

LNCT

Aberdeenshire Local Negotiating Committee for Teachers



Date: February 2024

LNCT/21/18

Death in Service Procedure

This agreement has been subject to review in Year 2024 by the LNCT Joint Secretaries and HR as part of a review of current Aberdeenshire LNCT Agreements.

**A copy of the Policy/Procedure is attached below.
Supporting documents detailed in the resource pack can be accessed directly by Aberdeenshire Council employees via the HR/People pages on Viva Arcadia.**

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Death in Service Procedure

Review Date: 15th February 2024

Summary

This procedure details all the officer's responsibilities and support available to families, including colleagues, when an employee passes away in service. It also includes if an employee is missing or there is a fatal accident at work.

There are specific responsibilities for the nominated officer to support families and colleagues including for Payroll and the HR team.

This procedure details the necessary steps to ensure arrangements are made for salary payments and where applicable, contacting Pensions to confirm dates and details with the next of kin.

Available support, including counselling services, are available for employees and families during this time.

Contents

Procedure Rationale.....	3
Introduction	3
Nominated Officer	3
Support for Colleagues.....	4
Contacting Employee Assistance Programme	4
Translation and Interpretation Services.....	5
Assistance available to individuals other than employees of Aberdeenshire Council.	5
Support from HR	5
Notification of Death.....	5
Nominated Officer	1
The Nominated Officer will undertake the following actions as appropriate:	1
Responsibilities	2
Payroll	2
HR Operational	2
Fatal accident at work	3
Insurance Cover.....	3
Employee Missing Presumed Dead	3
Support Contacts	5
Document Revision History.....	6
Appendix One – Resource Pack	7

Procedure Rationale

The procedure is to support managers, colleagues and families with a bereavement of an employee in the Council. The Procedure covers all Aberdeenshire Council employees.

Introduction

The death of an employee is distressing for all concerned and needs to be approached with utmost sensitivity. All employees of the Council must ensure that unnecessary distress is not caused to the relatives of the deceased and that colleagues (and clients if necessary) are supported during what will undoubtedly be a difficult time.

Death in Service falls into a number of classifications:

- Death following illness
- Sudden death outside work
- Fatality at work
- Missing person presumed dead

In cases of sudden death outside of work, fatality at work, missing person presumed dead, the Police, who have been specially trained to deal with these matters, will normally undertake to notify the next of kin.

The immediate concern following the death of an employee is to offer support and guidance to the bereaved spouse / partner / family members and contact should be established as soon as possible following the notification of death.

Nominated Officer

When a death is reported, the Director must designate at least one Nominated Officer. The Nominated Officer will be responsible for maintaining contact with all parties as appropriate, co-ordinating all information and ensuring that procedures are followed. The Nominated Officer should be at a senior level within the Service and be able to deal sensitively with people who may be in a distressed state. The Nominated Officer will be responsible for communicating the news to the deceased's immediate team.

Support for Colleagues

Colleagues of the deceased may experience problems in coming to terms with the death. Recovery of individuals and teams can be aided by providing support as soon as possible after the incident. Appropriate grief management can help support and guide employees. This can be done in a number of ways:

Sharing Information

- Employees should be given as much information as possible, whilst respecting confidentiality. This can also include information about support organisations available. Details of organisations are listed at the end of this Procedure.
- If managers are unable to share information, they can simply communicate this to employees as this will be more comforting than being told nothing.
- Communicate information to employees who are temporarily away from work e.g. on holiday or on maternity leave, where it is thought to be appropriate.

Suggesting an area where colleagues can go to take time out:

- This allows all affected employees a chance to discuss the loss and share stories about the deceased. This aids the mourning process as it allows employees to deal with their shock.
- Sharing grief with others can make the mourning process less painful and stops employees suffering alone.
- Providing a private area also gives employees a place to go if they become tearful whilst working. This can stop them feeling like they are on display to others in the workplace.

