

## Guidance on supporting employees through bereavement or serious illness of a close relative

The first section of this guidance provides information on supporting an employee who has been bereaved, it gives practical advice for managers on what needs to be considered. As an employer, managers have a duty of care to their employees.

The second section refers, and has links, to the various policies and guidance the Council has on carer support, time off and other relevant information which managers and employees may find useful in coping with the bereavement of a close relative or with a relative who is seriously ill.

Managers can find dealing with bereavement difficult. There is no set pattern as to how an individual will react and deal with the loss of a loved one. What is important is for managers and colleagues to provide a supportive approach which will show the employee that they are valued. By having a managed approach to bereavement this will help the employee to cope better, not worry so much about their work and help them to return to their jobs, reduce sickness absence, staff turnover and strengthen team morale and our corporate culture.

Macmillan Cancer Support has produced advice on handling sensitive communication which managers may find useful and is given at the end of this guidance.

### First Section

#### What to do initially

1. On hearing of the death, the manager should send or email a [letter of condolence](#) to their employee and they should notify the relevant director as they may also want to write a personal letter of condolence.
2. The manager will need to be supportive and compassionate and stress to their employee not to worry about work. Work is not a priority at this time and the employee should be reassured that the essential requirements of their work will be covered.
3. In providing advice and support to their employee managers may want to refer to the policies outlined in the second section of this guidance.
4. The manager will need to find out from the employee if their colleagues can be informed, what they want them to be told and if they want their colleagues to contact them. Remember to treat information as confidential and any information conveyed to colleagues should be communicated in a private environment.
5. The employee's and family wishes must be respected. Be aware and sensitive to religious and cultural issues and different mourning rituals and practices.
6. Check if the employee wants colleagues to attend the funeral service and if it would be suitable to organise a floral tribute or some other tribute that employees can contribute to.
7. It is important that the manager stays in contact with the employee but in the early days of bereavement the employee may be in a state of shock and not want to talk to anyone immediately or take in what is being said. It may be better to follow up with a call or email later on. The manager will need to arrange the best way of keeping in contact, whether this

is by email, telephone or by visits. It is important to keep a dialogue going with the employee which will help them to feel supported and can help to minimise their anxiety.

### **Support after the funeral**

8. It is often after the funeral and further on that support can fall away but this is the very time when the employee really begins the grieving process and needs support. They can feel isolated, lonely and become withdrawn.

9. In the early days of bereavement and after the funeral do not discuss with the employee their immediate return to work, unless they bring the subject up, but it is important to keep discussions open to see how they are coping.

10. The employee could be worried about taking time off or about returning to work and the manager needs to reassure them about this. Keep in contact as supportive, compassionate and sensitive conversations helps the employee to feel valued and understood which will help to minimise their stress, reduce sickness absence or avoid periods of sickness.

11. Grief affects and impacts individuals differently, some can be in denial others angry. It is a long process and there are no set stages or phases. The relationship and how the person died all affect how the bereaved employee behaves. Bereavement is all consuming and the emotional effects can affect the employee's mental and physical health.

12. Bereavement can mean changes in the family circumstances and may incur financial pressures. Managers need to be sensitive to these changes, for example the employee could become the sole parent of young children and as well as dealing with their own grief are supporting their children through the death of their parent. If the employee loses a parent, it may mean they take on extra caring responsibilities for the surviving parent. The loss of a sibling could mean the employee becomes involved with the care of their sibling's children. It is important to realise that the employee is having to make important decisions and re-assess priorities when they are at their lowest.

13. If you haven't already done so, or if the employee hasn't taken in what you have previously mentioned, go through the relevant policies and support that is available for them as detailed below.

### **Returning to work**

14. Employees can worry about returning to work and how colleagues are going to treat them. Some employees return to work sooner, others need longer. Managers need to have appropriate discussions with their employee to ease them back into work. Before they return to work arrange a meeting to find out how they are feeling and if they have any concerns.

15. Keep them informed of any updates in the service or if there are any organisational changes that may affect their job role. Changes in the work place could impact upon the employee and mean they are dealing with a further upset in their life.

16. Reasonable adjustments can be discussed such as returning to work on a gradual basis, duties or hours being adjusted, homeworking or working from another location.

