fewer have policies to support employees with long-term health conditions. This means that information relevant to the management of their condition in the workplace may be in different places. It is important to ensure that employees with long-term health

conditions can easily access information that could help them stay in work and work productively. This includes all relevant company policies and support, such as their rights under the Equality Act, absence management and return to work, flexible working and work adjustments, an employee assistance programme, health insurance benefits, occupational health services, and counselling services.



Manage absence and leave with compassion and flexibility

- Absence and return to work are often managed as a one-off event, but many employees with long-term health conditions will need to take multiple absences as their condition fluctuates over time. The most common approaches to managing short- and long-term absence in organisations include return-to-work interviews, trigger mechanisms to review attendance and disciplinary or capability procedures for unacceptable absence. These approaches are often experienced as an additional stressor by employees with long-term health conditions. Taking a flexible and individualised approach to absence management can help prevent unhealthy presenteeism and avoid unfairly penalising employees with ongoing health conditions. An understanding of the condition and its likely impacts on a person's capacity to be in work and to perform in work by their line manager should be the foundation of a more individualised and sensitive approach to managing absence.
- The CIPD guide on Managing a return to work after long-term absence sets out the guiding principles to follow when navigating the key steps to managing an effective return to work:
 - 1 maintaining communication while absent
 - 2 preparing for a return to work
 - 3 supporting the employee and manager during the immediate return
 - 4 supporting the employee and manager on an ongoing basis on return.
- Employers have a duty of care to identify and manage risks to physical and mental health at work. Risk assessments are often carried out as part of the return-to-work process, but for employees with long-term health conditions that could impact on, or be affected by, work activities, this is a vital step in the process.



Provide access to, and training in, work adjustments and self-management support

- Some employees may require **adjustments to their job role, work environment or work schedule** to manage their health and work. The nature of the adjustment will differ depending on many factors, including the nature of the job, the organisation and the employee's unique needs. As the symptoms of many long-term health conditions fluctuate over time, different work adjustments may be needed at different times. Ensuring employees have access to work adjustments can help them to continue to be productive at work. Providing that the employee's agreement has been given, it may also be helpful to contact their GP or consultant for advice about the employee's medical condition and the most appropriate work adjustments that need to be made to enable them to remain in work.
- Often employees will need to make a series of **adjustments to treatment regimens or lifestyle** to manage their symptoms and keep well. These self-management strategies play a vital role in enhancing work and health outcomes. However, many employees with long-term health conditions, particularly during the early stages of diagnosis, are not fully aware of what self-management strategies will benefit them or how to access them in the workplace. On the journey of identifying the most appropriate treatment, the treatment or medication may impact the employee's mood, behaviours or wellbeing

and have several side effects. Self-management support in the workplace can help employees to develop skills and techniques to manage the impact of the symptoms and treatment. Self-management means different things to different people. Different symptoms require different strategies, and individuals have different preferences, with no one single approach. Examples may include adhering to treatment regimes, attending therapy, following specific dietary requirements, completing cognitive fitness exercises, using technology to remind people of appointments. It is important to make employees aware of workplace support available to help them.



Monitor and review

- Just over two-fifths (40%) of organisations report that their organisation collects some form of workforce disability data, and few publish these results externally.
- To understand how the organisation's policies and practices are working, it's necessary to implement a system of reporting and review.

With an increasingly ageing workforce, and the growing prevalence of health conditions experienced by employees, there is a need to understand the composition of your workforce, and how employees with long-term health conditions are experiencing work, to ensure that workforce needs are being met. The Government's Voluntary Reporting Framework for disability, mental health and wellbeing provides guidance on how employers can gather information on their workforce.

While these guiding principles will support employees with long-term health conditions to thrive at work, they will also benefit all employees.

5 Interventions, rehabilitation and support pathways

The provision of support for employees with long-term health conditions varies greatly. While 74% of organisations report providing employees with access to counselling services and have an employee assistance programme, only 32% report providing employees with access to physiotherapy and other therapies.

