



# Education Trust

Inspiring the individuals of today, for a better society tomorrow,  
"Aspire, Belong, Collaborate"

## RET CRITICAL ILLNESS POLICY

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Reviewed	March 2025
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## INTRODUCTION

A critical illness need not spell the end of someone's working life. The Trust believes it has a clear responsibility to provide help and support to any of its employees who are affected in some way by the diagnosis of a critical illness.

The Trust is fully committed to meeting its obligations under the Equality Act 2010. Under this legislation, individuals with significant long-term health conditions, including cancer, HIV/AIDS, and multiple sclerosis, are legally protected against unfair treatment in the workplace. This protection applies from the point of diagnosis and also extends to those with a past cancer diagnosis, regardless of whether they have undergone treatment or experienced symptoms in recent years.

There are a wide range of conditions that may require adjustments to be made to accommodate an employees' return to the workplace. Numerous questions arise in these situations: is the person well enough to work? Will their job worsen their condition? Will the employer face legal liability if a sick member of staff decides their work situation has had an adverse effect? No matter how motivated an employee is to return to the workforce, there is understandable concern about getting a return to the workplace 'right'.

### Scope

This policy applies to all Trust employees who are either diagnosed themselves with a critical illness or who have a family member (parent, spouse, partner, child or sibling) diagnosed with a critical illness and/or who become carers for someone so diagnosed. The Trust will be as flexible as possible in its approach, bearing in mind each individual's personal circumstances and the needs of the business.

### Equality Statement

This policy applies equally to all Trust employees regardless of their age, disability, sex, race, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity, marriage or civil partnership. Care will be taken to ensure that no traditionally excluded groups are adversely impacted in implementing this policy. Monitoring will take place to ensure compliance and fairness.

## PRINCIPLES

This policy is based on the following principles:

### Respecting the employee's dignity and privacy

The Trust/Line Manager will respect the privacy of any employee affected directly or indirectly, via close family or friends, as necessary. No sensitive information of any kind will be shared with anyone without the employee giving prior consent



### **Maintaining employee involvement and engagement**

The Trust/Line Manager will make every effort to communicate with the employee during any absence from work and reassure the employee that they have continuous employment in the same, or a comparable, position

### **Minimising Financial Impact of Long-Term Sickness**

To the best of its ability The Trust will ensure that an individual’s salary and benefits are maintained in line with its contractual obligations to each employee in each circumstance.

The following maximum sickness allowances (Occupational Sick Pay) apply to employees within the scope of the National Joint Council for Local Government Services. For teachers, please refer to the Conditions of Service for Teachers in England and Wales (known as the ‘Burgundy Book’)

During Any Period of Probation	SSP only
During first year of service:	Full pay for one month and, after completing four months’ service, half pay for two months
During the second year of service:	Full pay for two months and half pay for two months
During the third year of service:	Full pay for four months and half pay for four months
During the fourth and fifth years of service:	Full pay for five months and half pay for five months
After five years of service:	Full pay for six months and half pay for six months

The rate of allowance and the period for which it shall be paid for any absence due to illness shall be determined by, deducting from the entitlement on the first day of absence, the aggregate of the periods of absence due to illness during the twelve months immediately prior the first day of absence.

Other detailed provisions are contained in the National Conditions of Service document (The “Green Book”) which is available in Human Resources.

### **Adopting a flexible approach**

Where possible, the Trust will work with the employee to structure their work schedule and workload in such a way that gives the employee maximum flexibility to manage their medical treatment and related needs, whilst maintaining effectiveness and efficiency at work



### **Continuing to provide access to development opportunities**

The Trust will ensure that employees shall continue to have access to appropriate professional development opportunities, subject to their availability to attend.

### **Providing the employee with information and support**

The Trust / Line Manager will make every effort to link the employee with available resources that will enable access to information and support about, among other things, treatment, absence from work, as well as successful reintegration into work. Appropriate referral to the Trust's Occupational Health service will also be available at any time to assist the employee.

### **Supporting the team affected by the employee's situation**

The Trust will remain sensitive to the impact on co-workers and provide practical support where necessary.

## **EMPLOYEES DIAGNOSED WITH A CRITICAL ILLNESS**

Once an employee is clear about the nature of their critical illness and any impact it will have on their work, they should advise their Head of School, or Line Manager. Alternatively, employees can speak to the Trust's HR Provider who will be able to advise them of their options. It is appreciated that this may not be easy to explain, however by not doing so, the Trust will be unable to provide any necessary support to its employees if they are unaware of the circumstances. By informing the Trust of the situation, practical support can be put in place which would otherwise be very difficult to provide (e.g. requiring flexibility to meet health needs or ensure that work is covered).