17. An employee working in care may need support or their duties adjusted if they are dealing with clients who are receiving end of life care. There may be duties in other roles that an employee is unable to temporarily perform.

18. Make sure they don't return to a large backlog of work, spread the work out gradually by prioritising duties and make sure they take breaks.

19. On return to work an employee may not be able to work to their full potential. They may be fatigued, unable to make decisions and may have a lack of motivation. Their work performance and attendance can be affected, and allowances may need to be made for this.

20. A grieving person is often not sleeping well, may demonstrate mood fluctuations and can be anxious. Their own health may be affected by their loss. If they experience mental health difficulties such as depression, post-traumatic stress disorder they could be covered by the Equality Act 2010 and reasonable adjustments will need to be looked at.

21. Advice and/or a referral from Occupational Health may be necessary and helpful.

22. Even when the employee returns to work the manager needs to continue to meet with them regularly so that any strategies and adjustments can be reviewed or implemented, and the employee knows they are still being supported. They may say they are coping but grief can hit the person in the longer term as well as immediately after the bereavement, even years after their loved one has died.

23. Special days such as anniversaries (birthday, anniversary of the death, wedding anniversary etc) can be days that particularly affect the employee. If they request leave on these days try to be sympathetic in approving them.

24. The first time the employee does anything without their loved one can be very hard and this can be for normal everyday things such as attending their child's school open evening, meeting up or visiting friends or family, going shopping etc. They can feel lonely and isolated not knowing if things will ever get better.

25. Colleagues may not be aware the effect that ordinary conversation in the office can have on a bereaved person. When there are discussions about holiday plans or what is happening at weekends they need to be sensitive about the effect on their bereaved colleague.

26. The death of any close person is hard to cope with, but the death of a child is devastating and the whole family is affected. Managers will need to be particularly sensitive to the needs of the parents or parent and siblings in considering flexibility in working hours and emotional support. New legislation in April 2020 will give parents the right to paid parental leave when a child dies.

### **Discrimination**

27. The Equality Act 2010 protects employees from discrimination because of religion or belief and disability.

28. Some religions have specific bereavement requirements and customs which managers will need to consider carefully and try to accommodate with requests for time off. Unless you can objectively justify turning a request down it is possible it could be indirect religious discrimination.

29. Grief can lead to a long-term illness (e.g. depression) which affects the employee's ability to perform day to day activities. Under the Equality Act this can be considered a

disability for which the manager will need to seek advice from Occupational Health and look at reasonable adjustments.

## **Second Section**

This section gives details of the policies that the council has and can be used by employees and managers. The policies cover carer support, bereavement and time off. Other relevant policies with useful information are also listed

### **Guidance for caring for terminally/seriously ill dependants and bereavements**

30. Providing support and care to a dependant who is seriously ill or is terminally ill is dealing with a situation that is both physically and emotionally stressful and can affect an employee's own health and well-being. The initial shock for an employee on hearing that a loved one has a terminal diagnosis could mean they may need some time off work to try and come to terms with this.

31. Employees who are carers are often juggling their caring responsibilities with work and it is not easy to find a balance between the two. Caring under these circumstances can be unpredictable as health conditions vary, can develop over time and the employee is often unsure how long he or she will need to be a carer. Carers may need time off at short notice and an employee can feel guilty that taking time off to care is not a genuine reason for requesting leave.

32. It is also a difficult situation for managers but providing supportive help is important in helping an employee to feel they can continue with their work whilst also caring. A supportive manager also encourages an employee to come forward and discuss their caring responsibilities and the difficulties they may be encountering so that possibilities can be looked at and considered.

33. Providing support can be very important for an employee's morale, attendance, performance and reducing their anxiety. By supporting employees and having a good relationship with their employees, managers can help prevent losing experienced employees and their knowledge and the associated management time in recruiting and training new staff.

34. Although, an employee is encouraged to inform their manager of their caring responsibilities this is ultimately their decision and their confidentiality about what they want to disclose or be known should be respected always.