Employees wishing to attend a funeral can do so by submitting a Special Leave request. It might be appropriate for the Service to nominate a representative who would attend the funeral. For all queries on Special Leave please refer to the Special Leave Procedure.

Contacting Employee Assistance Programme

Colleagues should be reminded about the Employee Assistance Programme where they can access the services of a counsellor. In certain cases, it can be arranged for a Counsellor to attend the workplace for either a half day or day to speak with employees if required.

Translation and Interpretation Services

Translation and interpretation services are available to the Next of Kin if their first language is not English. Further information on how to access the service is available on SharePoint (Interpretation, Translation and Transcription (ITT) Services).

Assistance available to individuals other than employees of Aberdeenshire Council

Consideration should also be given to the needs of clients, e.g. a need to support school pupils in the event of the death of a teacher, or care home residents in the event of the death of a carer. Support to others who are affected by a bereavement can be sought from external organisations that specialise in this area, for example support for school children and parents. Contact details of support organisations are listed at the end of this procedure.

Support from HR

HR will be available to provide guidance and support to both managers and employees dealing with the death of a colleague.

Notification of Death

Any employee who becomes aware of the death of a colleague should advise their manager who will arrange for the deceased's Director and the service's HR Advisor to be advised.

Nominated Officer

The Director will assign a Nominated Officer who will be responsible for supporting the next of kin and colleagues. The Director of the Service / Head of Service is required to send an initial letter of condolence to the bereaved family of the employee.

The Nominated Officer will undertake the following actions as appropriate:

1. Notify Payroll and send an Employee Form to AskHR immediately to inform them of an employee's death as it will prevent any unnecessary delays and ensure calculation of final salary for Pensions. The employment end date must be the actual date of death. The form should detail any outstanding annual leave, public holiday entitlement, timesheets, travel and subsistence or overtime claims. Outstanding entitlements can be sent later if this is not readily available.
2. Check the details of the next of kin / representative. These should be held by the Service and kept up to date. These details should be given to Head of Service and to Payroll. Ensure that the next of kin is aware that the employee's pay may be delayed to ensure appropriate calculation of final salary and pension benefits if applicable. Support the next of kin with any support required with the procedure and offer counselling where available such as the Employee Assistance Provider.
3. Establish details of any Council property to be returned e.g. ID badge, mobile phone, computer equipment and keys to the office. Inform the next of kin of the items and arranges the return in a reasonable timescale adequate to the circumstances. This can include any employee benefits agreements e.g. lease cars. Your HR Advisor will confirm if the employee has an active benefit agreement.
4. Arrange for ICT to disable access to network, email account, teams and any licenced software.
5. Inform Corporate Communications Team of the death. Corporate communications will assist with any press interest and issue any press releases as appropriate. Employees should not comment publicly in the press on the death of another employee and any queries should be directed to the Communications Team.

Responsibilities

Payroll

1. Confirm to the Nominated Officer if the deceased employee is a member of the LGPS / SPPA / Simply Health Benefits scheme. Payroll will inform the relevant pension scheme of the employee's death so the next of kin can receive the relevant information and payment. Information on estimates regarding financial issues or timescales can only be provided by Pensions.
2. Send a letter (Payroll Bereavement 1st letter) to the next of kin asking to confirm details of person / solicitors dealing with the estate. Following confirmation from the next of kin / solicitor arrange for balance of salary / wages to be paid as instructed by the next of kin.
3. Send a letter (Payroll Bereavement 2nd letter) to the next of kin with details of final payments due to the estate of the deceased employee. This will be subject to the appropriate documentation i.e. timesheets, overtime or expenses claim forms and an employee termination form being submitted timeously by the Service. Please note, any debts due to the Council i.e. car leases, payroll mandates or external debts (Arrestment of Wages, Child Support Orders etc.) are deducted before the final payments are confirmed.
4. Advise the Nominated Officer once a letter with details of final payments due to the estate was issued.

