



Terminal Illness and Death in Service Policy

Document Reference:	POL090
Document Status:	Final
Version:	V3.0

DOCUMENT CHANGE HISTORY

Initiated by	Date	Author (s)
People Services	February 2023	Head of HR Policy, Risk Management and Projects, and HR Advisor
Version	Date	Comments
V2.1	10 July 2023	Policy re-modelled and reviewed by HR Policy Sub-Group
V2.2	7 August 2023	Approved at SPF
V3.0	23 August 2023	Approved at CRG

POL090 – Terminal Illness and Death in Service Policy

Document Reference	People Services
Recommended at Date	SPF 7 August 2023
Approved at Date	CRG 23 August 2023
Valid Until Date	31 August 2026
Equality Analysis	11 August 2023
Linked procedural documents	Sickness Absence Management Policy Occupational Health and Wellbeing Policy Redeployment Policy and Procedure Social Media Policy NHS Pension Scheme Guidance
Dissemination requirements	All Trust employees by intranet
Part of Trust’s publication scheme	Yes

The East of England Ambulance Service NHS Trust (EEAST) has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

All Trust policies can be provided in alternative formats.

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1. Introduction

- 1.1 It is sadly inevitable that some employees will be diagnosed with a serious illness during their working life, and for some this illness may be terminal. We recognise that an employee’s terminal illness and/or a death in service should be managed sensitively, supportively and without unnecessary delay.

2. Purpose

- 2.1 This policy aims to:
- help employees understand the support and the options that are available to them during their illness;
 - provide guidance to line managers on how to manage, support and ensure that the very highest standard of care is given to all those who may be affected by either terminal illness or following the death of a colleague;
 - outline the practical steps to take following the death of a colleague.
- 2.2 This policy should be read together with other relevant policies / procedures, for example the Sickness Absence Management Policy and / or Disability Policy.

3. Scope

- 3.1 This policy applies to all employees affected by terminal illness, or by a death in service.

4. Duties

- 4.1 Managers are responsible for providing advice and support to affected employees, and for following the steps outlined in this policy and procedure.
- 4.2 Managers, HR and trade union representatives are responsible for providing advice and guidance to employees on the application of this policy and procedure.

- 4.3 Employees are asked to provide any information and documentation that may be required as soon as possible to avoid any delay in providing them support.

5. Definition

- 5.1 Terminal illness is an illness or condition which cannot be cured, and a person can reasonably be expected to die from.
- 5.2 Death in service applies to any individual who is currently an EEAST employee.

6. Support during a terminal illness

- 6.1 It is essential, once a manager is aware that an employee has a terminal illness, that they respond with care and inform the employee of the options available to them.

6.2 Making reasonable adjustments

For many people, a diagnosis of terminal illness does not mean immediately having to give up on normal activities, and employees may decide to continue working in some capacity for as long as they feel able.

- 6.3 A terminal illness is likely to fall under the definition of a disability and managers should keep this in mind when helping to make adjustments, liaising with Occupational Health for further advice, as necessary.

- 6.4 Reasonable adjustments could include, but are not limited to:

- reduced and/or altered working hours;
- change of base to assist with travel and/or suitable facilities;
- alteration of duties;
- temporary redeployment.

6.5 The role of Occupational Health

Occupational Health may already be aware that an employee is experiencing poor health, however, to ensure they are fully informed of the developments, a new Occupational Health referral is to be completed.

6.6 This enables Occupational Health to support the individual with appropriate care and make any adjustments to their involvement. It will also alert Occupational Health that close colleagues of the employee may also require support.

6.7 **Provision of Contractual Sick Pay**

In all cases where a terminal illness is diagnosed, subject to approval from the joint chairs of the Staff Partnership Forum, the line manager will arrange to extend the provision of contractual sick pay, usually for 6 months, to be reviewed thereafter.

6.8 We are keen to support employees who are terminally ill, and it is anticipated extensions to contractual sick pay will be approved unless exceptional circumstances arise or it becomes inappropriate to do so.

6.9 **Sickness certification (Fit Notes)**

Once an employee informs us they have been diagnosed with a terminal illness, Fit Notes are no longer required provided we remain informed of their condition and prognosis.

