



# Fioretti Trust

Name of Policy

## End Phase of Life Policy

<u>End Phase of Life Policy</u>	<u>Written By</u>	<u>Committee Responsible</u>	<u>Regularity of review</u>	Non- STATUTORY	
<u>Version</u>	<u>Date Proposed</u>	<u>Date Accepted</u>	<u>Date of next review</u>	<u>Signature (Chair of Trust)</u>	<u>Reason for revision</u>
Version 0.01	30.11.2021	07.12.2021	Autumn Term 2023		First agreed End Phase of Life Policy for the Trust.
Version 0.02	19.09.2023	26.09.2023	Autumn Term 2025		No changes – confirmed with Definitely HR.

# End Phase of Life Policy

<b>Staff covered by this procedure:</b>	Teaching and support staff in schools
<b>Prepared by:</b>	HR Services for Schools
<b>Approved by and date:</b>	Approved by Head of School & Academies HR
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## 1.0 Introduction

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1.1 This policy will apply to employees who have entered the end phase of life, which for the purposes of this policy is a life expectancy of 12 months' or less, have a permanent or fixed term contract of employment and have decided that they wish to continue in employment.

1.2 The City Council understands that in this phase of life an employee requires support and understanding rather than additional/avoidable employment related stress and worry.

1.3 This policy aims to ensure that employees know they will be supported following their diagnosis and that the school will:

- a) will provide employees with peace of mind, that they have 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
- b) recognise that safe and reasonable work can help maintain dignity and can be therapeutic
- c) will support employees with security of work to ensure they have adequate employment protection and that any death in service benefits (requires membership of the relevant pension scheme) are protected for the loved ones they leave behind
- d) will support the head teacher, line manager and colleagues of an employee in the end phase of life

1.4 This policy applies to employees of Birmingham City Council and can be adopted in schools where either the Governing Body or Academy Trust is the employer.

## 2.0 Employees with a terminal illness

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2.1 As part of our commitment to make a positive difference in employee's lives, the City Council has signed up to the TUC's [Dying to Work Charter](#), which calls on us to provide support and understanding to employees with a terminal illness.

2.2 This policy provides reassurance to employees with a life expectancy of 12 months or less, with a permanent or fixed term contract of employment, that their job is protected should they wish to continue to work.

2.3 Schools should consider on a case by case basis whether to apply this policy to an employee diagnosed with a terminal illness but whose life expectancy exceeds that of 12 months' (See also 'If an employee goes in to remission').

2.4 This policy does not cover employees providing care and support to terminally ill family members, dependants or people with whom they are in a long term relationship. In such circumstances, employees may wish to consider the options open to them under the [special leave of absence](#) scheme and the [flexible working](#) provisions.

### 3.0 **An employee informs the school that they are terminally ill**

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3.1 Employees do not legally have to tell their employer that they are terminally ill; when they do disclose this information they should be treated with compassion and respect.

3.2 It should not be assumed that an employee will want to stop working, as this is not always the case. Work can offer stimulation, dignity and normality, as well as financial security.

3.3 If an employee wants to continue working they should be supported to do so for however long as they wish to remain an employee if they have a permanent contract, or until the expiry of their contract if they are fixed term.

3.4 Once an employee tells the school that they think this policy applies to them, their head teacher or line manager will need to arrange a meeting with them. Where the employee would prefer to meet with someone other than their head teacher or line manager this should be accommodated as far as practicable. The employee may be accompanied in the meeting by a trade union representative or a work colleague, where they feel that such support is beneficial.

### 4.0 **Meeting the employee**

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4.1 In the meeting with the employee, the head teacher or line manager should:

- a) ask the employee who in the school they would like to tell about their condition and how they would like it communicated
  - if the employee does not wish to tell colleagues, their privacy must be respected and their condition kept confidential
  - if the employee wishes to tell colleagues, then they may ask the head teacher or line manager or someone else to help with this
- b) help the employee to look at the choices available to them, or arrange for someone else to do this, if this is the employee's preference
- c) The employee should provide documentation (a letter from their consultant or GP) confirming their diagnosis and life expectancy, the content of which should be

explored in the meeting. If the documentation is not available at this first meeting, a second meeting should be arranged to go through it.