HR Operational

1. Notify the Travel & Benefits Support Officer who will confirm if the employee has an active Employee Benefits agreement of any outstanding balance or items that needs to be returned. This can include any lease cars where the company will collect at an agreed location.
2. Advise the Nominated Officer if the employee was a Trade Union member (if known). HR can confirm whether an employee was paying to a Union through payroll, however an employee can pay directly through their bank account. There may be life insurance or funeral benefits available to the next of kin which the relevant Trade Union can provide further information on.

Fatal accident at work

In addition to the procedures outlined above, the following should also be taken into account in the event of a fatal accident:

- Accident must be reported to the Director of the Service who must immediately contact the Council's Health, Safety & Wellbeing Team and the Health & Safety Executive.
- Services should refer to the Accident or Incident Reporting Guidance.
- The accident itself will be dealt with under the auspices of the 'Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (R.I.D.D.O.R).
- The accident site should not be disturbed /removed until permission is given from the appropriate officer in charge.

Insurance Cover

- In the event of an employee sustaining a fatal injury in the course of his / her employment, the incident will require to be reviewed for consideration under the Council's Insurance provisions.
- Notification and cause of death should be given to the Head of Finance for onward transmission to the Council's Insurance Section.

Employee Missing Presumed Dead

This is an extremely delicate situation and requires to be approached with great sensitivity. Any employee who becomes aware that a colleague is missing should advise their own manager. Where an employee is presumed dead the manager will arrange for the employee's Director to be advised.

The Director will then identify a Nominated Officer. The Nominated Officer will contact the Payroll section by telephone or email to notify of the presumed death of the employee, and to confirm whether the employee is a pension scheme member (Local Government Pension Scheme). If the employee is a member, the Pensions section/ agency should be advised of the presumed death.

The HR Advisor supporting the Service should also be notified. The Nominated Officer will contact the next of kin to establish as many details as are known with regard to the disappearance and to offer support. There may also be a requirement to deal with any enquiries from the police who may need to establish employment details in respect of the missing employee.

In addition to being an extremely difficult time emotionally for the family of the missing person there will undoubtedly be concerns regarding financial matters particularly if the employee has dependents. Payment of salary will continue to be made to a maximum of three months full pay followed by up to three months half pay. The Nominated Officer will arrange for these pay details to be put in place by Payroll.

If confirmation of death is received while these payments are still being made, the Nominated Officer will advise Payroll to cease the payments and will arrange for an Employee Form to be completed and sent to HR Support. If the employee is a member of LGPS or STSS the Nominated Officer will advise the pension's section/agency.

With regard to filling the post of the missing employee it would be prudent to wait for the outcome of any initial police investigations and thereafter fill the post on a temporary basis for a six-month period.

Depending on the circumstances of the disappearance and circumstances within the Service it would be appropriate to wait for up to six months before filling the post on a permanent basis. The Nominated Officer should advise the employee's family of any intention to advertise before the adverts are published.

Support Contacts

askHR

HR or Payroll can be contacted through asHR Portal via the above link

Employee Assistance Programme

Phone: 0800 023 9324 <mailto:admin@timefortalking.co.uk>

Website: [Employee Assistance Programme](#)

Local Government Pension Scheme (North East Scotland Pension Fund)

Phone: 01224 264264

Email: pensions@nespf.org.uk

Scottish Teachers' Superannuation Scheme (Scottish Public Pensions Agency)

Phone: 01896 893000

Email: sppacontactus@gov.scot

Scottish Association for Mental Health (SAMH)

Phone: 0141 530 1000

Email: enquire@samh.org.uk

People Experiencing Trauma and Loss (PETAL)

Phone: 01698 324502

Email: info@petalsupport.com

Grampian Child Bereavement Network

Phone: 01224 554152

Email: gcbn@archie.org

Document Revision History

Document Revision History					
Rev No.	Rev Date	Summary of Changes	Reviewing Team	Contributors	Next Review Year
001	13/05/2020	Revision of procedure and update of links	HR Operational Team	Payroll, HR Operations	
002	15/02/2024	New format	HR Operational Team	Payroll, HR Operations,	

Appendix One – Resource Pack