Where an employee wishes to have employee representative with them at any time during discussions with the Head of School or Line Manager, this will be acceptable. When an employee has notified the Trust of their situation, permission will be sought to share that information with appropriate people only i.e. those who may need to make decisions or undertake changes in order to support the situation.

### **Time of for treatment or medical investigations**

In some circumstances an individual may not know how ill they are until they have begun treatment, or had some form of surgical investigation, and there may be a need to take time off at very short notice.

As soon as it is possible and appropriate, an employee should discuss with the Head of School or Line Manager any need to take time off following the immediate diagnosis. Other important factors will be:

- The likely impact of treatment on the employee's work
- Who can be informed of the situation (including colleagues and third parties)
- That a referral to Occupational Health to seek recommendations for support will be required as a means of support



- Whilst respecting employees' wish for privacy and confidentiality concerning their personal circumstances, what arrangements would need to be made to cover any absence effectively.

### **Payment of salary during sickness absence**

The Trust will take all reasonable steps to minimise the financial impact of critical illness while meeting its contractual obligations. Where an employee is concerned about their financial position, this should be discussed with either the Head of School or Line Manager in the first instance. GP Fit Notes covering any period of absence should also be sent to employee's Head of School/Line Manager as soon as possible.

### **Counselling and support**

All employees have access to a confidential counselling. In the case of diagnosis of a critical illness, employees may find the service helpful and can ring the help-line to be referred to an independent counsellor on an individual basis. Counsellors can meet with employees during working hours or outside of work time, on or off site, at a mutually convenient time. This service is strictly private and confidential and there is no individual feedback to the Trust. The Counselling Service – Health Assured can be accessed by contacting 0800 028 0199.

### **Working during treatment**

Depending on the illness, employees may be able to carry on working during their treatment, either full-time or part-time. It is often difficult to know how the treatment will affect an individual beforehand and therefore, employees are encouraged to maintain good lines of communication with the Head of School or their Line Manager in order to enable any changes to work plans to be made at short notice.

If an employee is unable to attend work but can continue their role remotely, either full-time or part-time, they should discuss this with their Head of School or Line Manager to assess feasibility. It is recommended that advice is sought from Human Resources and, where necessary, Occupational Health before implementing any arrangements. If remote working is agreed upon, consideration should be given to any necessary technical or ergonomic support to facilitate the arrangement.

Help can be provided through:

- planning a reduced or more flexible working day, e.g. changing hours to enable travel during less busy times
- arranging for 'light duties' to be undertaken for a period
- accessing support from colleagues with specific areas of work
- allowing an opportunity for short rest breaks where possible
- provision of home working where and if possible.

Where it is not possible for an employee to attend work they may wish to be updated on a regular basis with Trust life. Employees should make their Head of School or Line Manager aware of their wishes in



relation to contact, and arrangements can then be put in place to ensure that employees do not feel isolated.

### **Time off for treatment**

Where an employee has returned to work either during or after their treatment, they may require time off for medical appointments and follow-up procedures. When it is necessary to do this during working hours, employees should inform their Head of School/Line Manager in advance, so that any cover arrangements can be made. Where it is necessary for an employee to take an extended period of absence this will be treated as sickness absence.

### **Returning to work after treatment**

Where an employee has been absent from work due to treatment, they may need to return to work on a reduced hours basis. This will clearly depend on their prognosis as well as their personal circumstances and wishes. It is acknowledged that returning to work after a long period away can be physically and emotionally challenging. The Trust will provide whatever support it can to assist individuals at this stage in their recovery.

Before any return to work, the Head of School/Line Manager should first arrange a meeting with the employee (and HR where appropriate) to discuss the options for making the transition back to work. Occupational Health will usually be asked to provide advice and guidance on what is an appropriate and realistic arrangement (e.g. phased return to work (see below)). Options that need to be considered. Wherever possible, the Trust will consider what actions can be taken to accommodate the employee such as:

- making a 'phased return' to work within a fixed timescale, increasing working hours gradually over a period of time
- Assessing the need for a risk assessment to ensure sufficient support for the employee
- working from home (where this can be accommodated) for one day a week or more
- working flexible or reduced hours
- changes to the role or a temporary reduction in responsibilities.
- help with transport to and from work
- making alterations to the physical location of work or to a workstation.
- Involvement of external sources of support (e.g. Access to Work)

It is key that any adjustments that are put in place are carefully monitored to ensure that they remain realistic in accordance with the employee's health, prognosis, treatment and recovery.