- d) Discuss any reasonable adjustments that the employee may require to facilitate their continued attendance at work. (See risk assessment below) Where both parties are in agreement that it would be beneficial, a referral to the school's Occupational Health Advisor may assist in this process by making recommendations.
- e) Advise the employee to contact their pension provider to get advice about their options (if they are a member)
- f) Sign-post the employee to additional support and sources of information such as your occupational health provider, the Employee Assistance Programme (where applicable).
- g) agree a revised approach to managing attendance with the employee:
  - The school will not apply its normal policy or procedure when managing cases of absence under this policy
  - Whilst there is still a need to maintain contact and to follow the normal process of fit notes when absent, there will be no use of Managing Attendance procedures
  - An employee may wish to remain in employment after exhausting their entitlement to sick pay. This will be accommodated for permanent employees and until the expiry date of the contract for fixed term employees, and will be particularly important for employees who are members of a pension scheme, as their nominee will be eligible for a death in service payment if they die in service
- h) Advise that if the employee identifies that they would wish to pursue ill health retirement that the school will ask their Occupational Health provider to prioritise their case, ensuring they are dealt with as promptly and sensitively as practicable.
- i) For teachers where life expectancy is less than 12 months, their ill-health pension can be fully converted to a lump sum payment, but they must ask for this when they apply for ill-health benefits, because a pension can't be converted to a lump sum once it has come into payment
- j) Talk about sick pay:
  - Terminally ill employees are entitled to normal sick pay. They may also be entitled to additional government benefits and can check this on gov.uk

website, or by contacting the Employee Assistance Programme, where appropriate, or with their trade union (if they are a member)

- k) Undertake a risk assessment where appropriate and consider and agree any reasonable adjustments which might be made to assist the employee working. It may be appropriate to consider adjustments using the flexible working policies. Reasonable adjustments can encompass not only physical workspace changes but changes in roles, hours of work, and workload.
- l) If the employee cannot maintain consistent attendance at work, or it is not sustainable for the organisation for the employee to attend the workplace on a regular basis, it may be appropriate for the employee to engage in some form of work from home, and wherever practical this should be supported under our duty to make reasonable adjustments.
- m) Advise that the employee will be given time to attend medical and other appointments related to managing their condition, such as counselling, mindfulness and employee support groups. As much notice as possible, should be given by the employee and evidence of all appointments should be provided at the point of request.
- n) Advise that regular contact will take place between the head teacher or line manager and the employee, and that the employee's situation will be regularly reviewed to ensure that appropriate support is in place and that their welfare is being considered. The timing of such contact and any reviews should be jointly agreed at the meeting. Discussions should also focus on how contact will be maintained when the employee is not fit enough to attend work.

4.2 Cases need to be considered on an individual basis, and if further guidance is needed, HR Service for Schools should be contacted in the first instance.

## 5.0 If the employee goes in to remission

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5.1 For the purposes of this policy remission is defined as where an employee's prognosis improves to a position where they are no longer looking at a life expectancy of 12 months or less.

5.2 If the employee goes into remission they should advise their head teacher or line manager as soon as possible.

5.3 The head teacher or line manager should arrange a review meeting with the employee. The purpose of the review is to consider:

- a) If the End Phase of Life Policy still applies to the employee

- b) If any further support or assistance, including reasonable adjustments are required
- c) If it is appropriate for the employee to return to normal working arrangements and/or workload if this has been adjusted
- d) If a referral to occupational health would be beneficial, particularly when considering whether any further support or assistance is needed and where a decision needs to be made on the continuation of any adjustments previously put in place to support the employee

## 6.0 **Support for the head teacher or line manager and colleagues of an employee in end phase of life.**

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6.1 The head teacher or line manager can obtain support from their Occupational Health provider, HR Services for Schools and the Employee Assistance Programme, where appropriate. The Employee Assistance Programme Helpline for Management Support is 0800 1116 385.

6.2 The head teacher or line manager is also responsible for ensuring colleagues are aware that support is available to them via the Employee Assistance Programme, where appropriate.

6.3 The [NHS](#) is a useful source of information and support for the end phase of life

## 7.0 **Making the policy known**

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7.1 All employees must be made aware of this policy.

## 8.0 **Review**

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8.1 The operation of this policy will be reviewed in consultation with the appropriate trade unions.