Employees with long-term health conditions may find the following interventions useful.

Wellness action plans

Wellness action plans are a simple but empowering tool to look after their wellbeing while working, and to help employers know how best to support them. Anyone can complete one and they set out how an individual feels and behaves when they are well, what they need to do to maintain their wellness, any signs or triggers known to impact health, and the preferred action or response if these signs are noticed by others. Mind has downloadable wellness action plans that can be readily adapted for any condition.

Work adjustments

These are agreed between the employee and their manager and can include a combination of approaches. Taking a flexible test-and-learn approach will help the employee identify which work adjustments could be beneficial. These could include:

- changes to an employees' work schedule (for example, short breaks, leave for appointments, flexible hours)
- role and responsibilities (for example, workload or temporary change in duties)

- work environment (for example, working from home, relocation of desk to a quiet space or close to toilet facilities)
- policy changes (for example, extended leave)
- additional support or assistance (for example, buddy, supervision or skills training)
- redeployment
- additional physical resources (for example, dictator, screen reader).

Health passports

Health passports or a written adjustment agreement approach can empower individuals to manage their health condition with the organisation's support. Only 9% of organisations reported using them, but where they are in place they are broadly seen as effective.

Access to Work

Employees with a physical or mental condition that makes it hard for them to do their job may be able to get extra help from Access to Work. Individual needs are assessed and support is based on need. An Access to Work grant can pay for special equipment, adaptations or support worker services to help people with things such as going to meetings, and getting to and from work.

Health cash plans and private health insurance

Health cash plans allow employees to claim back some of the costs of healthcare expenses, while health insurance covers treatments, usually with a limit, for conditions developed after the start of the plan. Around a quarter of organisations report having cash plans or private insurance. This suggests that the majority of employees are reliant on individual plans or NHS provision.

Specialist support

Support from occupational health or vocational rehabilitation professionals can help employees stay well in work. Early engagement with specialists can help employees supplement advice and treatment from their healthcare practitioner with guidance specifically related to their work. In doing so, employees are better able to find strategies to manage their work and health, and work productively.

Financial advice

Only a third (35%) of organisations provide financial education and support to employees. While many employees are able to continue working with little impact on their ability to do their job, some find their working life will be greatly changed by their condition. People with long-term conditions could have reduced income or additional expenses, which can affect their wellbeing. They may need to change roles, reduce working hours or even leave the labour market. Many employees with long-term health conditions would benefit from provision equipping them with the knowledge and skills to better understand the financial implications of their condition on their work. They may also be able to access financial grants or benefits, for example the Personal Independence Payment (PIP), while they are working, which they may not be aware of. It could help for their employer to signpost them to external sources of advice such as Citizens Advice.

Interventions targeted at specific symptoms

It can also be useful to consider the common symptoms experienced by employees with long-term health conditions and the specific interventions that are known to be effective in managing their impact. Some people with long-term conditions benefit from seeking support from condition-specific organisations, local groups or peer support. Although this

isn't directly to do with their employment, it could help for the employer to signpost to or be aware of available support. The specialist organisations [listed](#) below provide advice and guidance for specific conditions that employers and employees could find helpful.

Support for employees with terminal diagnoses

Receiving a terminal diagnosis can obviously be a devastating experience for someone and extremely difficult to come to terms with. Many of us find it very uncomfortable to talk about end-of-life illness and death, and there can be considerable stigma and silence around these issues in society and at work. While respecting confidentiality and people's individual wishes, it's vital that organisations are ready to provide compassionate, flexible and practical support for an employee who is facing a terminal diagnosis. Some key points include the need to:

