

North East Derbyshire District Council

Council

9 July 2018

Dying to Work Charter – Employees with Terminal Ill Health

Report of Councillor R Smith, Portfolio Holder for Corporate Governance

Purpose of the Report

- To seek Council support for North East Derbyshire District Council to sign up the Dying to Work Charter developed by the Trades Union Congress (TUC).

1 Report Details

- 1.1 The TUC has recently campaigned for employers to adopt the Dying to Work Charter which demonstrates to employees, Trade Unions and other stakeholders a commitment to offering support to employees diagnosed with a terminal illness.
- 1.2 The Charter is based on the following key principals:
- Regularly reviewing sick pay and sickness procedures
 - Ensuring an Employee Assistance Programme is in place
 - Providing training to line managers and HR on dealing with terminal illness
 - Supporting employees with a terminal illness by showing understanding rather than creating additional stress and worry
 - Facilitating the employee's right to choose the best of course of action for themselves and their family and helping them to maintain dignity by offering a safe environment and the right to remain at work
- 1.3 The Council has proven to be a supportive and fair employer. Following a review of sickness absence management in 2015 and the rolling out of training to all Senior and Service level managers, the Council has a good reputation for supporting employees experiencing ill health. The sick pay scheme at the Council provides financial security for a period of six months full pay, followed by six months half pay.
- 1.4 Unfortunately, there have been several cases involving employees with a terminal illness diagnosis. In these circumstances, Managers and HR have worked together with these individuals and their families/representatives to offer support and advice with a view to choosing the best course of action according to their particular circumstances. There are many different factors that have to be taken into consideration such as financial, nature of the illness and personal wishes of the employee. It is a very difficult and distressing process for all parties involved.

- 1.5 There is a robust Sickness Absence Management Policy in place at the Council together with a confidential 24 hours 7 days a week Employee Support Service provided by Axa that is available to all employees. Occupational Health is currently provided by Derbyshire County Council and a tender process is currently underway to test the market in this area.
- 1.6 The HR & OD Team are keen to ensure the best service possible is received by those employees with a terminal illness diagnosis. Key to successfully managing these particular circumstances is:
- The Manager having a good working relationship with their team members so employees feel confident raising personally sensitive issues and in return employees will receive appropriate support and signposting from their manager.
 - The Manager seeking timely advice from HR
 - HR providing effective advice and guidance to managers and employees
 - Good support and advice received from GP's, Consultants, Occupational Health, the Employee Support Service and DCC Pensions.
- 1.7 HR recognise there is room for improvement in how sickness absence management policy and processes are applied in practice for those employees diagnosed with a terminal illness. By signing up to this Charter it will demonstrate the Council's commitment to supporting terminally ill employees and assisting managers in appropriately managing employees experiencing these circumstances. HR will continue to work together with managers and employees to support this process.
- 1.8 The proposed Charter for the Council is at Appendix One and replicates the Charter produced by the TUC.
- 1.9 Trade Unions are in support of signing up to this Charter.
- 1.10 The Council can demonstrate it meets the commitments stated in the proposed Charter. The next step would be to contact the TUC to inform them of the Council's commitment to this Charter. The TUC will then arrange for a public signing ceremony to take place. Following the ceremony, the Council will then appear on the TUC national website and social media confirming the Council has signed up to the Charter. A copy of the Charter can then be displayed at the Council.
- 1.11 Other organisations who have adopted the TUC Dying to Work Charter are Ashfield District Council, Derbyshire Fire and Rescue Service, Chesterfield Royal Hospital NHS Foundation Trust, Derbyshire Police Service, Derbyshire Community Health Services NHS Foundation Trust, Sheffield College and Sheffield City Council.

2 Conclusions and Reasons for Recommendation

- 2.1 This report is presented to Council to gain agreement for the Council to sign up to and adopt the Dying to Work Charter to ensure employees with a terminal diagnosis are offered support, advice, a safe environment and the right to choose the best of course of action for themselves and their family.

3 Consultation and Equality Impact

- 3.1 Consultation has taken place with the Trade Unions following their request that the Council sign up to the Dying to Work Charter.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council can choose not to sign up to the Charter. This would go against the national and local trend to adopt the Charter. The Trade Unions would request reasons as to why the Council does not wish to commit to this Charter. The Council already meet the commitments of the Charter.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 As covered within the report.

5.2 Legal Implications including Data Protection

- 5.2.1 As covered within the report.

5.3 Human Resources Implications

- 5.3.1 As covered within the report.

6 Recommendations

- 6.1 To seek Council support for North East Derbyshire District Council to sign up the Dying to Work Charter developed by the TUC.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	Transforming our Organisation

8 Document Information

Appendix No	Title	
1	Dying to Work Charter	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)		
Report Author		Contact Number
HR & OD Manager - Sara Gordon		7677

Appendix 1

This charter sets out an agreed way in which our employees will be supported, protected and guided throughout their employment, following a terminal diagnosis.

- We recognise that terminal illness requires support and understanding and not additional and avoidable stress and worry.
- Terminally ill workers will be secure in the knowledge that we will support them following their diagnosis and we recognise that, safe and reasonable work can help maintain dignity, offer a valuable distraction and can be therapeutic in itself.
- We will provide our employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss.
- We support the TUC's Dying to Work campaign so that all employees battling terminal illness have adequate employment protection and have their death in service benefits protected for the loved ones they leave behind.