

## Cancer Support Policy

### 1. Purpose

- 1.1 Each year, over 100,000 people of working age are diagnosed with cancer. Because it is so prevalent, The Two Counties Trust has considered the impact cancer may have on our employees, their colleagues and students and developed this policy, taking advice from Macmillan Cancer Support in doing so.
- 1.2 This policy outlines what employees can expect at work if:
  - they are diagnosed with cancer
  - their partner or a member of their family is diagnosed with cancer

### 2. Principles of this policy

- 2.1 **Respect for dignity and privacy.** The Trust will respect the privacy of any employee affected either directly or indirectly (i.e. close family or friends) by cancer. Line managers will ensure that sensitive information will not be shared without prior consent.
- 2.2 **Engagement during absence.** The Trust recognises that maintaining good communications during sickness absence from work is key and so line managers will seek to agree how and when such communication will take place.
- 2.3 **Finances.** The Trust will explain the sick pay arrangements as they apply to you and will seek to minimise the effect that your diagnosis may have on your remuneration as set out within this policy, for example by considering flexible working.
- 2.4 **Flexibility.** Line managers will aim to structure the working day and schedule with enough flexibility to enable employees to manage their own medical treatment and related needs whilst maintaining efficiency and effectiveness at work.
- 2.5 **CPD and career development.** Wherever practicable, employees will continue to have access to appropriate professional development opportunities.
- 2.6 **Support.** The Trust aims to support employees at all stages, including but not limited to, working during treatment, sickness absence from work, phased return to work, signposting and securing professional advice. We aim to remain mindful and sensitive to the impact on colleagues and aim to provide practical support when required.

### 3. Scope of this policy

- 3.1 This policy applies to all employees whether full-time, part-time, term-time, fixed term or permanent.

### 4. Equality Act 2010

- 4.1 Under the Equality Act 2010, employers have a duty to make reasonable adjustments to the workplace and working practices to ensure that people with a disability are not disadvantaged.
- 4.2 From the point you are diagnosed with cancer, you are automatically classed as disabled for the purposes of the Equality Act. This means that:
  - You will not be denied opportunities at work because of your cancer.
  - Reasonable adjustments should be made to allow you to continue to succeed at work
  - You are protected from any discrimination in the workplace.

## 5. Employee Assistance Programme (EAP)

- 5.1 Provided by Health Assured, the EAP provides confidential counselling and advice by fully qualified professionals. All calls are treated in strict confidence and in line with the British Association of Counselling and Psychotherapy (BACP) code of ethics.
- 5.2 Health Assured offers cover for employees and their immediate family (legal partner and children aged 18-24 in full time education residing in the same household). The service is open 24 hours per day, 7 days a week on 800 030 5182. Alternatively, employees can access the health and well-being portal at [www.healthassuredeap.com](http://www.healthassuredeap.com)

## 6. Occupational Health

- 6.1 Employees may benefit from the advice of Occupational Health who can assist with adjustments at work, phasing a return to work and working during treatment. To request a referral please contact your school's HR Business Partner who will make the necessary arrangements.

## 7. Communication

- 7.1 We recognise that informing people about cancer is not easy and there is no legal requirement for employees to do so. The Trust recognises that some employees may not wish to disclose their diagnosis, find information on their own and organise their own ways of managing whilst at work.
- 7.2 The Trust does however encourage employees to disclose their diagnosis to enable support and information to be provided. Making a disclosure also means that line managers are more able to manage requests for time off.
- 7.3 We recommend that employees initially request a private meeting with their line manager. If employees wish, they may be supported at this meeting by a colleague or trade union representative. If employees are unable to speak to their line manager, they can speak to their Headteacher or their school HR Business Partner.
- 7.4 We will ask employees for their permission to share their diagnosis with other managers who may be affected by their news, HR and the Headteacher. We recommend that employees give their permission to enable us to support, plan and help manage work arrangements. A named member of the Trust's HR team will also support you.
- 7.5 Your line manager will discuss whether you need to take time off work, the foreseeable impact on your work and whether you would like colleagues to be informed. Employees will also be asked to agree to be referred to Occupational Health in order to obtain advice to help manage your diagnosis at work, make reasonable adjustments, plan for time off and support a return to work. Line managers will agree with employees what (if anything), your colleagues are told about your diagnosis.

## 8. Flexibility

- 8.1 Until cancer treatment has commenced, it is difficult to know how it will affect individuals. The Trust recognises that employees may need to take time off at short notice and we expect line managers to understand the need for flexibility as each person's experience of cancer is different. The earlier you inform us about your diagnosis, the more time we will have to make plans and support you.

## 9. Financial considerations

- 9.1 Your school's HR Business Partner will be able to advise you on employment policies and benefits of employment and they should be contacted for further information.
- 9.2 You may also be eligible for certain state benefits, which can be a very significant source of new income for people affected by cancer. Some benefits for carers and people with cancer are not dependent on income and can be claimed whilst at work. A good source of information and support is Macmillan Cancer Support at [www.macmillan.org.uk](http://www.macmillan.org.uk).
- 9.3 For details of your entitlement to time off for medical needs and pay during sickness absence please refer to the absence management procedure which is available from your HR Business Partner or the Trust website <http://www.twocountiestrust.co.uk/trust-policies>
- 9.4 Please remember to ask your doctor for a medical certificate to cover any periods of absence and ensure that these are continuously submitted to us as soon as possible on receipt.

