

Commitment 5 – Rehabilitation

1. Introduction

This guidance outlines how companies can manage and deploy an employee who is unable to undertake full operational duties and where Occupational Health (OH) advice has recommended restricted duties due to injury, health or disability reasons or rehabilitation back into the workplace.

2. Purpose of Rehabilitation

Agreed rehabilitation programmes aim to successfully rehabilitate an employee back into the workplace on an amended working pattern until full fitness and confidence are restored and the employee is able to discharge the full duties of their job safely and effectively. The policy can also be used to support those employees with a medical condition to remain at work when no sickness absence has taken place. Rehabilitation therefore has a preventative role as well as being reactive.

Rehabilitation will:

- Assist in reducing the days lost to sickness absence.
- Provide for a consistent, time limited, controlled and frequently reviewed return to work programme that should benefit both the employee and the employer.
- Provide for proactive involvement from the OH.
- Encourage employees to work together with managers to facilitate their return to work.

A rehabilitation programme includes:

- shorter working days
- work station adjustments
- adjustments to location
- modifying work tasks
- additional specialist equipment
- clinical intervention e.g. Physiotherapy

3. Rehabilitation Guidance

This Rehabilitation Guidance applies to employees who, due to injury, health or disability reasons, have been on long term sickness absence, or those who suffer with a medical condition but may not have been absent from work. A rehabilitation programme can be recommended following consultation with the employee, OH, employee's GP or physiotherapist. The rehabilitation programme must take into consideration the employee's medical condition as well as the requirements of the post he/she occupies:

- The manager will be responsible for drawing up an agreed rehabilitation programme, and will work together with Human Resources (HR), OH and the employee before finalising the programme.
- OH may conduct a medical assessment and with permission consult the employee's GP where necessary.
- Once the rehabilitation programme has been agreed the manager and OH will monitor the progress of the employee's return to work. If the employee or manager experiences any difficulties with the rehabilitation programme further medical assessments may be required.
- The company may specify within the HR policy a 'standard' duration for a rehabilitation programme within which time employees may achieve a full return to work, but in some circumstances the case reviews may recommend the period be extended.

4. Identifying the Requirement for Rehabilitation / Restricted Duties

OH will advise if an employee requires rehabilitation / restricted duties due to injury, health or disability reasons. Rehabilitation / Restricted duties will be identified by:

- Occupational Health Surveillance
- OH Manager Referral
- OH self-referral
- Physiotherapist advice

5. Occupational Health Advice

OH will advise on the appropriate rehabilitation programme in relation to rehabilitation/temporary or permanent restrictions:

- What rehabilitation support by clinical intervention may be appropriate e.g. physiotherapy or counseling
- Which duties they recommend should be restricted/adjusted

- The period of time that duties are to be restricted/adjusted. An indication of what improvement is reasonably expected over the duration
- If the individual has a disability or underlying condition (i.e. physical or mental impairment), which has a significant and long-term adverse effect on a person's ability to carry out normal day-to-day activities
- Detail of activities affected and in what way and how long the effects are likely to last.
- Fit Notes from GP

6. Management Considerations - Temporary Restrictions

The information provided by OH should be used to consider if you are able to accommodate restricted duties for the specified period or until the review date. You should consider the following:

- Are the duties to be restricted a core element of the role?
- What is the operational impact the restrictions would have? e.g.
 - How much disruption, if any, will be caused to the Business and employees?
 - Any detrimental effect on the ability to meet customer demand?
- Can the restrictions be accommodated with adjustments?
- Is there an ability to re-organise work amongst existing staff?
- Is there a suitable alternative temporary role?

If you are able to accommodate the restricted duties then you should monitor progress and set a review date. You should also amend the employee's performance indicators / objectives to reflect the temporary change.

OH will make a recommendation of temporary restricted duties; however it is the decision of the manager if the recommendation can be accommodated. Ensure that the employee does not undertake any activities which OH has advised the employee is unfit to do.

Adjustments can make a positive impact on an employee's ability to be retained in their role. You should be aware that temporary restricted duties/adjustments may mean a temporary change to an employee's terms and conditions, for example enhanced payments for specific duties. If you are unable to accommodate temporary restricted duties then the redeployment process may apply. This will be more relevant in cases where restricted duties are to be over a lengthy duration.

The redeployment process and guidelines apply to employees whom the Company identifies as having a disability in accordance with the definition of disability in the Equality Act 2010.

Please refer to the company's HR department regarding policies on disabilities, redeployment and employee contracts.

7. Management Considerations - Permanent Restrictions

OH will make a recommendation of permanent restricted duties; however it is the decision of the manager if the recommendation can be accommodated. Ensure that the employee does not undertake any activities which OH has advised the employee is unfit to do.

As in accordance with the process for considering temporary restrictions (Section 5 above), if you are able to accommodate the restricted duties on a permanent basis then you should set a review date to monitor progress. You should also amend the employee's performance indicators / objectives to reflect the permanent change. If you are unable to permanently restrict duties initially, then you should consider if a trial period is necessary and consider accommodating on a temporary basis and review. If however you are unable to accommodate a permanent restriction the redeployment process may apply. The redeployment process and guidelines apply to employees whom the Company identifies as having a disability in accordance with the definition of disability in the Equality Act 2010.

Please refer to the company's HR department regarding policies on disabilities, redeployment and employee contracts.

8. Hints and Tips for Managing Restricted Duties

- You should always consult with the company's HR Department for advice and guidance
- If you require clarification or further advice from OH then a 'case' conference must be arranged
- You should discuss fully with the employee the advice received from OH
- You should not ignore safety critical issues
- When a permanent change is required e.g. change of hours, redeployment, you must follow HR Department advice and policy
- You should review/set objectives for changes to an individual's role and ensure an induction is completed
- You should match an individual's skills and ability to any temporary duties
- You should be aware that as the manager, **you** make any decisions, taking into account advice from others including OH, HR and the business requirements

9. Further Information

General

- Energy Networks Association. Health & Wellbeing Framework
<http://2010.energynetworks.org/occupational-health>
- OHAG Guidance Note 1.2 The Role of Occupational Health in Management of Sickness Absence
- OHAG Guidance Note 1.4 Workplace Rehabilitation
- IOSH Occupational Health Toolkit – Rehabilitation www.iosh.org
- BOHRF Managing Rehabilitation & Management Competencies Report
- BOHRF/HSE/CIPD Manager Support for Return to Work Following Long Term Sickness Absence
- IOSH, A Healthy Return, Good Practice Guide to Rehabilitating People Back to Work www.iosh.org
- Waddell & Burton, Concepts of Rehabilitation for the Management of Common Health Problems

- British Occupational Health Research Foundation www.borhf.org.uk
- Access to Work www.directgov.uk
- Employers forum on disability www.efd.org.uk

To support fast track physiotherapy

- Case studies ENA Website <http://2010.energynetworks.org>
- OHAG Guidance Note 2.2 Management of Back Pain in the Electricity Industry
- IOSH Occupational Health Toolkit – MSDs www.iosh.org
- BOHRF, Back Pain at Work

To support line managers

- HSE, Sickness absence toolkit www.hse.gov.uk
- Waddell & Burton, Changing how we think about common health problems (2006)