

# North Lanarkshire Council Report

## Enterprise and Housing Committee

Agenda item 10  approval  noting Ref DM/HL Date 10/5/2018

## TUC Dying to Work Charter

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### Executive Summary

This report sets out a request from the Joint Trade Unions for the Council to sign up to the TUC Dying to Work Charter, the potential impact on the Council and recommended next steps

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### Recommendations

It is recommended that the Committee agree that the Council registers its support to the TUC Dying to Work Campaign.

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### Supporting Documents

**Council business plan to 2020** Improving the Council's Resource Base – A Workforce Strategy that is build around the needs of the Council (as a single resource base) to deliver the priority outcomes, ensuring future workforce requirements, new skills and innovative approaches, and succession planning are recognised (23.1).

## **1. Background**

- 1.1 In any year, a small number of employees are unfortunately diagnosed with a terminal illness. The Council has an excellent track record in supporting such employees and helping them to make appropriate choices about the sustainability of their employment, based on individual and personal circumstances.
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## **2. Report**

- 2.1 At the meeting of the Joint Consultative Committee (JCC) on 20 March 2018, the Joint Trade Union (JTU) side put forward a request for the Council to sign up to the TUC Dying to Work Charter.
- 2.2 The Dying to Work Charter is a TUC campaign which wants to see terminal illness recognised as a 'protected characteristic' (this would require a change in law) so that an employee with a terminal illness can enjoy a 'protected period' and not be dismissed as a result of their condition and any death in service benefit protected for the loved ones they leave behind.
- 2.3 The Council's approach to managing individuals in this difficult position will always be centred on the need to offer support. While the Council no longer offers the Group Life Assurance programme to its employees, those individuals in the pension will receive death in service payments where they remain in employment at the time of their death. However, for some employees, it is financially more beneficial for their family for them to retire on the grounds of ill health before they pass away. This is very much an individual decision, and is not something which the Council forces upon an employee.
- 2.4 The proposed terms of the Dying to Work Charter are as follows:
- This charter sets out an agreed way in which the Council 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 to maintain dignity, offer a valuable distraction and can be therapeutic in itself.
  - 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 will support the TUC's Dying to Work campaign so that all employees battling terminal illness have adequate employment protection and have their death in service benefits protected for loved ones.

- 2.5 In principle, the terms outlined in paragraph 2.4 do not cause any difficulty for the Council. However, it will be important to recognise that the Council will only be able to offer support within the context of agreed terms and conditions. For example, payment of salary will only continue up to a maximum period of 6 months at full pay and 6 months at half pay (should the individual prognosis last beyond 12 months). It would be anticipated, however, that the employee is likely to have made a choice about their ongoing employment status before the end of the 12 month period.
- 2.6 Subject to recognition of the restrictions within agreed terms and conditions, it would be a positive step for the Council to sign up to the Dying to Work Charter.
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### **3. Implications**

#### **3.1 Financial Impact**

There is no financial impact.

#### **3.2 HR/Policy/Legislative Impact**

There is no requirement for a policy change or a change to HR practice.

#### **3.3 Environmental Impact**

There is no environmental impact.

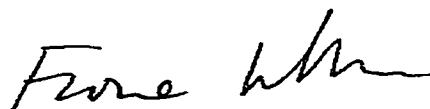
#### **3.4 Risk Impact**

There is no identified risk.

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### **4. Measures of success**

- 4.1 In addition to the promotion of the Council as a supportive employer, this Charter will signify the support available to the small number of employees who are diagnosed with a terminal illness.
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