

Death in Service Policy

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Lincolnshire Community Health Services NHS Trust

Death in Service Policy

Version Control Sheet

Version	Section/Para/Appendix	Version/Description of Amendments	Date	Author/Amended by
1.1	Whole Document	Policy realigned following implementation of the Transforming Community Health Services agenda and the new legal entity	March 2011	Rachael Ellis-Ingamells
1.2	Front Page	Policy review date extended due to no changes required	September 2012	Sheldon Gayfer
2	1.1	Section amended to include duty of care of organisation and some re-wording	October 2014	Lyndsey Clapham
	2.0	Added in responsibility of Chief Executive	October 2014	Lyndsey Clapham
	2.4	Amended section on Pensions responsibilities	October 2014	Lyndsey Clapham
	2.1 & 2.2	Added in details offering occupational health support for employees	November 2014	Lyndsey Clapham
3		Full Policy Review	September 2016	Lyndsey Clapham

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Lincolnshire Community Health Services NHS Trust

Death in Service Policy

POLICY STATEMENT

Background	This policy is to support managers in the sad event of an employee's death. It is essential that these situations are handled in both a sensitive and effective way to prevent any additional distress for relatives and colleagues. To assist managers at a time when employees, including the manager, may be distressed
Statement	This policy is to support managers to make this situation as uncomplicated as possible. As this process will not be the norm a manager's checklist has been included to ensure the process can be followed easily.
Responsibilities	Managers have the responsibility to complete the Employee Termination Form and send it to Workforce Services to be processed. They also have the responsibility of liaising with next of kin and the HR department. Workforce Services and Payroll Shared Services will ensure ESR is updated and outstanding payments are sent to the deceased person's estate. Where appropriate, Payroll Shared Services Pensions Department will arrange for pension benefits to be paid.
Dissemination	Website
Resource implication	There may be resource implications where a member of staff has a salary sacrifice agreement. If the member of staff dies no further payments will be taken from the individual's salary.

Lincolnshire Community Health Services NHS Trust

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Lincolnshire Community Health Services NHS Trust

Death in Service Policy

1.0 Introduction

Lincolnshire Community Health Services is committed to employing the best possible standards in its duty of care to staff and employment practice.

In the unfortunate event of a death in service, the organisation recognises the need to balance sensitivity with the practical need to administer pay arrangements during a difficult and emotional time for the next of kin. Additionally it is accepted that the death of a colleague has a major impact on the team. Managers should ensure appropriate support is put into place/offered to colleagues through this difficult and emotional time.

Inherent within all of its practices this organisation is committed to the principles of diversity, equality of treatment and equality of opportunity and believes that direct or indirect discrimination against any person is unacceptable. This policy aims to ensure that no employee receives less favourable treatment on the grounds of gender, transgender, sexual orientation, civil partnership/marital status, carer responsibilities, colour, race, nationality, ethnic or national origins, creed, religion/belief, disability, age or trade union membership.

2.0 Roles and Responsibilities

2.1 Manager's Responsibilities

The Chief Executive will ensure that appropriate condolences are expressed at a senior level from the organisation to the next of kin and deceased member of staff's team. The HR department will initiate this letter. Where the death in service occurs in the workplace the Chief Executive has overall responsibility for ensuring the appropriate incident procedures are implemented.

The line manager is likely to be the first person to be advised when a member of staff dies, therefore, it is the manager's responsibility to inform Payroll Shared Services Payroll and Pensions and the Human Resource Department as soon as possible if this occurs. The manager will also need to complete the 'Employee Termination Form' (EF3) including the part which asks for details of annual leave. This form should then be sent to Workforce Services who will process the form and forward to Payroll Shared Services. The manager should also arrange for the deceased person's email account to be assigned to them so that messages can be dealt with in an appropriate way.

It is the line manager's responsibility to notify colleagues in a sensitive way. Where appropriate, this can be done on a one to one basis. Any staff affected by the death of a colleague should be given the option of a referral to the Occupational Health department, this may be collectively or on a one to one basis.

The Chief Executive will send an official letter of condolence on behalf of the organisation for Lincolnshire Community Health Services NHS Trust staff. The HR department will initiate this letter. The Line Manager may also wish to send a letter of condolence to the next of kin. If any assistance is needed an example letter is shown in appendix 2. The Line Manager may also contact the next of kin in a sensitive way to find out if they are happy for members of staff to attend the funeral and to ask if flowers can be sent.

2.2 Human Resources Responsibilities

When advised of the death of a member of staff the Human Resource Department will contact Payroll Shared Services immediately to notify them of the death of the staff member.

They will inform the manager of the next of kin's name and address so that the manager may liaise directly with them.

The Human Resources department will initiate a letter of condolence to be sent to the next of kin of the deceased and to their work team.

