



Terminal Illness and Death in Service Policy

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Version	Date	Comments (i.e. viewed, or reviewed, amended approved by person or committee)
V2.0	17 April 2023	Policy extended to January 2024 by CRG

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Review date of approved document	31 January 2024
Equality Impact Assessment	June 2020
Linked procedural documents	Sickness Absence Management Policy Occupational Health and Wellbeing Policy Trust Death in Service Scheme
Dissemination requirements	All managers and staff, via staff bulletins and the intranet
Checklist completed?	Yes
Part of Trust's publication scheme	Yes

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The East of England Ambulance Service NHS Trust 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. This policy applies to all individuals working at all levels and grades for the Trust, including senior managers, officers, directors, non-executive directors, employees (whether permanent, fixed-term or temporary), seconded staff and homeworkers.

All Trust policies can be provided in alternative formats.

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1. Introduction

This document outlines the procedures that The East of England Ambulance Service NHS Trust (the Trust) will follow through an employee's terminal illness and/or death in service.

2. Purpose

This procedure is designed to help employees understand how the Trust can support them during their illness and what options are available to them.

This procedure is also designed to clarify how the Trust will manage the death of an employee, either expected or unexpected.

3. Duties

3.1 Human Resources Department

The Human Resources Department is responsible for keeping the provisions within this policy in line with employment legislation, best practice people management principles and NHS guidelines.

3.2 Managers, HR and Trade Union Representatives

Managers, HR staff and trade union representatives are responsible for providing advice and guidance to employees on the application of this policy and procedure.

3.3 Employees

Employees are responsible for providing information and documentation and also for complying with the processes and agreements contained within this policy.

3.4 Consultation and Communications with Stakeholders

This policy has been written in partnership by management and staff side, and in accordance with current employment legislation. It is

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approved by the Staff Partnership Forum, which includes representatives from Unison, HR and Management.

Once published any individuals can submit comments and/or suggestions to the HR Policy Group via a dedicated email address (hrpolicies@eastamb.nhs.uk) in relation to this Policy.

4. Definitions

Terminal illness – any illness where the sufferer cannot recover and as a direct result will die.

5. Development

5.1 Prioritisation of Work

This policy has been developed as an extension to the Trust's Managing Sickness Absence Policy and to support the Trust's Respect and Dignity in the Workplace Commitment.

5.2 Identification of Stakeholders

Primary stakeholders are the Chief Executive, Director of Workforce, the Deputy Director of Workforce, the Workforce Directorate and the Occupational Health Service and Wellbeing Department

5.3 Responsibility for Document's Development

The HR Department are the authors of this Policy. It is recommended by the HR Policy Group to the Trust's Staff Partnership Forum and Executive Management Team for ratification.

6. Managing Terminal Illness

It is essential that once the Trust is made aware that an employee has a terminal illness, they react and respond with dignity and care. It is

also important for the employee to understand that they have options available to them.

6.1 The role of Occupational Health

It is possible that Occupational Health will already be aware that an employee is experiencing poor health. However, to ensure that they are fully informed of the developments of a case the form in appendix A should be completed as soon as possible by the employee's line manager once the diagnosis is confirmed. This will allow Occupational Health to support the individual with appropriate care when handling their case and make any adjustments to their involvement.

It will also alert Occupational Health that close colleagues of the employee may require support.

6.2 Making reasonable adjustment

Employees may decide that they wish to continue working in some capacity after diagnosis, for as long as they feel able. A terminal illness is likely to fall under the definition of a disability and when helping to make adjustments, managers should keep this in mind. Their line manager should liaise with Occupational Health for further advice.

Reasonable adjustments could include:

- Reduced and/or altered working hours;
- Change of base to assist with travel and/or suitable facilities;
- Alteration of duties.

The above list is not exhaustive.

6.3 Pensions/Ill Health retirement

The pension implications of retiring before death and dying in service vary. Employees should consult with HR and Payroll to discuss their

particular case and see which outcome would be most financially beneficial for their circumstances.

6.3.1 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 the member takes up this option, their dependants will still get any benefits they are entitled to in full.

There are several factors which can influence whether this option is financially beneficial to the employee. In order to understand the estimated figures involved the employee should contact HR or the Payroll Department to calculate an estimate locally, before making the appropriate decision and organising formal paperwork with NHS Pensions. It is important to appreciate that all such decisions rest with the employee and they are strongly advised to seek specialist advice before making any decision regarding their pension entitlements.

6.3.2 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, they may wish to nominate someone rather than have benefits transfer to an estate.

Any named beneficiary should be periodically reviewed by the employee during employment, particularly if the employee becomes terminally ill.