## 10. Time off work

- 10.1 When diagnosed with cancer, The Trust recognises that employees are likely to need time off work for further tests, treatment and recovery. Individual requirements should be discussed with line manager as soon as possible. If you do not feel able to discuss matters initially with your line manager, please contact your HR Business Partner.

## 11. Working during treatment

- 11.1 The Trust recognises that employees may wish to carry on working during their treatment, either full-time or part-time.
- 11.2 To support employees the Trust will consider flexible working options if these suit an employee's needs and if they are practical for the school / academy. If this is something you wish to consider please contact your HR Business Partner and line manager.
- 11.3 The Trust may be able to assist employees by re-organising work for example, a reduced or more flexible work schedule which enables travel to and from work outside of peak times, arranging light duties for a period of time, asking colleagues to support and assist with some aspects of the work and allowing more rest breaks.
- 11.4 If employees decide that they are not able to work at all during treatment, your line manager will agree with you how and when we communicate to ensure all parties keep in touch.

## 12. Time off during treatment

- 12.1 Even if employees decide to work during or after treatment, The Trust recognises that it is likely that time off work will be required for medical appointments and / or follow up procedures.
- 12.2 If these appointments are during working hours, employees should inform their line manager in advance so that cover arrangements can be put in place.
- 12.3 For details on time off for medical appointments please refer to the Special Leave Policy which is available from your HR Business Partner or the Trust website <http://www.twocountiestrust.co.uk/trust-policies>

## 13. Extended absence during treatment

- 13.1 Time off work may be one period of leave or a few days at a time over a period of time. If employees need to take an extended period of absence from work for their treatment, this time off will be treated as either sickness absence or disability leave dependent on the circumstances.

- 13.2 Additional consideration will be given to employees who are absent in order to receive treatment for cancer. Absence management procedures will normally be suspended when treatment is being received.

#### **14. Staying in touch**

- 14.1 In cases of extended absence, line managers will agree with employees how contact will be made and how frequently. Employees should not ignore or fail to respond to contact from work. If employees are unable to maintain contact with work they should nominate someone to speak on their behalf for that time for example a trade union representative or a family member. If contact arrangements need to change, contact should be made with the line manager to establish different arrangements.

#### **15. Returning to work**

- 15.1 When employees have been away from work whilst receiving treatment, consideration will be given once treatment is complete about returning to work and the basis of the return.
- 15.2 Employees who remain at work during their treatment will need to decide when and if it is possible to return to their previous pattern of work where adjustments were made.
- 15.3 Before decisions are made, the Trust will normally refer employees to Occupational Health in order to obtain medical advice to support the return to work. The Trust will ask an employee's permission to make a referral, and whilst this can be withheld, we strongly advise you not to do so to avoid the need to make decisions about working arrangements without the benefit of medical advice.
- 15.4 The Trust recognises that returning to work after a long period of absence can be emotionally and physically stressful and will provide support or signpost you to support during this stage of your recovery.
- 15.5 There are a number of options which will be discussed with you before making a return to work following an extended period of absence. This discussion will always include the arrangements for a phased return to work whereby you increase your hours over an agreed period of time and the completion of a Risk Assessment, but may also include:
- Working flexible hours or reduced hours on a temporary or permanent basis.
  - Changing some of your responsibilities on a temporary basis.
  - Potential for different ways of working for a temporary period
  - Changing the hours of work to avoid peak travel times
  - Making adjustments to your workspace
- 15.6 The Trust recognises that people diagnosed with cancer can feel very tired for quite a long period of time, even after treatment has concluded. The Trust will take all reasonable steps to accommodate changes to working hours or the work undertaken in this scenario whilst taking into account the needs and demands of your role, your colleagues and students as appropriate.
- 15.7 Changes to working conditions which affect an employee's contract of employment will be made clear before any formal agreement is reached.

#### **16. Deciding to stop work**

- 16.1 The Trust recognises that some employees will decide to give up work completely if they are diagnosed with cancer. Employees may wish to seek counselling or advice either through the their trade union representative, the Employee Assistance Programme or Occupational Health before coming to a decision.

### 17. Ill Health retirement

- 17.1 In some situations employees may be able to apply for ill health early retirement from their pension provider (the Local Government Pension Scheme or The Teachers Pension Scheme).
- 17.2 It may not be wise for employees to formally retire because of the in-service benefits and pension payments linked to employment status and which may be important for the welfare of family or dependents. The pension scheme rules state that employees are unable to retire early if they are medically fit to work.
- 17.3 Before taking any steps in respect of your pension or which affect your employment status the Trust strongly recommends that employees seek appropriate advice either from their pension scheme provider or financial advisor. If employees are a member of a trade union, they may also be able to signpost you to advice. The Trust will support employees to obtain the figures they require from their pension provider.