The Human Resource Department will make enquiries as to who the Personal Representative is. If the employee dies intestate the bank account would be frozen, and relatives would need to consult a Solicitor. In this situation, the Human Resource Department would comply as directed by the Solicitor.

Payroll Shared Services require the following information as soon as possible:

- Date of death
- Husband, wife, civil/nominated partner: full name and date of birth and confirmation of their home address
- Dependant children up to the age of 23 regardless of education: full name(s) and date(s) of birth
- Details of the person dealing with the estate (Personal Representative) and full contact address
- Executor's or solicitor's details as applicable
- Details of annual leave

On receipt of the Employee Termination Form' Workforce Services will update this information on the Electronic Staff Record (ESR). This will prevent correspondence such as the staff survey being sent out to the deceased staff member's address.

The Human Resources department should contact Occupational Health to make them aware of the situation and the need to offer support to staff members either collectively or on a one to one basis.

2.3 Payroll Shared Services

Following receipt of the Employee Termination Form Payroll Shared Services will liaise with the Pensions Manager, if appropriate.

Payroll Shared Services will write to the Personal Representative for the estate to obtain details of a bank account. (The Personal Representative is the individual responsible for dealing with the deceased person's estate).

Any pay owed, including holiday pay, will be paid as instructed by the Personal Representative. If the deceased employee has taken more than their annual leave quota at the time of death it is unlikely that the organisation would wish to recover payment from the estate.

2.4 Pensions Department

Where the deceased member of staff was a member of the NHS pension scheme, on receipt of details of the next of kin and dependents the pensions department will send out relevant applicant forms for benefits together with a Survivors guide booklet. When these are returned payment of the initial survivor pension will be made. The NHS Pensions Agency will pay a lump sum to the spouse, civil or nominated partner and make arrangements for payment of an initial pension and life cover.

3.0 Member of Staff who Dies at Work

If the staff member dies as a result of an accident at work, the Line Manager must dial 999 and request an ambulance, also, they must contact the Health and Safety Executive immediately. The Health and Safety Executive can be contacted on 0845 300 9923. The manager needs to be prepared to give the employee's date of birth, address and details of the incident.

In the event of the employee dying whilst driving on work business the Health and Safety Executive do not need to be contacted.

If the employee dies whilst at work, but not as a result of an accident, an ambulance must be called immediately, but it is not necessary to contact the Health and Safety Executive.

The Incident Reporting Policy should be followed in conjunction with this policy.

4.0 Salary Sacrifice Schemes

Where a member of staff has an agreement where payment for goods, ie, Cycle to Work Scheme, or services, i.e., Childcare Vouchers, is taken directly from their salary, the agreement will cease if the member of staff dies. No further payments will be deducted from their salary.

The outcome of what will happen to any goods obtained in this way will be dependent on the contract signed at the time of agreeing to take part in the scheme.

5.0 Conclusion

Sensitivity must be displayed at all times when dealing with the death of a member of staff. Relatives and colleagues must be treated with courtesy and respect. It is recognised that this is a difficult time for colleagues and referrals to the Occupational Health Service can be requested if and when required. The Manager should follow the Manager's Checklist on the following page to guide them through the process.

NHSLA Monitoring

Minimum requirement to be monitored	Process for monitoring e.g. audit	Responsible individuals/ group/ committee	Frequency of monitoring/audit	Responsible individuals/ group/ committee (multidisciplinary) for review of results	Responsible individuals/ group/ committee for development of action plan	Responsible individuals/ group/ committee for monitoring of action plan
The number of Death in Service incidents reported	Audit of Leavers Forms held within HR Ops Team	HR Team	Annually		HR Team	OD Board