6.4 Liaising with family members

The Trust, wherever possible, will aim to assist family members of the employee in whatever way is appropriate. The employee's line

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manager would normally be the direct link between the Trust and the family, through which any Trust department should liaise.

Line managers should attempt to discuss any religious and/or beliefs which will impact on the processes within this policy.

6.5 Death in Service Scheme

The Trust encourages all employees to actively consider joining the Death in Service Scheme, regardless of their health. Details of the scheme can be found on the Trust intranet site or can be obtained from the Human Resources Department.

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 as per Trust policy, the Trust will extend the provision of contractual sick pay. This will usually be for a maximum of 6 months but will be reviewed thereafter. The Trust is keen to support employees who are terminally ill and it is anticipated that extensions to sick pay will be approved unless exceptional circumstances arise or it becomes inappropriate to do so.

7.1 Sickness certification

Once an employee has been diagnosed with a terminal illness and has alerted the Trust to this fact, they will no longer be required to continually supply Fit Notes provided that the Trust remains informed of their condition and prognosis.

8. Managing an Employee Death

8.1 Becoming aware

When an employee passes away it is usual that a member of the family will contact the Trust to notify them. Whoever is notified should ensure the following parties are immediately made aware;

- The employees line manager
- The local HR team

To prevent close friends and colleagues learning of the employees passing in an inappropriate way, anyone who is notified, not in the list above, should try to avoid circulating the news until those closest have been made aware. The line manager and HR department should jointly draw up a list of those who should be immediately contacted, using the guidance in section 8.2.

However, the occasion may arise whereby the Trust is aware of the death of a member of the Trust before the employee's next of kin. In such instances, it is important that as far as reasonably possible, disclosure of the death is not made until the employee's next of kin has been contacted.

8.2 Internal notifications

The table below details teams within the Trust who should be contacted, the timescale and the responsibilities they will assume when the Trust is notified of the death of an employee:

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Individual and/or Team	Supporting Documentation	Timescale	Outcome
Employees - close work colleagues <i>NB please see point 8.1 and table below</i>	N/a	Immediately	To make those closest aware and offer support
Chief Executive/Deputy/Gold Command	Employee information and details of next of kin	Immediately	To write offering condolences on behalf of the Trust
Payroll	HR3	Immediately	To calculate final salary to be paid and notify NHS Pensions Check employees membership to Trust Death in Service Scheme and liaise with Finance Department
Finance	Employee's Death in Service Scheme Application Form (available from HR Services)	Immediately	Where employee is a member of the Death in Service Scheme, to liaise with Payroll and HR Services to ensure that the appropriate measures are actioned to

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			facilitate payment to named beneficiary
Individual and/or Team	Supporting Documentation	Timescale	Outcome
HR Services	N/a	Immediately	Check employees membership to Death in Service Scheme and liaise with the Finance Department and Payroll
Communications	Employee information	Immediately	<p>Organise a suitable Trust wide email notification if appropriate once close work colleagues have been made aware.</p> <p>Updating the internal phonebook.</p> <p>Inform employees that a member of the Death in Service Scheme has passed away and an associated dedication will take place on the next Payroll, if applicable</p>

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			To handle any media interest in line with the wishes of the family.
Individual and/or Team	Supporting Documentation	Timescale	Outcome
Scheduling (if appropriate)		Immediately	Redistribute any shifts as appropriate and ensure the news is not passed to employees during reallocation.
Estates Manager	N/a	Immediately	Organise the lowering of all Trust flags. Flags to be lowered on the day the Trust is made aware and then also the day of the funeral, until the time the service has finished Estates Manager should liaise with line manager to ensure close colleagues have been made aware before flag is lowered.

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Individual and/or Team	Supporting Documentation	Timescale	Outcome
Union Branch Secretary	N/a	Immediately	To organise any appropriate action
Occupational Health	Details of immediate colleagues who may be affected	Within 24 hours	Available for support
IT		Within 3 days	Disable individuals IT access. Confirm to line manager any IT equipment due to be returned.