### **Policies summary – the full policies are on HR Direct:**

35. Below is a summary of policies and information available on HR Direct that employees may consider, request or find useful in helping them to cope and care for a seriously ill or terminally ill dependant. Managers can refer to these in supporting an employee who is dealing with these situations. The links to the full policies on HR Direct are given

### **Who is a dependant?**

36. The definition of a dependant can vary depending on whether the policy is a statutory requirement or not. The policy for providing leave in emergency situations or on compassionate grounds is based on employment law and the definition for a dependant is a spouse, a partner, a child, or a parent. It can also be anyone who lives with the employee as

part of their family (excluding tenants, lodgers or someone who is employed by them). There are also circumstances where others who rely on the employee as their primary carer for care or assistance are also defined as dependants. This is the definition used in the Council's Family emergencies and compassionate leave policy.

37. The council's Leave for Carers Policy and Procedure defines a carer as 'someone who gives support to a family member, partner, friend or neighbour who is ill, old and frail or disabled in some way, or has mental health or substance misuse problems'.

38. If managers feel uncertain about who a dependant is under the different policies, or may want to use their discretion, they should contact HR Advisory for guidance.

### **Leave for Carers Policy and Procedure**

- [Leave for Carers Policy and Procedure](#)

39. This policy explains the right for Carers to take unpaid leave from work to look after a dependant or to make arrangements for the dependant's welfare. There is no length of service requirement.

40. A carer can take 13 weeks of unpaid leave over a 5-year period. It can be taken as a single block or over a number of shorter periods. The minimum period that can be taken at one time is half a day.

41. An employee can also use this policy to reduce their working hours over a period which is equivalent to 13 weeks of leave as a single block.

### **Flexible working**

- [Flexible Working](#)

42. Allowing an employee to work flexibly can greatly assist and support them during these difficult times and can help managers to be more responsive to their employee's needs:

43. Flexible working can include considering:

- Flexible start times and finish times
- Staggered hours, where an employee has different start and/or finish times on different days of the week
- Flexi-time
- Changing work patterns e.g. term time working/compressed working hours
- Looking at the duties the employee performs and revising them
- Temporarily redeploying the employee into a less stressful role
- Reducing hours either on a temporary or permanent basis
- Temporarily allowing more home working or working from another hub
- Granting unpaid leave
- Allowing an employee to make up lost hours at another time
- Voluntary use of annual leave

44. The above list is not exhaustive and all flexible working possibilities can be discussed and arranged informally or permanently between the manager and employee. Informal arrangements will be for a temporary period whereas a permanent arrangement will mean a permanent change to the employee's contract of employment.

45. There is also the statutory right to request flexible working for employees who have a minimum of 26 weeks' continuous service which is detailed in the [Flexible working policy and procedure](#). Changes made under this statutory right are permanent changes to the employee's contract of employment.

46. Any changes to terms and conditions, whether permanent or temporary, need to be confirmed in writing and advice should be sought from HR Advisory.

### **Family emergencies and compassionate leave policy**

- [Family emergencies and compassionate leave policy](#)

47. Employees can apply for this from day one of employment. It applies to emergency situations or unexpected situations such as the breakdown in care arrangements for a dependant and it also applies to compassionate leave due to the loss of a dependant. The policy explains the leave available and whether it is paid or unpaid. It is not for planned events which the employee has advance notice.

### **Ordinary Parental leave**

- [Ordinary Parental leave](#)

48. This policy explains the right parents and carers have to take up to 18 weeks unpaid time off work to look after a child or make arrangements for the child's welfare up to their 18th birthday. There is no length of service requirement. Parental leave may be taken as a single block or over a number of shorter periods (minimum period is half a day at a time). Or, a parent/carer can use this policy to reduce their working hours over a period which is equivalent to 18 weeks leave as a single block.

### **Annual leave and bank holiday entitlement policy – unpaid leave**

- [Annual leave and bank holiday entitlement policy](#)

49. Under the annual leave and bank holiday entitlement policy there is the provision for employees to apply for unpaid leave up to the amount of their annual leave entitlement in any one leave year. They will need to have used up their annual leave entitlement before applying for this.

### **Purchase of annual leave (PAL)**

- [Purchase of annual leave](#) (PAL)

50. The PAL scheme gives employees the opportunity to purchase 10 days additional leave each year (pro-rata for part-time employees) to be taken in one-week blocks. The scheme is discretionary and is reviewed each year. There are two occasions each year (November and May) when employees can apply for PAL and announcements are sent out each time an application period is open.