### 18 Employees with a family member diagnosed with cancer

- 18.1 The Trust recognises that if your partner or direct family member has cancer, that you may need to take time off work to look after them or deal with issues arising from their condition.
- 18.2 The Trust will be as flexible as possible, bearing in mind each individual's personal circumstances and balancing this with the needs of the organisation.
- 18.3 You or your qualifying family member may wish to make use of the Employee Assistance Programme. This is available to your legal partner and children aged 18-24 in full time education residing in the same household. Details are found earlier within this policy.
- 18.4 Employees are encouraged to inform their line manager about their relative's cancer diagnosis as soon as possible to enable plans to be made to minimise the impact of any absence at work. Line managers will ask for permission to share information with others who need to know. If employees would prefer to tell people directly, they are requested to do this as soon as possible so that appropriate steps can be taken to provide support.

### 19. Balancing work and caring responsibilities

- 19.1 The Trust recognises that until treatment for cancer has started, it is difficult to know how it will affect an individual. We recognise that employees may need to take time off work at short notice to be with their partner / family member, depending on the type of cancer and the treatment programme. The Trust accepts that there are times when there will be a need for flexibility as plans may change as each person's experience of cancer is different.
- 19.2 If you need time off work to look after a relative with cancer there are various options. These might include taking a period of annual leave or time off in lieu.
- 19.3 The Trust is also willing to explore flexible working to enable employees to continue working whilst caring for a relative with cancer. For example reduced working hours on a temporary basis, other employees assisting with some aspects of the work or amending the times of work. The Trust aims to be supportive in all cases however your needs have to be balanced with organisational needs.
- 19.4 Where changes to working conditions may affect your contractual terms and conditions of employment, the Trust will ensure that everyone is clear about the impact of the change before a formal agreement is reached.

## 19.5 Dependent Leave

19.5.1 The Trust recognises that there may be times when employees may need to take urgent time off for dependants. The circumstances which give rise to the right to time off under these arrangements are:

- to provide assistance where the dependent falls ill, gives birth, or is injured or assaulted;
- to make arrangements for the provision of care when they are ill or injured;
- as a result of the unexpected disruption or termination of care arrangements;
- to deal with an incident involving an employee's child during a period where an educational establishment is responsible for them.

19.5.2 In these circumstances, the Headteacher may grant a leave of absence with pay for periods of up to 5 working days in a rolling 12 month period. Employees can obtain further information on Dependent Leave from the Special Leave policy which can be obtained from your HR Business Partner or the Trust website <http://www.twocountiestrust.co.uk/trust-policies>.

## 19.6 Parental Leave

19.6.1 Employees may also qualify for parental leave, this provides up to 18 weeks unpaid leave up to a child's 18<sup>th</sup> birthday in order to care for the child or make arrangements for the child. The Ordinary Parental Leave policy can be obtained from your HR Business Partner or the Trust website <http://www.twocountiestrust.co.uk/trust-policies>.

## 20. Financial considerations for employees caring for a relative with cancer

20.1 Some state benefits for carers are not dependent on income and employees may be able to claim these benefits whilst in work. Advice can be sought from Macmillan Cancer Support on 0808 808 0000 or via [macmillan.org.uk](http://macmillan.org.uk)

20.2 The Trust recognises that some employees decide to give up work completely when caring for a relative with cancer. The Trust strongly recommends that before taking any formal steps which affect your employment status that you seek appropriate financial advice and that careful consideration is given to the options. If employees are a member of a trade union, they may also be able to signpost you to advice.

## 21. Bereavement

21.1 If you are facing the death of a loved one the Trust will of course make every effort to support you. We recognise that this is an emotional time and also that you will need to make practical arrangements. We will work with you to provide support which works in the best way for you.

21.2 You can speak to your school's HR Business Partner or if you prefer, refer to the Special Leave Policy for more information about time off work. This can be obtained from your HR Business Partner or the Trust website <http://www.twocountiestrust.co.uk/trust-policies>

21.3 Please inform your line manager whether you wish to be contacted by your colleagues during this time, and if so, what type of contact you would prefer.

21.4 The Trust aims to support all employees affected by bereavement.

## 22. Resolving disagreements

22.1 We aim to treat all employees fairly and with compassion within this policy. If you do not believe you have been treated fairly you should contact your HR Business Partner, who, with your line manager, will aim to resolve matters informally.

- 22.2 If the matter cannot be resolved informally, you may make a formal complaint under the grievance procedure which can be obtained from your HR Business Partner or the Trust website <http://www.twocountiestrust.co.uk/trust-policies>

### 23. External support

- 23.1 In addition to any the sources of support noted above, employees diagnosed with cancer, or those caring for a relative who has been diagnosed may find the Macmillan Cancer Support website ([macmillan.org.uk](http://macmillan.org.uk)) / freephone on 0808 808 0000 useful.
- 23.2 The Trust will provide the Macmillan essential work and cancer toolkit to each school / academy.

### 24. General Data Protection Regulation

- 24.1 All data within this policy will be processed in line with the requirements and protections set out in the General Data Protection Regulation.

Review cycle:	Every 2 years
Next review due:	September 2021
Policy owner	Head of HR
Equality Analysis completed:	August 2019