- Recognise the differences in experiences – some people will want, or need, to carry on working, while others may not want to.
- Recognise the unpredictability of a terminal illness – it's likely that the individual won't know how long they might live for and therefore might not know what they want to do about work.
- Appreciate that employees may not know their rights in terms of protection from discrimination – they might be worried that they will be made redundant or forced to retire if they disclose that their illness is terminal.
- Provide information about the organisation's ill-health retirement policy and accessing their occupational pension. Where possible, provide employees access to advice about drawing their pension early as it could affect any life cover through work (which could be more valuable than their pension) and personal affairs such as writing a will and making a lasting power of attorney.
- Signpost people to external sources of advice as they could need a range of different sources of help and information. For example, Marie Curie is a leading end-of-life charity. They provide front-line nursing and hospice care, a free support line and a wealth of information and support on all aspects of dying, death and bereavement.
- Agree with the employee what information they would like to be shared with colleagues and clients, and when. Remember, it is their decision whether to tell others or not, but many people find that because of the effects of treatment, or being absent from work, telling colleagues can help them understand the reasons behind any changes to the employee's role or working pattern.

If an employee sadly dies during employment, there could be a significant impact on their close colleagues, and the organisation should be prepared to provide compassionate bereavement support for those affected and grieving. See the CIPD's [guidance for compassionate bereavement support](#).

6 Implications for policies and practices

The pandemic presents a unique opportunity to build back better and with increased flexibility in mind. However, many management policies and practices are now outdated and do not reflect the more compassionate, inclusive and flexible ethos of today's workplaces.

Consider the following about your policies and practices:

- **Are they written in a way that can be understood by everyone,** using plain English and a tone and language that's compassionate and demonstrates care? All too often policies use formal, legalistic language that employees don't understand or makes them feel like a number in a system rather than someone who the organisation values and wants to support to thrive at work. The organisation also needs to proactively communicate the range of policies and support available for employees who experience health issues, as well as how to access them.
- **Do they need to be adjusted to provide appropriate and flexible support?** For example, the use of trigger systems and disciplinary processes can place additional pressures on employees with fluctuating health conditions. Removing or adapting absence triggers for employees with known long-term or chronic conditions can help them to better self-manage their condition and their work with their manager's support.
- **Are they consistent across the organisation?** Recruitment, inclusion and leadership practices increasingly reflect the benefits of flexible, individualised approaches and compassion. It's important that these practices are reflected in everyday management practices.
- **Do they allow for an individualised approach to be effectively implemented?** For example, are managers empowered to make decisions and take action where it is in the best interests of the employee, the team and the organisation, without seeking additional sign-off from senior management or HR? Are employees encouraged to be involved in designing their jobs so that they can work to their strengths?
- **Do they make clear that work adjustments are available and how they can be accessed?** Organisations are legally required to make reasonable adjustments, and many employees will benefit from early and supportive work adjustments. However, many employees don't know how to access work adjustments and many managers are unsure how to implement them. It's good practice for organisations to provide supportive work adjustments, regardless of whether an individual's condition is legally classed as a disability. It's in both the individual's and organisation's interest to help an employee manage the impact of their symptoms at work so they can thrive at work.
- **Do they put flexibility front and centre?** Allowing a flexible process that supports the manager and employee in monitoring, reviewing and adapting work patterns as needed can be particularly beneficial to employees with long-term health conditions. For example, many employees with fluctuating health conditions find that what works one month may not work the next.
- **Do they tell people what needs to be done *and* how to do it?** Many policies will outline what needs to be done in practice, but few provide information about how this can be done to achieve the best outcome. Guidance on when, where, how to prepare and what to ask would help managers and employees hold better return-to-work conversations.
- **Do they equip managers with the knowledge, skills, abilities and confidence to manage employees with long-term health conditions?** A recent [BITC survey](#) found that only 8% of managers reported that they had received training to support return to work or implement work adjustments, and many are not confident that they are doing or saying the right thing. With so many of the workforce living and working with long-term health conditions, it is vital that managers are equipped to provide support.

Updating your organisations' policies and practices to incorporate these considerations will give employees with long-term health conditions the best possible chance of staying in and thriving at work.

7 Legal obligations

Employers have a legal obligation to protect employees with long-term health conditions. An awareness of relevant legislation is important to avoid discrimination and ensure fair treatment of employees when they are at work and when absent from work.

