

Bereavement, Employee in Crisis and Death in Service - Advice for Schools

August 2023 Version 2.0
Human Resources



Contents

Section	Title	Page
1.0	Foreword	3
2.0	Bereavement	3
3.0	Employee in crisis	5
4.0	Death in service	7
5.0	Data Protection	8
6.0	Version Control	9

1.0 Foreword

From time to time there are various personal situations that may impact upon an employee's life within the workplace.

Each employee will react in a different way to traumatic events within their lives. It is important that managers deal with the situation with sensitivity and without delay.

This guidance has been designed to provide managers with advice and reassurance on how to handle some of the most common traumatic events that may occur.

2.0 Bereavement

- 2.1 Grief impacts on almost every aspect of the bereaved person's life. It can interfere with their thought processes, concentration and sleep patterns at a time when they may need to make important decisions. Fatigue, anxiety and mood swings are common. Knowing that they are supported by their employer can help to minimise the employee's stress levels and reduce or avoid periods of sick leave.
- 2.2 Whilst there is some key information managers will need to ask a bereaved person, it is important to recognise that they may be feeling numb or distressed during this initial conversation, and may not be able to take in or provide much information. A follow-up call or email may be appropriate. A calm, empathetic approach in all communications from managers will ensure employees feel supported and minimise their anxiety about returning to work.
- 2.3 In the early days of an employee's bereavement, it is good practice for Headteacher to:
 - Offer their condolences.
 - Ensure the bereaved employee knows they are not expected to work immediately after the death has taken place. They need to hear that work comes second and that they must take what time out is needed.
 - Begin a dialogue with the employee, asking how they would like to stay in contact. Is phone or email contact preferred? Are there particular times to avoid? Be aware that in the first few days, they may not wish to speak to anyone as they may be in shock. Be careful not to pressurise the employee into making decisions at this point.
 - Ask how much information they wish their colleagues to have about the death and remember that this information is private under data protection legislation and to stick strictly to the facts.
 - Consider what action needs to be taken if the death is in the media; particularly if the press contacts the workplace or approach co-workers for interview.

- Ask if the employee wishes to be contacted by colleagues.
- Be conscious of diversity within the workforce and the impact this may have on, for example, days taken to allow the employee to fulfil religious or cultural expectations such as mourning rituals.
- Be open to revising and reviewing the situation with the employee. Keep the dialogue open.

- 2.4 A conversation about when the employee anticipates returning to work may not be appropriate in the first days of bereavement. However, it is important to start a dialogue which will allow an open discussion around how the employee is coping, when they might be ready to return to work, and any adjustments that might help with this (e.g., a phased return).
- 2.5 In certain circumstances a full return to work may not be possible for an employee following the death of an immediate relative – for example, when the employee’s grief is likely to impact on their ability to perform their role, or where new childcare arrangements have to be sourced or responsibility for the care of an elderly parent has transferred to the employee. In such instances the school will allow a phased return to work on a part-time or reduced hour’s basis where practicable. Alternative duties may also be considered. Any such arrangement would need to be agreed in advance by the line manager, would be subject to an agreed maximum number of days.
- 2.6 Remember bereavement affects different people in different ways. Some employees may feel able to return to work very swiftly, whilst others may need more time. The relationship with the person who died, and the circumstances of the death will all have an impact on the employee, particularly if the death was sudden or traumatic. It is often difficult for bereaved employees to judge how they will feel in the workplace, and a swift return to work does not necessarily mean that an employee will not need support.
- 2.7 An employee with any concerns about the grieving process impacting on their work performance should discuss this in confidence with either their line manager to ensure that any reasonable adjustments that may be necessary are discussed and put in place and that the employee is supported in their return to the full range of duties and responsibilities that they had prior to the bereavement or their duties and responsibilities are adjusted (as necessary) with the prior agreement of the line manager.
- 2.8 The school recognises that the majority of people do not require counselling to cope effectively with their grief. However, employees wishing to avail themselves of professional help in coming to terms with a significant loss have access to <https://www.educationsupport.org.uk/search/?term=bereavement>

