Salisbury
NHS Foundation Trust

DEATH IN SERVICE POLICY

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1. Quick Reference Guide

Salisbury NHS Foundation Trust (herein referred to as the Trust) is committed to following best employment practices in exercising its duty of care to staff.

In the unfortunate event of a death in service, the Trust 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.

In addition, it is accepted that the death of a colleague has a major impact on the team. Managers should ensure appropriate support is put in place / offered to colleagues through this difficult and emotional time. Consideration should be given with regards to how to inform any patients of the deceased if appropriate.

The current policy may change prior to the review date if further national guidance is received from NHSI Chief People Officer

2. Introduction

This policy is to support managers in the sad event of an employee’s death. It is essential that these situations are handled sensitively and effectively so as to prevent any additional distress for relatives and colleagues.

Version Details

Version No.	Updated By	Updated On	Description of Changes
1	Head of People Operations	16 April 2020	New policy created
2	Head of ER & Policy	July 2023	Policy Updated and Revised

3. Purpose

The policy describes the procedure that should be followed and issues that should be considered following the death of a member of staff. The policy is also, designed to ensure that the Trust employs consistency as well as assisting Line Managers with guidance.

4. Scope

This policy applies to all employees of the Trust except the following:

- Interim/Contractor appointments
- Agency Staff

Please note that some non-financial elements principles of the policy (e.g. communications and liaison with next of kin) may be relevant to staff who are not employees but may be living in our accommodation (Students and/or Locums) or have worked as bank or agency staff for some time. Please refer to the OD & P team if you require any further support in this area.

5. Duties and Responsibilities

Directors/Deputy Directors

Ensures appropriate condolences are expressed at a senior level from the Trust to the next of kin and deceased member of staff's team.

Provides Support for Line managers in managing the process

Line Managers

Responsible for notifying the relevant leads such as the relevant Executive Director, Payroll, Pensions, Communications and OD & People that a death in service has occurred.

Ensures appropriate support is in place for affected colleagues, referring to Occupational Health and/or MedTRiM team if required to access staff counselling & psychological support.

If the death happens at work or directly attributable at work responsible for contacting the H&S team as potential RIDDOR and/or Datix may be required.

Liaise with NOK if person lived alone and there were any concerns regarding pets being left alone in a property.

Ensures all calls and correspondence relating to the death in service are dealt with in a sensitive and confidential manner

Arrange for the deceased person's email account to be assigned to them so that messages can be dealt with in an appropriate way.

Ensure employee's name does not appear on the e-Roster and other relevant systems (IT or paper based, Trust and/or informal local communications) from the date of death, or as soon as is reasonably practical.

Draft correspondence of condolence and subsequent letters as outlined in the procedure (see following appendices for templates:

Appendix B - [Draft Letter to next of kin from Chief Executive]

Appendix C - [Draft Letter to next of kin from Director]

Appendix D - [Draft Letter to next of kin from Line Manager]

To respond appropriately to the requests of the next of kin and organise tributes* as appropriate.

Liaise with Payroll in line with the death in service procedure. Provide the payroll team with the following information:

- Full name and title
- Home address
- Telephone number and/or email address

For at least one of the following people:

- Spouse, civil partner or partner
- The person dealing with the estate
- The informant of death

Complete a leavers' form for the deceased employee.

Decides how patients of the deceased should be informed if appropriate.

Oversee the return of personal property and the collection of Trust property from the deceased member of staff's next of kin / estate. Access and removal of personal effects (e.g in lockers/offices) should be undertaken by 2 members of staff and a written inventory recorded.

Ensure the employee's details no longer appear on any Divisions / team distribution lists.

If the employee is an overseas worker, further arrangements will need to be undertaken (see section below).

*In the case of requests for Permanent Tributes (e.g. plaques or benches), more guidance needs to be taken from the Facilities team regarding permissions required and potential future changes to the site plan.

OD&P

Provides support to the line manager in the practical application of the Trust's death in service procedure.

At the end of each financial year, 31 March, The Workforce Information Team are requested to produce a list of any leavers recorded as Death in Service by the People Operations, for assessment of compliance.