In situations whereby the Trust is aware of a death before the next of kin, for example, where an employee has died whilst on duty, the following actions should be taken before those outlined above:

Individual and/or Team	Supporting Documentation	Timescale	Outcome
Chief Executive/Deputy/Gold Command	Employee information and details of next of kin	Immediately	To ensure that next of kin are informed by the appropriate person e.g. police

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Individual and/or Team	Supporting Documentation	Timescale	Outcome
Human Resources	N/a	Immediately	To provide employee information and next of kin details
Line Manager and/or General Manager	Employee information	Immediately	To ensure effective management of the situation
Communications	Employee information	Immediately	To ensure effective communication and handle any immediate media interest.
Employees - close work colleagues	N/a	Following notification to next of kin wherever possible	To make those closest aware and offer support

8.3 Communicating a passing to colleagues

One of the first priorities should be to inform close work colleagues. Notifying them of the news should be handled with dignity and care. Suggestions for speaking with employees in a sensitive situation such as this may include:

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- Discussing the matter away from the busy office, in a private and quiet area;
- Speaking to particularly close colleagues individually, where possible;
- Allowing colleagues time to digest the news before returning to work;
- Offering them advice on the Employee Assistance Programme (EAP) and encouraging them to access this support if they feel it may be of benefit;
- Keeping the news consistent from person to person and sharing the information which the family are happy is discussed;
- Committing to updating them on any further news from the family, including funeral arrangements.

Managers should be mindful of the need make contingency arrangements to cover any essential service where those effected are too distressed to cover their duties in the immediate aftermath of the news.

8.4 Speaking with family members

The line manager would normally be the families' point of contact. Aside from offering the Trust's immediate condolences and offering words of comfort, duties which the manager would immediately expect to deal with in the aftermath of a death include:

- Confirming the arrangements for passing any condolences from staff members;
- Receiving details of any funeral arrangements and passing these to employees;
- Explaining the Death in Service Scheme (if the employee was a member);
- Organising the cataloguing and return of any personal effects.

The line manager should write to the family as soon as possible, expressing their condolences and giving their contact details. They should liaise with the Chief Executive to ensure that all communications and interactions with the family are joined up.

8.5 Funeral arrangements

The Trust, through the line manager, will discuss with the family the appropriate level of Trust 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 an annual basis or amended in the light of new employment legislation and/or relevant case law.

10. Equality Impact Assessment

An Equality Impact Assessment has been undertaken. See Appendix B.

11. Dissemination and Implementation

11.1 Dissemination

This Policy will be disseminated to staff via the Trust intranet. Significant revisions and updates to the Policy will also be promoted in the staff bulletin.

11.2 Implementation

Awareness of the Policy and compliance with its requirements will be promoted via Human Resources training sessions.

The HR Department will monitor staff compliance with the requirements of the Policy as part of their ongoing work, and take action to rectify any perceived weaknesses in compliance as necessary.

12. Process for Monitoring Compliance and Effectiveness

Areas of concern relating to social networking within EEAST will be monitored for compliance by the HR Department who will escalate any areas of concern to the Staff Partnership Forum.

13. Standards/Key Performance Indicators

This work stream has been led from a continued increase in employees engagement with social media and the potential impact it continues to have on the Trust. Key Performance Indicators may be developed once this policy is embedded further.

14. References

N/a

15. Associated Documents

The Trust's Respect and Dignity in the Workplace Commitment

The Trust's Death in Service Scheme

NHS Pension Scheme Guidance

Appendix A – Terminal Illness Notification

for completion by the Line Manager

Please submit the below form to Occupational Health as soon as possible.

Name of Employee	
Employee Number	
Date of Birth	
Base	
Comments	
Line Managers Name	
Date	

Appendix B



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	Version 1.0
Person responsible for process/policy	Director of Workforce
Directorate and department/section	Human Resources
Name of assessment lead or EIA assessment team members	EqlA Panel members
Has consultation taken place? Was consultation internal or external? (please state below):	Internal Consultation with HR/Policy Group and relevant departments.

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<p>The assessment is being made on:</p>	Guidelines	
	Written policy involving staff and patients	
	Strategy	
	Changes in practice	
	Department changes	
	Project plan	
	Action plan	
	Other (please state)	
	<p>Procedure ✓</p> <p>Training programme.</p>	

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Equality Analysis

What is the aim of the policy/procedure/practice/event?

This document outlines the procedures that The East of England Ambulance Service NHS Trust (the Trust) will follow through an employee’s terminal illness and/or death in service.

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Who does the policy/procedure/practice/event impact on?

Race	×	Religion/belief	×	Marriage/Civil Partnership	×
Gender	×	Disability	×	Sexual orientation	×
Age	×	Gender assignment	re-×	Pregnancy/maternity	×

Who is responsible for monitoring the policy/procedure/practice/event?

Human Resources

What information is currently available on the impact of this policy/procedure/practice/event?

Previous Impact Statements

Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? Yes/No

No

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:

- | | | | | | | |
|---------------|--------------------------|--------------------------|--------------------------|-----------------------------------|----------------------------|--------------------------|
| 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 assignment | re- | <input type="checkbox"/> | Pregnancy/maternity | <input type="checkbox"/> |

Please provide evidence:

Fair for all

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:

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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 assignment	re-	<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?

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Who

How

By

Reported to