



COUNCIL: 16 October 2024

Report of: Assistant Director Corporate and Customer Services

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SUBJECT: TUC Dying to Work Charter

Wards affected: Borough wide.

1.0 PURPOSE OF THE REPORT

1.1 To agree to sign up to the TUC Dying to Work Charter, and to implement the Supporting Employees with Terminal Illness Policy.

2.0 RECOMMENDATIONS

2.1 That the Council sign up to the Dying To Work Charter establishing the Council's commitment to support staff with Terminal illness in partnership with the TUC and our local Unions UNISON and GMB.

2.2 That Council endorse the creation of a Supporting Employees Diagnosed with Terminal Illness Policy and supporting guidance for managers (as attached in Appendix (i)).

3.0 BACKGROUND

3.1 Many employees get a serious illness at some time in their working lives. They may require time off, often many months, to pursue and receive treatment or recover. However, sometimes there is no effective treatment. In these cases, the employee may face a time of huge emotional stress, fear, and uncertainty.

3.2 A terminal illness is a disease that cannot be cured or adequately treated and there is a reasonable expectation that the patient will die within a relatively short period of time. Usually, but not always, they are progressive diseases such as cancer or advanced heart disease.

3.3 UK Social Security legislation defines a terminal illness as: "a progressive disease where death as a consequence of that disease can reasonably be expected within 6 months", however many patients can have a terminal illness

Being told that you are to die as a result of a disease for which there is no cure or effective treatment and that you only have months, or at best a year or so to live is a traumatic event and everyone will react differently.

- 3.4 Sometimes the nature of the illness is such that the person is unlikely to be able to continue to work on a permanent basis. In other cases, a person may decide that they do not want to work anymore and would rather spend their remaining time with their family and friends, getting their affairs in order, or simply doing what they want. However, a lot of employees with a terminal diagnosis decide that they want to continue working as long as they can, either because they need the financial security or because they find that their work can be a helpful distraction from their illness. Whichever choice a person makes, they should be able to expect help and support from their employer. Unfortunately, the experience of many employees is that their employer is either unsympathetic or puts up barriers to them continuing in work.
- 3.5 If an employee with a terminal illness loses their job, they lose their income. They can also lose their pension related death in service payments they have earned through a lifetime of work but are only payable to those that die while still in employment.
- 3.6 Terminal illness can impact anyone of us during our lives. Irrespective of what role you undertake, suddenly we could find ourselves in this extremely difficult situation. When people find themselves in such vulnerable positions, it is important that they are given the required support at such a difficult time.
- 3.7 The TUC Dying to Work Charter is an example of best practice in supporting terminally ill workers. At the heart of the Charter is the emphasis on the individual having choice. A choice about whether they want to continue to work, whether they leave to spend time with their families or work for a period of time before leaving their employer – all free from the fear of being dismissed on health-related capability grounds.
- 3.8 By signing the Dying to Work Charter, an employer is making a commitment to their employees and by doing so, giving them the reassurance that should the worst happen, they will not be dismissed, and their families' financial security put at risk. This message is likely to result in a more engaged and motivated workforce with a potential positive impact on productivity. Contrast that with the potential impact on the morale and productivity if a valued member of a close-knit team received a terminal diagnosis and wasn't supported fairly throughout their illness.
- 3.9 By signing up to the Charter the Council would be signing up to the following:

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.
- 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 pension related death in service benefits protected for the loved ones they leave behind.

3.10 Accompanying the sign up to Charter, it is also proposed to implement a new policy document called Supporting Employees Diagnosed with Terminal Illness Policy and Line Manager Guidance. This document will help Line Managers to support staff through this difficult time. The policy is attached at Appendix *.

4.0 SUSTAINABILITY IMPLICATIONS

4.1 There are no significant sustainability impacts associated with this report/update and, in particular, no significant impact on crime and disorder.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 The proposal does not have any additional financial implications for the Council. Any payment of sickness pay would remain within contractual boundaries.

6.0 RISK ASSESSMENT

6.1 The actions referred to in the report once the policy is implemented will be covered by the scheme of delegation to officers and any necessary changes will be made in the relevant risk registers.

7.0 HEALTH AND WELLBEING IMPLICATIONS

7.1 There are health and wellbeing implications arising from this report associated with the wellbeing of the staff in this situation. The policy document provides details of support arrangements that are available in the event of a terminal illness diagnosis. This proposal will maximise the positive effects of a good health and wellbeing strategy and will directly affect staff by promoting good health and wellbeing and enable people to flourish as far as they can in a terminal illness situation; empower people in vulnerable, deprived and disadvantaged communities to realise their full health potential; develop and support effective and high quality health and wellbeing services; increase people's independence throughout their life course and ability to lead full active lives.

Background Documents

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, an Equality Impact Assessment is required, and a formal assessment is attached as Appendix (ii) to this report, the results of which have been considered in the Recommendations contained within this report.

Appendices

Appendix (i) - Policy

Appendix (ii) - Equality Impact Assessment