

Death of an Employee Policy

Ben's Centre for Vulnerable People (Sheffield)
Charity Number: 1087606.

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Introduction

This policy is designed to assist staff who are faced with the difficult situation of a colleague dying. It outlines the practical steps that should be taken on the death of a worker.

This policy does not form part of your contract of employment, and we reserve the right to amend it at any time.

Scope

This policy does not deal with the death of a worker at work, for example in a work-related accident, as we have separate obligations in relation to the reporting and recording of workplace accidents and deaths caused by work that are outside the scope of this policy.

Organisation's information on the death of a worker

There are a number of ways in which we might be told of a worker's death.

We might be contacted by the deceased's next of kin (NOK) or told by another worker who is a close friend of the deceased. We might be informed by the authorities, for example after a catastrophic event such as a natural disaster or car crash, or by telephoning the worker's home to find out why they have not turned up for work. The death of the worker might be sudden or the result of a long illness of which people might already be aware.

When taking action on the death of a worker, line managers need to be flexible and sensitive to the particular circumstances.

Contacting the deceased's NOK

Whatever way the information reaches us, someone should, in the first instance, contact the deceased's NOK to offer condolences.

This should normally be done by the deceased's line manager, although the contact with the NOK could be made by another member of staff who is sufficiently senior or was close to the deceased.

The representative should be offered advice and support before and after they contact the deceased's NOK, through a senior manager, or via any relevant external services that we have in place. The representative who contacts the NOK should, while being sensitive to the particular circumstances of the death, ascertain the wishes of the NOK regarding how staff and, where appropriate, external contacts such as customers, are informed about the worker's death.

The representative should also ascertain the NOK's wishes regarding funeral arrangements, including whether flowers should be sent or a donation to their charity of choice made instead. The representative might also wish to ascertain where and when the funeral will take place, so that appropriate members of staff can attend.

Informing colleagues of the death of a worker

Line managers must ensure that they consider the wishes of the deceased's NOK regarding how the announcement is made.

Management should communicate the news to those closest to the deceased, for example those in the same department, as promptly as possible. If this is done in person, it should be carried out in a private area such as a meeting room.

Management can notify the wider workforce at a later stage in an appropriate manner.

The release of information on the death of the worker is discretionary and line managers should not give out any information that is sensitive or contrary to the NOK's wishes or instructions.

Time off and funeral arrangements

Management should allow workers appropriate time off to grieve and, as appropriate, to attend the funeral or memorial service. It should also, if appropriate, offer a counselling service.

Unless the deceased's NOK wish otherwise, it will normally be appropriate for close work friends or a senior member of staff to attend the funeral or memorial service on behalf of us.

Individuals wishing to take time off to grieve or to attend the funeral or memorial service should refer to our separate Compassionate Leave Policy.

Covering the deceased worker's duties

We acknowledge that the immediate aftermath of the worker's death may be difficult for staff. However, management should act quickly to cover the deceased's duties, which should help to alleviate any feelings of uncertainty among staff and allow operations to continue. It is in everyone's interests to ensure that the deceased's work is covered, to prevent work from building up for staff during this difficult time.

If the deceased has been on sick leave, their duties may be being covered by another member of staff. If not, management may, in the short term, reallocate the deceased's duties to existing staff or take on a temporary worker, such as an agency worker. Management may wish to appoint a permanent replacement for the deceased after an appropriate period of time has passed.

In appointing either a short- or long-term replacement, management should act sensitively. It may be difficult for some members of staff to see someone else carrying out the deceased's role. Existing staff should be offered advice and support such as counselling or extra training if they are taking over areas with which they are not familiar.

Informing third parties of the death of a worker

Line managers must ensure that they take into account the wishes of the deceased's NOK regarding how the announcement is made to third parties.

All external contacts such as clients and suppliers who dealt with the deceased should be informed about the death. This should normally be done by the deceased's line manager, although the contact with the third party could be made by another member of staff who knows the contact or the individual who is taking over this part of the deceased's duties.

The external contact should be reassured that handover measures are being put in place and that we are taking steps to ensure that the death will not affect business.

Making final salary payments

We will determine whether or not the deceased is due any outstanding wages. This includes basic salary and any other remuneration accrued and owed to the deceased. The deceased's estate will also be entitled to be paid in respect of accrued holiday that was untaken at the time of death.

We will calculate the deceased's final salary payment and pay it to their personal representative. We will obtain proof that the individual, normally the executor of any will, is the deceased's personal representative before making payment.

We must complete a P45 form, indicating that the individual has died. We should consider whether or not to deduct any sums owed to it by the deceased, such as loan repayments, from their final salary payment, provided that there is a provision in the deceased's contract of employment allowing for deductions to be made or the deceased has otherwise provided their consent to the deductions before death.

We will ensure that any letters enclosing payslips or forms that are sent to the deceased's NOK are not addressed to the deceased.

Other payments due on death of a worker

A surviving spouse/civil partner or other dependants of the deceased may be entitled to receive a payment under a survivor's pension, if the deceased was a member of a pension scheme.

We will inform the trustees of any pension scheme about the death and the trustees will then make arrangements for the payment to be made. The pension payment will be made to the surviving spouse/civil partner, the person specified on the deceased's expression-of-wishes form, or the executor of the estate or personal representative.

In relation to any separate life assurance scheme, we will approach the scheme provider, which will advise on any payments that are due and any evidence of death that may be required.

If, at the date of death, the worker was in receipt of benefits from any permanent health insurance or long-term disability scheme run by us, the insurance provider should be notified of the death immediately.

Other practical issues on the death of a worker

We will ask the deceased's NOK whether they wish to pack up their belongings or if they would prefer a close work colleague to do so instead.

We will ensure that the deceased is removed from our telephone and email directories and website and also divert the deceased's telephone calls and emails to a responsible replacement.

We will inform all internal departments and external bodies, such as trade unions or affiliated bodies, that keep workforce records of the death. This will prevent a situation arising where the NOK are still receiving work-related post addressed to the deceased months after their death.

Review

This policy may be reviewed at any time at the request of any member of staff, but it will be automatically reviewed 2-years after initial approval and thereafter on a triennial basis unless organisational changes, legislations, guidance, or non-compliance prompt an earlier review.

Definitions

Ben's Centre ("we", "us", "our", "appraiser")

The Employee ("you", "appraisee")

Next of Kin ("NOK")