### **Maternity scheme policy**

- [Maternity scheme policy](#)

51. Should a female employee lose her baby after 24 weeks of pregnancy she is still entitled to the maternity leave and pay as detailed in the maternity scheme policy.

52. Where a female employee loses her baby before 24 weeks of pregnancy, absence due to ill health falls under the sickness absence management policy.

### **Sickness absence management**

- [Sickness absence management](#)

53. Where a carer's own health leads to sickness absence the sickness absence management policy needs to be followed. It details the appropriate actions to be taken for short-term and long-term sickness absence and when a referral to Occupational Health should be made.

### **Flexi-time**

- [Flexi-time](#)

54. Where a service has a flexi-time scheme this can allow an employee to vary their start, finish and break times to suit both operational requirements and individual needs.

### **Career break scheme**

- [Career break scheme](#)

55. The council's career break scheme gives employees the opportunity to take a period of unpaid time away from work. The employee will be required to resign from their position but for breaks less than a year, and where practicable, consideration will be given to them returning to the job in which they were employed before their career break began.

### **Employee health and well being**

- [Employee health and well being](#)

56. The policy outlines the council's commitment to the well-being of its employees, the responsibilities of managers, advice on preventative measures and the support services that are available.

57. The confidential employee wellbeing helpline (01225 713147) is available to all staff. Calls are screened and assessed by an Occupational Health Adviser. Callers may be signposted to relevant external providers or specialist counselling services

### **The chaplaincy service**

- [The chaplaincy service](#)

58. This is a confidential and unbiased service that is offered by the chaplaincy service to all employees irrespective of faith. A confidential meeting can be arranged at any of the hubs during working hours without the need to make up the time.

### **Related policies**

- [Death in service](#)
- [Death of an employee outside of work](#)

59. The policy gives advice on the actions required if an employee dies or is injured whilst working for the council. This could include death by natural causes or as the result of an accident. It also gives guidance on informing work colleagues.

60. Should an employee die outside of the work environment (for example as the result of a long term illness, a sudden health problem or an accident which is not work related) you should refer to guidance for managers - death of an employee outside of work

### **Future legislation:**

Parental Bereavement leave and pay act 2018

61. This act will grant leave and pay for employees who lose a child. It has received royal assent and is expected to come into force during April 2020.

### **Organisations which can offer support**

62.

- Your GP is a good first point of contact and can provide you with information and support and refer you to other local sources of support
- [Carer Support Wiltshire](#) – the council is a member of their working for carers scheme
- Carers and disability network, Wiltshire Council (Equality and inclusion) contact: [equalities@wiltshire.gov.uk](mailto:equalities@wiltshire.gov.uk)
- [Carers UK](#)
- [Swindon Carers Centre](#)
- [Age UK Bath & North East Somerset](#)
- Cruse Bereavement Care - Freephone helpline: 0808 8080 1677 - E-mail [Bath@cruse.org.uk](mailto:Bath@cruse.org.uk)
- [Widowed and Young](#)
- [The Good Grief Trust](#)
- [Samaritans](#) (you don't have to be suicidal)
- [The Bereavement Trust](#)
- [Your Care Your Support Wiltshire](#)

### **Guidelines produced by Macmillan on sensitive communication**

63. These are only guidelines. Communication is a very individual matter and you will need to judge the appropriate response for a given situation.

Try to:

- Choose a private place to talk and make sure you won't be interrupted.
- Be prepared for the meeting to overrun. Let the employee set the pace.
- Show you are listening. Encourage conversation by nodding or with verbal cues like 'I see' or 'what happened next?'
- Show it's okay to be upset by remaining calm yourself and allowing your employee time to recover if emotions spill over.
- Show empathy with phrases, 'you sound very upset'.

- Respond to humour (but don't initiate it). If your employee tells a joke, it's a legitimate coping mechanism.
- Feel able to adjourn the meeting if your employee becomes too distressed to continue.

Try not to:

- Be afraid of silence. It's okay if the conversation goes quiet for a bit.
- Be too quick to offer advice – although sometimes people do not know what or how to ask.
- Use cliches like 'things could be worse' or 'things will work out'.
- Discount your employee's feelings
- Share stories about other people you know who have been in similar circumstances, this takes the focus away from your employee.