Employees should speak to their Headteacher to enquire if there is any additional support available. Additionally, there are a number of external organisations that can provide support during the bereavement process. Click on the links below to access the information:

www.bereavementservicemk.org.uk

www.cruse.org.uk/

www.mktalkingtherapies.nhs.uk/

- 2.9 Bereavement can have an impact on concentration, sleep, and decision-making. The health and safety assessment of the workplace will include consideration of the impact of bereavement on employees, their duties and responsibilities, and the context in which they are working, e.g., do they operate heavy machinery?
- 2.10 Any employee who is concerned about their ability to conduct their duties safely in the weeks following bereavement must discuss this with their line manager.
- 2.11 The school reserves the right to request that an employee attend an appointment with the School's Occupational Health provider before resuming full duties.
- 2.12 Details of leave available to employees experiencing bereavement can be found in Section 11.0 of the Milton Keynes City Council Terms and Conditions Handbook which is applicable for maintained and voluntary controlled schools. Further advice and guidance can be obtained from your HR provider.
- 2.13 Colleagues will also need to be informed of the employee's bereavement and it is the Headteachers responsibility to ensure that this happens in an appropriate manner. If the death is sudden then it may be more appropriate to get the team together and advise them face to face. If the death has been expected, then advising colleagues via e-mail may be a sensible alternative. Colleagues should also be reminded of the services available as detailed in 2.8.

3.0 Employee in crisis

- 3.1 Situations may arise which can cause an employee to be in a very emotional state whilst at work. In such circumstances Headteachers need to be concerned about the employee's frame of mind and their well-being and take action to address this.
- 3.2 The following actions and advice should be followed should such a situation arise: The Headteacher should meet with the employee in private to see what support can be offered in terms of discussing the issue. Support that can be offered consists of:
 - Telephone support via education support on 08000 562 561

- Getting an urgent appointment with Occupational Health via your HR provider
- Visiting their GP the same day
- Maintaining close contact with the employee

3.3 The employee should be provided with telephone support via education support on 08000 562 561 immediately whether at work or at home. If the employee is at work the Headteacher should ring for guidance first and then pass the telephone to the employee and ask the employee if they wish them to stay in the room or to leave them to continue the call in private. It is important to offer the choice to the employee as to withdraw from the room without consent could make the situation worse as they may want another person to sit with them.

3.4 If the employee does not wish to access the support services available or be reviewed by Occupational Health then the Headteacher should encourage the employee to go and see their own GP without delay.

If there are real concerns about the welfare of the employee and the employee is not taking any action themselves following guidance that the Headteacher and another colleague could drive the employee to the GP surgery in an extreme case.

3.5 Your HR provider should be advised of the situation as soon as possible to offer advice.

3.6 Situations may arise which can cause an employee to be in a very emotional state whilst at work. In such circumstances Headteachers need to be concerned about the employee's frame of mind and their well-being and take action to address this.

3.7 Regular contact should be made with the employee and the manager must make notes of the dates and times of conversations with the employee.

3.8 Should the Headteacher feel there is an immediate risk to the wellbeing of the employee i.e., a risk of self-harm then the Headteacher should call 999 to notify the emergency services and keep HR advised of the situation.

3.9 Such situations are rare but we need to ensure that as an employer we give as much support as possible to the employee and that a follow up support programme is implemented. If there are any further questions in relation to this advice the Headteacher should contact their HR provider.