The **Employment Rights Act 1996** covers areas related to the employee's contract and includes areas such as unfair dismissal and the termination of employment on ill-health grounds, including a consideration of:

- conduct: for example, where absence is persistent, unauthorised or found to be dishonest
- capability: for example, where the employee's absence affects their ability to do their job
- some other substantial reason: for example, where the absence negatively affects the business.

The **Equality Act 2010** covers a number of different types of discrimination and applies to protected characteristics, such as disability. This includes not treating someone less favourably because of something connected to their disability:

- In the Equality Act, disability means a physical or mental condition that has a substantial and long-term impact on someone's ability to do normal day-to-day activities. An individual is also covered by the Act if they have a progressive condition like cancer or multiple sclerosis, even if they are currently able to carry out normal day-to-day activities. An individual is protected as soon as they are diagnosed with a progressive condition.
- UK employers have a responsibility to make **reasonable adjustments** to accommodate the needs of a person with disability. These adjustments must be considered with a specific individual and their specific role in mind.
- However, for many employees, the classification of their condition as a 'disability' may be unclear at first. The challenge of accessing reasonable adjustments through a legal route has been brought into sharp focus for employees with long COVID. Some people with symptoms want to work with adjustments but it may be unclear if they are legally entitled to adjustments under existing legislation.
- It is likely that some cases of long COVID constitute a disability, for example symptoms such as extreme fatigue, shortness of breath, chest pain and muscle or joint pain that last for a prolonged period may have a detrimental effect on ability to carry out normal day-to-day activities. The impact of long COVID will need to be considered on a case-by-case basis. Making reasonable adjustments is a good way of deterring any potential disability discrimination claim and promoting employees' wellbeing and loyalty. Examples of short- or longer-term measures may include a flexible approach to home working and working hours, increased breaks, and avoiding back-to-back meetings.
- It is good practice for an organisation, wherever possible, to support any employee with a health condition who needs it, regardless of whether they are protected by the Equality Act, when making decisions about work adjustments.

The **Health at Safety at Work Act 1974** places a duty on employers to ensure, as far as is reasonably practicable, the health, safety and welfare of employees. This includes considerations:

- where the design and management of work exacerbates the employee's health condition
- where a worker's health condition makes them or others more vulnerable to workplace risks or where the impact of work adjustments could affect the work and health of others.

Statutory Sick Pay (SSP)

Employees are entitled to a minimum of £96.35 per week² in SSP from the fourth consecutive day of absence up to 28 weeks. Around half of employers pay more than this through occupational sick pay.

For many employees with fluctuating conditions, it is likely that they will need to take half a day or a few days' sick leave should their condition flare up. Under the current form, it means that they are often not eligible for SSP as entitlement comes from the fourth consecutive day.

Although SSP is not payable for the first three days of normal sickness, there is a temporary removal of the three day waiting period for those absent from work due to COVID-19. SSP applies for every day in isolation, from day one in COVID cases. However the illness or self-isolation period must still last for at least four days overall to be eligible for SSP even though it is payable from day one.

Fit notes and medical certification

Employees are required to give employers a fit note (this replaced the sick note) if they are off for more than seven days in a row (including non-working days). Fit notes are provided by a GP or, where employers agree, an allied health professional (such as a physiotherapist or occupational therapist). Ensure all employees are aware of not only their duty to provide a fit note, but also the reasons why it is important. An employee may need to be reminded that they are required to obtain a further fit note if they are not ready to return by the certified date.

8 Conclusion

Growing numbers of our workforce are now living with long-term health conditions. Research shows that employees with long-term health conditions are more likely to work safely and productively and stay in work if they are well supported. This has implications for the employees themselves, their colleagues, managers and organisations. Creating an inclusive culture, supported by compassionate and flexible management policies that accommodate individual needs, helpful adjustments and supportive line management, can make the difference between an employee managing their long-term health condition effectively and staying in work, and someone experiencing exacerbated ill health or even exiting the workplace.