6.10 **Liaising with family members**

Communication with a family member may become necessary if an employee can no longer liaise with us directly due to their deteriorating health. The employee's line manager would normally be the direct link with the family, through which all departments should liaise. Wherever possible, we will aim to assist family members as appropriate.

6.11 **Pensions/ill health retirement**

The pension implications of retiring before death and dying in service vary. Employees should consult with Payroll directly or request HR to contact them on their behalf to understand which outcome would be most financially beneficial to their circumstances.

6.12 **Lump sum option**

A pension scheme member who is terminally ill and does not expect to live longer than a year, can apply at retirement to exchange all of their ill-health benefits for a one-off, usually tax-free, lump sum payment. To make this exchange, they must have some of their HM Revenue &

Customs (HMRC) personal lifetime allowance (LTA) remaining. If they take up this option, their dependants will still get any benefits they are entitled to in full.

6.13 There are several factors which can influence whether this option is financially beneficial. They can ask the payroll team for estimated figures or request HR to contact them on their behalf, before making the appropriate decision and organising formal paperwork with NHS Pensions. It is important to appreciate all such decisions rest with the employee and they are strongly advised to seek specialist advice before making any decision regarding their pension entitlements.

6.14 **Named beneficiary**

Pension benefits automatically transfer to a legal partner at the point of death. Employees may wish to change this or in cases where they do not have a legal partner, may wish to nominate someone rather than have benefits transfer to an estate.

6.15 Any named beneficiary should be periodically reviewed by all employees particularly if the employee becomes terminally ill.

7. **Death in Service Scheme**

7.1 This scheme is available to all employees and is free to join. The Death Benefit Scheme enables colleagues to provide support for the family or nominated beneficiary of any employee who dies whilst employed by EEAST, providing they are a member of the scheme. In the sad event of a death of a member, all those who have registered contribute one hour's basic pay.

7.2 Employees are encouraged to consider joining the Death in Service Scheme; further information and registration details can be found on our intranet site.

8. **Providing support following the death of an employee**

8.1 **Becoming aware**

When an employee dies, a family member will usually contact EEAST. Whoever is notified should ensure the following parties are immediately made aware:

- The employees line manager / manager on duty

- The local HR team

8.2 When an employee dies, those who are notified should not circulate / share the news, particularly via social media, to prevent close friends and colleagues of the employee learning about it in an upsetting or inappropriate way.

The line manager and HR representative will jointly make a list of who should be immediately contacted, using the **Management Pro forma following a death in service (POL090-1)** available on the intranet.

8.3 **If EEAST is aware prior to next of kin**

If EEAST is aware of an employee death before their next of kin, it is important, as far as reasonably possible, that disclosure of the death is not made until the employee’s next of kin has been contacted. In these circumstances the table below should be followed, prior to completion of the **Management Pro forma following a death in service (POL090-1)**.

Action to be taken (when appropriate)
Notify the Chief Executive/Deputy CEO/Strategic Commander, providing details of the employee and their next of kin, so they can be informed by the appropriate person.
Contact the local HR representative
Notify and organise the local management team to ensure effective management of the situation
Notify the communications team to handle any immediate media interest
Inform close colleagues, referring to section 8.4, once the next of kin have been informed
Completion of the Management Pro forma following a death in service (POL090-1)

8.4 **Informing Colleagues**

When notifying close colleagues, it is vital the situation is handled sensitively, with dignity and care. Suggestions for speaking with employees may include:

- discussing the matter away from a busy office, in a private and quiet area;
- speaking to particularly close colleagues individually, where possible;
- allowing colleagues time to digest the news;
- provide information on the Employee Assistance Programme (EAP) and other support available;
- provide consistent information from person to person and only sharing information which the family have agreed to;
- let them know you will provide updates when further information is received from the family, including funeral arrangements.

Managers should be mindful of the need to cover any essential service where those affected are too distressed to cover their duties in the immediate aftermath.

8.5 **Speaking with family members**

An appropriate manager will be designated as the family point of contact. They will contact the family as soon as possible, express condolences and provide their contact details. The manager should liaise with the Chief Executive to ensure all communication with the family is organised. Further communication should be actioned in line with the **Management pro forma following a death in service (POL090-1)**.

