

GUIDANCE ON CHRONIC ILLNESS AT WORK

Introduction

This guidance document is to provide an understanding of chronic illnesses, and advice, for employees who have a chronic illness and their managers.

What is Chronic Illness?

A chronic illness is a long-term health condition. Examples include musculoskeletal problems, cancer, asthma, migraine, epilepsy, diabetes, irritable bowel syndrome, depression, anxiety, and heart problems.

In the UK 15% of the working-age population have a chronic illness or disability, and approximately 7.5% are out of work because of a health condition or disability, (European foundation for the Improvement of Living and working conditions, 2003).

Chronic illness may or may not be caused, or made worse by work. However, if chronic illness is not managed well by both the individual and the manager, the individual's work and health may suffer. If chronic illness is managed effectively, the manager can reduce the negative impacts of:

- Operational difficulties as result of absences.
- Financial costs due to absence.
- Productivity and performance.

Legal Perspective

As an employer, the University has a legal duty of care to minimise the risks to employees' health and safety, and prevent work-related ill health or impairment.

Disability is defined in the Equality Act 2010 as a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities. 'Substantial' means more than a minor or trivial. 'Impairment' covers, for example, long-term medical conditions such as asthma and diabetes, and fluctuating or progressive conditions such as rheumatoid arthritis or motor neurone disease. A mental impairment includes mental health conditions (such as bipolar disorder or depression), learning difficulties (such as autism and Down's syndrome).

The Equality Act legislates that employers must make 'reasonable adjustments' in the workplace to prevent employees from being treated less favourably than others, for a reason related to their disability or progressive condition.

University Provisions

The University has in place a **Sickness Absence Policy** which managers are encouraged to use. The processes outlined in this policy provide a way to manage the absence of employees who have been or are absent from work due to a chronic illness. Details of the University Sickness Absence Policy can be found at:

<http://www.nottingham.ac.uk/hr/guidesandsupport/absenceandannualleave/sicknessabsence>

The University's **Occupational Health Unit** is a confidential service that can be utilised in a number of ways:-

- Staff can refer themselves should they want personal advice about a condition they have.
- Managers may refer an individual if they would like advice on how to manage that member of staff if they have a chronic illness.
- Human Resources may refer individuals as appropriate, and if they are being seen under the processes outlined in the Sickness Absence Policy, to seek professional advice on when someone may be able to return to work and any reasonable adjustments that should be made.

If a manager has particular concerns about Health and Safety matters in relation to an individual who has a chronic illness, the first point of contact should be the school/departmental Health & Safety Officer. The **Health & Safety Office** can also provide advice and assessments of the work environment.

The **University Counselling Service** is available to all employees. This is confidential and free service to anyone wishing to seek the support a counsellor can provide. Details of the service can be found at:

<http://www.nottingham.ac.uk/counselling/counselling/index.aspx>

University policies that may also be applicable are:

- Policy for psychological wellbeing and the avoidance and management of stress.
- Health and Safety policy statement.
- HIV and AIDS policy.

Your **HR Employment Relations Adviser** can provide advice on any of the areas detailed above.

The Manager's Responsibilities

Encourage employees to disclose their chronic illness:

- Find out what is stopping employees disclosing.
- Promote the benefits of disclosing, i.e. support available at work.
- Encourage trust and confidentiality: employees need to know that personal information will only be shared with those who need to know.

Adopt a 'Disability Management' approach. This emphasises proactive work adjustments where practical, and early intervention, even if a person's chronic illness does not fall under the remit of the Equality Act. Adjustments that may benefit employees are:

- Flexible hours/location.
- Share responsibility for tasks.
- Reduced mental or physical demands.
- Frequent breaks.
- Shorter working days.
- Slower work pace.
- Allow a private space for individual to take medication if applicable.

Recognise the impact on colleagues. If an employee does receive work adjustments, their colleagues may need to take on extra work. Therefore, it is important to:

- Get them 'on board' early to encourage effective teamwork.
- Encourage the employee to share information with their colleagues about their chronic illness, and what they need to help them cope at work.

When an individual has had time off due to illness conduct a return work interview, and where applicable follow the Sickness Absence Policy. Report absences accurately and monitor staff absence which can be done using the Business Intelligence system.

For advice on how to manage particular cases, please contact your **HR Employment Relations Adviser**.

Benefits

By supporting employees with chronic ill health conditions, we can minimise the potential costs of long-term absence, staff turnover and loss of skills, and we can encourage productivity, job retention and quality of life.

The cost of resources (time and money) of any adjustments may be far less than that of recruiting and training a new employee.

The Individual's Responsibilities

Tell your manager:

- In order for the University to offer support, your line manager needs to be made aware of your condition.
- Chronic illness may not be obvious to others, therefore your manager may not realise you have a condition, unless you tell them.
- Employees have a responsibility under the Management of Health and Safety at Work Regulations (Health Commission 1999) to inform their employer of any shortcoming in health and safety arrangements.

Employees should take responsibility for self-management of a chronic illness:

- Individuals should carefully monitor their chronic illness and its symptoms (e.g. pain, fatigue) at work so they know what to expect, and know when to take a break.
- Individuals taking prescribed medication should follow their doctor's instructions whilst at work.
- Individuals should also continue to follow any diet or exercise plans recommended by their doctor whilst they are at work.

All employees should familiarise themselves with policies that are available (see section on University Provisions).

Ask for support in and out of work. Through sharing information with other people, individuals may learn about how to manage their chronic illness at work:

- It may be helpful for individuals to talk to supportive colleagues about how they are feeling so they understand what is like for the individual to cope with a chronic illness at work.
- Individuals may wish to seek support from trusted friends and family outside of work.
- Individuals may benefit from a support group with other people who have the same condition as themselves.

If you have told your manager about your chronic illness but do not feel you are getting the support you need, or you don't know where to turn.

- Is there more information you could give your line manager about your illness to help them understand better?
- Can you give your manager/the University any suggestions about any work adjustments that would help at work?
- Is there another manager you could talk to who would be more supportive?
- Can you seek further support and information from your family doctor?

- Trade unions are available within the University and may be able to offer you support <http://www.nottingham.ac.uk/hr/guidesandsupport/tradeunionsandconsultativecommittees>
- Individual employees can refer themselves to Occupational Health (see above), which is a confidential service if this is a self referral.
- Your **HR Employment Relations Adviser** is available to give you confidential advice.

Acknowledgements

Institute of Work, Health & Organisations: <http://www.nottingham.ac.uk/iwho/> who kindly gave their permission for us to use the following guidance documents:

- Managing Chronic Illness at Work: Best practice – A guide for Employers.
- Managing Chronic Illness at Work: Coping with long-term, hidden health conditions – A Guide for Employees.

Nelsons Solicitors, seminar held on 14 June 2005.