

## Guidance Notes for Employers: Return to Work Interviews and Risk Assessments.

### RETURN TO WORK INTERVIEWS

#### 1. Introduction

- 1.1 In certain cases it will be beneficial to both the employer and the employee to have a return to work interview when an employee returns after a period of sickness or absence. Such meetings are useful as:
- 1.1.1 The employer can welcome the employee back to work, the employee's record of absence can be confirmed and, if appropriate, the interview can provide a suitable forum to discuss the employee's record of absence;
  - 1.1.2 The employer can confirm that the employee is well enough to be back at work;
  - 1.1.3 It allows the employee to raise any health or other issues, and identify the cause of the absence;
  - 1.1.4 The employer can offer help to the employee to ease their return to work;
  - 1.1.5 The meeting may prompt a risk assessment if there has been a significant change in the employee's health or if there is an injury or disability making them vulnerable to additional risks; and
  - 1.1.6 Any potential adjustments that will facilitate the employee's return to work can be discussed, for example the employer has a legal obligation to make reasonable adjustments where an employee is or becomes disabled.

#### 2. Preparing for the Interview

- 2.1 The employer should review the employee's record of absence and be prepared to discuss the employee's absence in detail.
- 2.2 The employer should give consideration to the type of questions that they should ask the employee. Open questions may be the most appropriate as they encourage more open answers.
- 2.3 The employer should try to anticipate and prepare for likely concerns that the employee may have, for example a request for flexible working.
- 2.4 The employer should create a structured plan to ensure all necessary areas for discussion are covered.

#### 3. Conducting the Interview

- 3.1 At the interview the employer should be aware of the employee's feelings and use encouraging body language.
- 3.2 The interview should be treated as an informal meeting, and the employer should

avoid rigorous questioning.

- 3.3 The employer should begin by welcoming the employee back to work and enquiring about their general health.
- 3.4 The purpose and structure of the interview should be explained as well as the fact that it is a routine interview and the employee has not been singled out.
- 3.5 The employer should ensure:
  - 3.5.1 that the employee is fit to resume their duties;
  - 3.5.2 that, where relevant, preventative measures have been taken to ensure that the sickness does not occur again; and
  - 3.5.3 that any arrangements to facilitate return to work are discussed.
- 3.6 The employer should update the employee on any relevant changes that occurred while the employee was away, for example new employees etc.
- 3.7 The employer should listen to the employee and explore any problems that the employee raises.
- 3.8 Where possible the parties should agree to a shared action plan without making impulsive decisions.
- 3.9 Where the absence is persistent, the employee should be reminded of the importance of full attendance.
- 3.10 At the end of the interview a Return to Work Form should be completed. See *Absence and Return to Work Form*.

#### 4. **After interview**

- 4.1 The employer should consider using a mediator if it is apparent from the interview that the absences are due to work-based relationship problems.
- 4.2 Any necessary adjustments should be put in place, for example reduced hours, phased return to work, rehabilitative care, temporary redeployment to another department, home working etc.

#### **RETURN TO WORK RISK ASSESSMENTS**

When an employee returns to work after a long period of illness, it may be appropriate to carry out a risk assessment specific to the illness suffered by them. For example, an employee with a back injury may have to reduce certain activities like manual lifting or work on a lower floor of the building for fire safety reasons. Below are some general points employers should consider when an employee returns to work after a long period of illness:

1. The employer should consider what concerns the employee has regarding their working environment in relation to their illness; this can be discussed during the Return to Work Interview
2. The employer should consider whether the work to be undertaken by the employee is of the

kind which could involve risk of harm or danger to that particular employee on the basis of their illness or condition.

Where the work to be undertaken by the employee involves a risk specific to the returning employee, the employer should identify the risk level and look into whether any precautions can be taken to eliminate or reduce such risk.