Appendix 1 Managers Checklist

1	<p>As soon as notified of the death of a member of staff contact:</p> <ol style="list-style-type: none"> 1. Human Resource Department – Beech House – 01522 308686 2. Payroll Shared Services, Payroll, Gervas House - 01522 546546 3. Payroll Shared Services, Pensions, Gervas House - 01522 577168 <p><u>In the case of a member of staff dying whilst at work</u></p> <ol style="list-style-type: none"> 1. Dial 999 and request an ambulance 2. Contact Health and Safety Executive if death is as a result of an accident - 0845 300 9923 – giving details of employees date of birth, address and details of the incident (Human Resources will be able to provide date of birth and address information if required) 3. Human Resource Department – Beech House – 01522 308686 4. Payroll Shared Services, Payroll, Gervas House - 01522 546546 5. Payroll Shared Services, Pensions, Gervas House - 01522 577168 6. Complete IR1 form 	Tick as appropriate
2	<p>Complete the Employee Termination Form and send to Workforce Services to LHNT.eWorkforce-info@nhs.net</p> <p>Complete the reason for leaving code – ‘A’</p> <p>Destination on leaving code – ‘RR’</p> <p>Complete the annual leave section as this will have an impact on the payment received by the Personal Representative - the manager will need to state whether the employee has any annual leave entitlement accrued. If the employee owes any time, ie, has taken more annual leave than their entitlement to date, the organisation would not claim this back.</p> <p>Arrange for termination of any salary sacrifice scheme, ie, bike scheme, childcare vouchers on this form.</p>	
3	<p>Notify staff in a sensitive way. If appropriate, offer to refer them to Occupational Health for counselling.</p>	
4	<p>Send letter of condolence to next of kin – sample letter shown in appendix 2.</p>	
5	<p>Contact next of kin – find out if they are happy for staff to attend the funeral and whether it will be acceptable for flowers to be sent or if they would prefer a charitable donation.</p>	
6	<p>Arrange to return any personal possessions to the next of kin. Arrange for the return of any laptops, mobile phones, passes, smartcard and any other equipment belonging to the organisation.</p>	
7	<p>Arrange for any lease car arrangements to be cancelled and for the car to be collected. There will be no penalties for the early termination of the lease car contract.</p>	
8	<p>Inform IT 0300 123 1020</p>	
9	<p>Send staff members file to Human Resources at Beech House, Waterside South, Lincoln, LN5 7JH.</p>	

**Appendix 2 Manager's
Letter to Next of Kin**

Dear **[Next of kin]**

I was truly sorry to hear of the loss of [employee's name]. He/she will be missed by everyone in the **[xxxxx department]**.

Manager may insert a personal paragraph in the letter at this point.

I know that all **[employee's name]** colleagues would like me to pass on their deepest sympathies at this very difficult time.

If there is anything I can do to help you further at this time, please do not hesitate to contact me on **[telephone number]**.

Yours sincerely

[Name]
[Job title]

Name of Policy/Procedure/Function*

Death in Service Policy

Equality Analysis Carried out by: Lyndsey Clapham

Date: December 2016

Equality & Human rights Lead: Rachel Higgins

Director\General Manager: Maz Fosh

***In this template the term policy\service is used as shorthand for what needs to be analysed. Policy\Service needs to be understood broadly to embrace the full range of policies, practices, activities and decisions: essentially everything we do, whether it is formally written down or whether it is informal custom and practice. This includes existing policies and any new policies under development.**

Section 1 – to be completed for all policies

A.	Briefly give an outline of the key objectives of the policy; what it's intended outcome is and who the intended beneficiaries are expected to be	<p>This policy is to support managers in the sad event of an employee's death. It is essential that these situations are handled in both a sensitive and effective way to prevent any additional distress for relatives and colleagues. The policy will assist managers at a time when employees, including the manager, may be distressed.</p> <p>By following this policy the next of kin will be prevented additional distress, ensuring that they are treated in a respectful and sympathetic way whilst also ensuring practicalities are dealt with.</p>		
B.	Does the policy have an impact on patients, carers or staff, or the wider community that we have links with? Please give details	This policy supports staff members during difficult times and ensures that the deceased staff members family are treated with due respect and courtesy, avoiding additional distress.		
C.	Is there is any evidence that the policy\service relates to an area with known inequalities? Please give details	No, applies equally to all areas		
D.	Will/Does the implementation of the policy\service result in different impacts for protected?	No		
		Yes	No	
	Disability		x	
	Sexual Orientation		x	
	Sex		x	
	Gender Reassignment		x	
	Race		x	
	Marriage/Civil Partnership		x	
	Maternity/Pregnancy		x	
	Age		x	
	Religion or Belief		x	
	Carers		x	
	If you have answered 'Yes' to any of the questions then you are required to carry out a full Equality Analysis – please go to section 2			
The above named policy has been considered and does not require a full equality analysis				
Equality Analysis Carried out by:		Lyndsey Clapham		
Date:		December 2016		

Human Rights Assessment Tool

The Human Rights Act, which came into force in October 2000, incorporates into domestic law the European Convention on Human Rights to which the UK has been committed since 1951. Section 6 of the Human Rights Act makes it unlawful for a public authority to act in a way that is incompatible with a Convention right. The underlying intention of the Act is to create a Human rights culture in public services.

		Yes/No	Comments
1	Will it affect a person's right to life?	No	
2	Will someone be deprived of their liberty or have their security threatened?	No	
3	Could this result in a person being treated in a degrading or inhuman manner?	No	
4	Is there a possibility that a person will be prevented from exercising their beliefs?	No	
5	Will anyone's private and family life be interfered with?	No	

If the answer is "yes" to any of the above questions on the proforma can the policy be amended to avoid impacting on Human Rights? If not, please refer it to the Equality & Human Rights Lead for advise and guidance.