Payroll

Once notified ensures the timely administration of salary and where appropriate pension administration.

In the event that no next of kin or Executor of Estate details are available forward an indemnity letter to the deceased member of staff's family.

Ensure all calls and correspondence relating to the death in service is dealt with in a confidential and sensitive manner.

Where appropriate, liaise with key leads – line manager; designated People Business Partner, Pensions Agency, next of kin / estate of the deceased member of staff regarding their final pay and pension arrangements.

Ensures that payments are stopped upon notification that there has been a death in service until the correct monies owing can be calculated.

Initiate the NHS Pension process in conjunction with the Pensions Agency.

Communications

Where appropriate, make arrangements for any staff obituary and press releases as appropriate.

6. Process

- Please also refer to the flow chart in Appendix A – Process Flowchart.

- When a death in service occurs, the deceased employee's line manager must inform the relevant Executive Director, Payroll, Pensions, Communications and OD & People. The Executive Director will then advise the Chief Executive. The line manager should inform all parties listed above within 48 hours of the death of the employee.

- The designated People Business Partner shall make available the next of kin details or, in the absence of next of kin, emergency contact details to the relevant manager. The designated People Business Partner will also advise the Director of OD & People as soon as they are notified of this death in service.

- The Chief Executive will send a letter condolence to the next of kin on behalf of the Trust, (Appendix B) which will then be followed up with a letter from the relevant Director. An example is given at (Appendix C) however careful consideration will be given to the appropriateness and circumstances surrounding the individual case. Both of these letters will be sent out within 48 hours of the notification of the death in service.

- The relevant Executive Director and Line Manager should arrange a meeting with the employee's immediate team. This meeting will inform the team of the death.

- It is accepted that a death of a colleague has a major impact on the team. Managers should ensure appropriate support is put in place / offered to colleagues through this difficult and emotional time.

  Examples of this may include but not exhaustive:-

  - Support from the staff counselling
  - Spiritual and pastoral care (Chaplaincy)
  - Support from the Occupation Health Service

- The line manager should consider how best they can support the team and consider gathering employees together (virtually if needed), at some point over the following days to be still together for a minute; consider inviting one or two colleagues to say a few words about the deceased. This is also an opportunity to communicate news and take questions that people may have been bottling up. Expect to give time to this. It may be more appropriate to do this on a 1 to 1 basis but line managers to choose the most appropriate approach to the situation.

- The relevant Executive Director / Communications team will be responsible for cascading notification of a death in service by e mail to affected trust managers in a sensitive manner.

- Where there is likely to be press interest in the death of an employee, the Director lead with support from communications will liaise to agree a strategy for dealing with media interest. As appropriate this may involve the next of kin.

- A second letter will be sent approximately one week after the first letter to the next of kin. The letter will focus on the practical arrangements regarding payment of salary with a request for details of the executors of the estate. An example letter is given at (Appendix D) however; careful consideration should be given to the wording of the letter. The coordination and responsibility for this letter will be the deceased employee's line manager in liaison with the designated People Business Partner and Payroll Department.

- The manager is responsible for dealing sensitively with the return of personal belongings to the next of kin. Belongings such be collected and stored in a safe place until return of them can be arranged, taking into account individual circumstances of where the next of kin lives.

- The manager is responsible for ensuring the return of Trust items e.g. trust ID badge etc. Relatives / next of kin should not be subject to undue pressure immediately after the death to return such items.

- In situations where death in service occurs out of hours then the Executive on Call must be notified immediately to ensure the appropriate action in line with policy is taken.

7. Overseas Employees

- In the event of the death of an overseas employee, line managers should contact their People Business Partner to support repatriation arrangements.

- This will involve liaison with the family members of the deceased employee regarding their wishes, as well as with relevant authorities to ensure matters are dealt with in as swift and an appropriate manner as possible.