8.6 **Funeral arrangements**

EEAST, through the line manager, will discuss with the family the appropriate level of our involvement at the funeral and will endeavour to facilitate the attendance of as many employees as is practical to do so.

9. **Policy Review**

This policy will be reviewed on a three-yearly basis or amended in light of new employment legislation and/or relevant case law.

Appendix A

Equality Impact Assessment



EIA Cover Sheet		
Name of process/policy	Terminal Illness and Death in Service Policy	
Is the process new or existing? If existing, state policy reference number	Existing (POL090)	
Person responsible for process/policy	HR	
Directorate and department/section	People Services	
Name of assessment lead or EIA assessment team members	Celia Oke, Michele Murray, Caroline Inches	
Has consultation taken place? Was consultation internal or external? (Please state below):	Internal Consultation This policy was written in partnership with management and staff side.	
The assessment is being made on:	Guidelines	
	Written policy involving staff and patients	X
	Strategy	
	Changes in practice	
	Department changes	
	Project plan	
	Action plan	
	Other (please state) Training programme.	

Equality Analysis																						
<p>What is the aim of the policy/procedure/practice/event? This document outlines the procedures EEAST will follow to provide support through an employee’s terminal illness or following a death in service. This document is designed to help employees understand how we can support them during their illness and what options are available to them. It also provides clarity on how EEAST will manage the death of an employee, either expected or unexpected.</p>																						
<p>Who does the policy/procedure/practice/event impact on?</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Race</td> <td style="width: 10%; text-align: center;">✗</td> <td style="width: 30%;">Religion/belief</td> <td style="width: 10%; text-align: center;">✗</td> <td style="width: 30%;">Marriage/Civil Partnership</td> <td style="width: 10%; text-align: center;">✗</td> </tr> <tr> <td>Gender</td> <td style="text-align: center;">✗</td> <td>Disability</td> <td style="text-align: center;">✗</td> <td>Sexual orientation</td> <td style="text-align: center;">✗</td> </tr> <tr> <td>Age</td> <td style="text-align: center;">✗</td> <td>Gender re-assignment</td> <td style="text-align: center;">✗</td> <td>Pregnancy/maternity</td> <td style="text-align: center;">✗</td> </tr> </table>					Race	✗	Religion/belief	✗	Marriage/Civil Partnership	✗	Gender	✗	Disability	✗	Sexual orientation	✗	Age	✗	Gender re-assignment	✗	Pregnancy/maternity	✗
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Age	✗	Gender re-assignment	✗	Pregnancy/maternity	✗																	
<p>Who is responsible for monitoring the policy/procedure/practice/event? HR</p>																						
<p>What information is currently available on the impact of this policy/procedure/practice/event? Having reviewed the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.</p>																						
<p>Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? Yes/No No</p>																						
<p>Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, if yes please provide evidence/examples:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Race</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td style="width: 30%;">Religion/belief</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td style="width: 30%;">Marriage/Civil Partnership</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Gender</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Disability</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Sexual orientation</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Age</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Gender re-assignment</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Pregnancy/maternity</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>Please provide evidence: This policy is designed to have a positive impact for all eligible employees.</p>					Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>	Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>	Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>
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<p>Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? Yes/No, if so, please provide evidence/examples: No</p>																						

Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>

Please provide evidence:

N/A

Action Plan/Plans - SMART

Specific
Measurable
Achievable
Relevant
Time Limited

Evaluation Monitoring Plan/how will this be monitored?

Who
How
By
Reported to

Appendix B: Terminal Illness and Death in Service Policy - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrangements	Acting on recommendations	Change in practice and lessons to be shared
The process of providing support during a terminal illness, and following a death in service.	Head of Business Partnering and the HRBP team	GRS / ESR and the ER Tracker as appropriate	Monthly during HRBP team meetings.	Long Term Sickness / ER Tracker report / ESR report	Reported to and discussed at People Committee.	Head of HR Business Partnering will address any actions or changes required.	Any change in practice will be identified and, either: <ul style="list-style-type: none"> • process updated on the ER tracker • HRBP team / line manager training implemented • policy updated where required