By taking action to incorporate the considerations outlined in this guide, HR professionals will help to ensure that employees with long-term health conditions are managed effectively and given the best chance to thrive at work.

² This rate applies from April 2021 to April 2022.

9 Useful resources

All terminal illnesses

Marie Curie: 0800 090 2309; www.mariecurie.org.uk

Cancer

Macmillan Cancer Support: www.macmillan.org.uk

Cancer Research UK: www.cancerresearchuk.org/about-cancer/what-is-cancer

Cardiovascular conditions

British Heart Foundation: www.bhf.org.uk

Stroke Association: www.stroke.org.uk/

Different Strokes: <https://differentstrokes.co.uk/>

COVID-19 resources

Society of Occupational Medicine COVID-19 return to work guide for recovering workers: www.som.org.uk/COVID-19_return_to_work_guide_for_recovering_workers.pdf

NICE COVID-19 rapid guideline: managing the effects of COVID-19: www.nice.org.uk/guidance/ng188

NIRH Living with COVID19: A dynamic review of the evidence around ongoing COVID19 symptoms: <https://evidence.nihr.ac.uk/themedreview/living-with-covid19/>

NHS: Your COVID Recovery: www.yourcovidrecovery.nhs.uk/your-road-to-recovery/returning-to-work/

Fit note guidance

www.gov.uk/government/collections/fit-note

ME/CFS (myalgic encephalomyelitis/chronic fatigue)

The ME Association: <https://meassociation.org.uk>

Mental health conditions

Mind: www.mind.org.uk/

Samaritans: www.samaritans.org/how-we-can-help/workplace/

Mental Health at Work: www.mentalhealthatwork.org.uk

Good Thinking: www.good-thinking.uk

Every Mind Matters: www.nhs.uk/oneyou/

HSE guidance for work stress: www.hse.gov.uk/stress

Rethink: www.rethink.org/

Musculoskeletal conditions (muscle and joint pain)

Arthritis and Musculoskeletal Alliance: <http://arma.uk.net>

Versus Arthritis: www.versusarthritis.org

BackCare: www.backcare.org.uk

Neurological conditions

The Neurological Alliance: www.neural.org.uk

FND Hope UK: <https://fndhope.org/>

MS Society: www.mssociety.org.uk

MS Trust: www.mstrust.org.uk

A list of other member organisations of the Neurological Alliance can be found [here](#). These organisations aim to inform and advise individuals, carers and other people affected by a particular neurological condition.

Respiratory conditions

Asthma UK: www.asthma.org.uk/

British Lung Foundation: www.blf.org.uk/

Sickness absence management and return to work

CIPD guide to managing a return after long-term absence: www.cipd.co.uk/knowledge/fundamentals/relations/absence/managing-return-to-work-after-long-term-absence

NICE guidance on workplace health: long-term sickness absence and capability to work: www.nice.org.uk/guidance/ng146

Acas Managing staff absence guide: www.acas.org.uk/index.aspx?articleid=4199

Access to Work: www.gov.uk/access-to-work/overview

IGLOo guide to sustainable return to work: www.affinityhealthatwork.com/our-research

Professional and advisory organisations

Acas (Advisory, Conciliation and Arbitration Service): www.acas.org.uk/

BACP (British Association of Counselling and Psychotherapy): www.bacp.co.uk

BPS (British Psychological Society): www.bps.org.uk

CIPD (Chartered Institute of Personnel and Development): www.cipd.co.uk/

EHRC (Equality and Human Rights Commission): www.equalityhumanrights.com/en

HSE (Health and Safety Executive): www.hse.gov.uk/

IOSH (Institution of Occupational Safety and Health): www.iosh.co.uk/

RCOT (Royal College of Occupational Therapists): www.rcot.co.uk

SOM (Society of Occupational Medicine): www.som.org.uk

TUC (Trades Union Congress): www.tuc.org.uk

VRA (Vocational Rehabilitation Association): <https://vrassociationuk.com>



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