8. Bank Workers

Following legal advice given the variability of frequency in work undertaken by bank workers, consideration will be given as to the appropriateness of the application of this policy to a bank worker if they are unfortunate enough to pass away during the course of their employment with the Trust. There are separate requirements of the NHS pension scheme regarding bank workers and this guidance will be followed in such circumstances.

9. Completion of OD and People Paperwork

- When a death in service occurs, the deceased employee’s line manager is responsible for completing a leaver form as soon as practicable.
- To prevent an exit interview questionnaire being issued and to prevent unnecessary communication with the next of kin, the leaver form must state “Death in Service”.
- The leaver form should include any outstanding annual leave owed to the deceased employee.

10. Payment of Final Salary / Pension Arrangements

- Payroll cannot stop any payment until they have been advised by the HR Business Partner and or a leaver form has been received.
- By law, the Trust may only discuss payment of salary with the next of kin and executors of the deceased employee’s estate.
- On confirmation of the executors of the deceased employee’s estate who has been granted probate, payroll will calculate any final payment due. Final payment will be by cheque to the executors of the deceased employee’s estate.
- Where the deceased employee was a member of the NHS pension scheme, Payroll will pass along all relevant information regarding the next of kin and/or person handling the estate to the NHS Pensions Agency bereavements team at which point they will handle the final portion of the process and payment

11. Attendance of Trust Representative at Deceased Employee's Funeral

- In the event of a death in service, the Trust would wish to show support at a senior level to the next of kin and the deceased employee’s colleagues. Where appropriate it may be seen suitable that a Trust Director or Senior Manager attend the deceased employee’s funeral to represent the Trust. Line Managers should discuss this with the family and will assess whether this representation is appropriate.

- Requests from colleagues to attend the funeral should be managed locally and managers. Time off could be granted as special leave or annual leave (or a combination) and is at managers discretion.

12. Monitoring Compliance

This policy will be reviewed by People Business Partners on an annual basis to ensure compliance with employment legislation.

13. Equality Impact Assessment for Policies

Salisbury NHS Foundation Trust aims to design and implement services and policies that meet the diverse needs of its services, population and workforce, ensuring that none are placed at a disadvantage over others

This document has been assessed against the Trust's Equality Impact Assessment Tool. This document has been assessed as not relevant to the duty.

APPENDICIES

Appendix	Title	Link / Document
A	Process Flowchart	https://mg.salisbury.nhs.uk/media/3571/app-a-dis-process-flowchart.docx
B	Draft Letter to next of kin – from Chief Executive	https://mg.salisbury.nhs.uk/media/3572/app-b-draft-letter-to-next-of-kin-from-chief-executive.docx
C	Draft Letter to next of kin – Director	https://mg.salisbury.nhs.uk/media/3573/app-c-draft-letter-to-next-of-kin-from-director.docx
D	Draft Letter to next of kin – Line Manager	https://mg.salisbury.nhs.uk/media/3574/app-d-draft-letter-to-next-of-kin-from-line-manager.docx

Post Holder /Author Responsible for Policy:	Head of People Operations
Date Revised:	July 2023
Approved By:	JCC July 2023
Ratified by:	
Next Due for Review:	October 2026

Changes to Death in Service Policy (since Policy Launch in April 2020)

Paragraphs	**Changes**
1. Quick Reference Guide	NHSEI changed to NHSI.
4. Scope	Guidance added regarding non-employees.
5. Duties and Responsibilities (Directors/Deputies)	Added: providing support for line managers in managing the process.
5. Duties and Responsibilities (Line Managers)	Added info re access to MeDTRiM team in addition to O/H.
	Added detail re payroll requirements for Next of Kin.
	Information added re permanent tribute requests.
	Information added re H&S potential RIDDOR if death occurs in the workplace.
	2 people required to access personal items (e.g., in lockers).
	Next of Kin liaison re pets if appropriate.
9 – 11. Covid related clauses	Removal of COVID related wording as processes no longer applicable.
New 10 (was 13). Payment of Final Salary	Slight change to payroll/pensions agency process.
11. Funeral Arrangements	Guidance on additional requests for time off.
No Changes to Appendices	Template letters or Process Flow Chart