### **Giving up work**

It is possible that an employee will wish to give up work completely when diagnosed with a critical illness. This allows them to focus on their illness and its treatment and to reassess their lives. It may be difficult to adjust to not working if work has been a major focus of an employee's life. It is key therefore that employees are aware of services such as the confidential counselling service (see above).



Where an employee receives a terminal prognosis, they may decide that they are unable to continue to attend work. However, it will be important that they receive advice in respect to how this would impact on them financially. For example, it may not be wise for an employee (who is eligible) to retire formally where this may prevent them from receiving death in service benefits which may be important to the welfare of family or dependants.

Where an employee is considering their options, it is important that they seek appropriate advice from their Pension provider to ensure that they are able to make informed decisions. Dependent on the nature of the illness, employees who are eligible, may be medically Retired on the Grounds of Ill Health. For more information about Ill Health Retirement see Managing Attendance Policy.

### **Unfair treatment**

The Trust will seek to ensure that no employee covered by this policy is treated unfairly. It will be important for employees to discuss any concerns with their Head of School or Line Manager in the first instance, or to contact the Governing Body if they are not satisfied. Where following informal attempts to resolve the issue are exhausted, the Employee should seek to resolve these more formally using the Trust's Grievance Procedure.

### **CARERS/FAMILY MEMBERS AFFECTED BY CRITICAL ILLNESS**

Where it is the partner or family member who is affected by a critical illness, the employee may need to take time off work to look after them or deal with issues arising from their condition. The Trust believes it has a responsibility to support employees affected in this way and will be as flexible as possible in its approach, bearing in mind each individual's personal circumstances and the needs of the Trust and its pupils.

Measure that can be put in place to support employees who are dealing with partners or family members are:

- planning a reduced or more flexible working day
- allowing compassionate or emergency leave
- accessing support from colleagues with specific areas of work
- provision of home working if possible.

As noted previously, the Trust respects its employees' wish for privacy and confidentiality concerning their personal circumstances. At the same time the Trust will need to make arrangements for any absence arising from the situation. Agreement will be reached regarding what, if anything (both orally and in writing), to tell colleagues, and other third parties

### **Counselling and support**

All employees have access to a confidential counselling service, as noted above.



The counselling service is also available to dependants. Initial contact must be made by the employee or Manager. If agreed, dependants can then access sessions (six in total). Further sessions may be granted by agreement of the Business Unit.

**Taking time off to deal with dependents**

Employees are entitled to reasonable time off to make necessary arrangements to deal with an unexpected or sudden problem concerning a dependant. This leave may be paid or unpaid, depending on the circumstances. Dependants are defined as parents, spouse, partner, children or some one who lives as part of the family.

Where a dependant is critically ill, time can be taken in the following circumstances:

- to make emergency or longer-term care arrangements
- to deal with the death of a dependant: *see guidelines on **Leave Arrangements** – **Compassionate Leave, Parental Leave, Carers Leave and Time Off to Care for Dependants***
- to deal with an unexpected disruption or breakdown in care arrangements with a dependant

Relevant support organisations that have useful information in respect of guidelines in respect of specific critical illness:

The British Heart Foundation	<a href="http://www.bhf.org.uk/">www.bhf.org.uk/</a>
Diabetes UK	<a href="http://www.diabetes.org.uk/">www.diabetes.org.uk/</a>
Cancer Research UK	<a href="http://www.cancerresearchuk.org/about-cancer">www.cancerresearchuk.org/about-cancer</a>
<b>The following websites can be accessed for Financial advice</b>	
Department for Work and Pensions	<a href="http://www.gov.uk/government/organisations/department-for-work-pensions">www.gov.uk/government/organisations/department-for-work-pensions</a>
Disability Rights UK	<a href="http://www.disabilityrightsuk.org/">www.disabilityrightsuk.org/</a>



## DETAILS OF AMENDMENTS

### September 2019

- Updated to include Shiphay Learning Academy
- Updated to Keeping Children Safe in Education 2019 edition.

### July 2021

- Updated to include counselling service.

### July 2023

- Review frequency amended
- Minor formatting changes

### October 2023

- Reviewed without change

### March 2025

- Adjustment to second paragraph to include significant long-term health conditions
- Amended Ensuring the employee suffers no financial detriment to Minimising Financial Impact of Long-Term Sickness
- Added reference to carers leave
- Update Policy references from 'Academy' to 'Trust'