4.0 Death in Service

- 4.1 Handling the death of an employee requires Headteachers to combine practicality and sensitivity. How the situation is handled will impact on the perception of the school held by the deceased person's family and colleagues. It is therefore important that the steps outlined below, (or an adaption of them depending on circumstances) are followed.
- 4.2 If the death has occurred outside working hours then the Headteacher should contact the employee's next of kin to offer condolences to the family. It is also important that the Headteacher follow this up by arranging for governing body to issue a letter of condolence to the family of the deceased employee. Community schools must inform the [Milton Keynes City Council HR Team](#) immediately and also advise their HR provider.
- 4.3 If the death occurs at work the Headteacher or Chair of governors (if more appropriate) must inform the employee's next of kin immediately the incident occurs. It may be appropriate for the Headteacher to visit the next of kin in person to pay the respects of the school. Community schools must inform the [Milton Keynes City Council HR Team](#) immediately and also advise their HR provider.
- 4.4 The employee's colleagues will also need to be informed of the death and it is the Headteachers responsibility to ensure that this happens in an appropriate manner. If the death is sudden then it may be more appropriate to get the team together and advise them face to face. If the death has been expected, then advising colleagues via e-mail may be a sensible alternative.
- 4.5 Colleagues may be in shock as a result of the death, especially if it is sudden, and it is important that they are supported during this difficult time. Headteachers should make themselves available to speak to colleagues and should also offer the services as detailed in section 2.8.
- 4.6 In the case of sudden death consideration should be given to informing clients and external contacts as soon as possible, especially where individuals have had a close working relationship with the employee.
- 4.7 The Headteacher must keep in contact with the family to ensure that their wishes are taken into consideration. For example, whether it would be acceptable for colleagues to attend the funeral and whether flowers or a donation to charity would be preferred. Where colleagues wish to attend the funeral and it is operationally possible for them to do so attendance should be permitted without the deduction of time.
- 4.8 Immediate attention is required by the Headteacher to ensure that the deceased employee is removed from the payroll and arrangements are made for any outstanding monies to be paid. The Leaver Form must be completed and submitted to your payroll provider. If the employee is in the Local Government or Teachers' pension scheme it is especially important

that the Leaver Form is completed swiftly as your HR / payroll provider will need to notify Pensions of the employee's death. To expedite the death in service payment it is important that the death certificate is requested from the deceased family and is provided to Bucks Pensions as soon as possible. The Headteacher should explain the need for this as part of the conversation with the deceased employee's family and explain that Pensions will contact them in due course to tell them about any benefits that may be payable.

- 4.9 If a member of the Local Government Pension Scheme reduced their contracted hours as a result of a condition or illness which that in the opinion of an independent occupational health physician, caused or contributed to their death, the Pensions Team must be notified. In these cases, the reduction in hours is disregarded both in calculating the pay to be used for the lump sum death grant and of any survivor pension payable to a scheme member's wife, husband, civil partner or nominated co-habiting partner. If a member of the Teachers Pensions Scheme, please contact them directly for further advice.
- 4.10 Wherever an amount is to be paid to an individual's estate, it has to be established if the estate requires a Grant of Probate. This applies to payments from both Payroll and Pensions. Where possible the individual's final salary will be paid into their normal bank account. However, in some circumstances the account may be closed prior to the pay run taking place. If this is the case, then the payroll provider will also need to request copies of Probate of a Will or Letters of Administration in order to pay the final salary to the next of kin or representative.

When the Bucks Pensions Team contacts the next of kin or representative they will need to find out if the estate (including payments due from the Pensions Team) exceeds £5,000. If the estate does exceed this figure, Probate of a Will or Letters of Administration will need to be produced before payment of death benefits can be made.

If the estate does not exceed £5,000 and probate is not required, the death benefit can be paid to the appropriate person on completion of an indemnity form. However, if the deceased has completed an Expression of Wish Form, any death benefit may be paid to the nominated person without the need to obtain a Grant of Probate or establish next of kin.

- 4.11 If further advice or guidance is needed the Headteacher should contact their HR provider.

5.0 Data Protection

Any data collected and processed as part of employing and managing employee's is held securely. It is accessed by, and disclosed to, individuals only for the purposes of completing that specific procedure; process or activity. Records are retained and destroyed in accordance with the organisations Retention Schedule. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Data Protection Policy immediately. It may also constitute a disciplinary offence, which may be dealt with under the Disciplinary Procedure. The Chair of Governors will take on the line

manager responsibility as set out within this policy or if the impacted employee is the Headteacher.

6.0 Version Control

Version	Date	Updated by	Comments
1.0	Jan 2021	MKC Schools HR Team	Introduction of the policy to schools to mirror the MKC version.
2.0	August 2023	MKCC HR	Guidance updated onto new MKCC policy

