DEATH IN SERVICE GUIDANCE AND PROCEDURE
1. Introduction

The death of an employee can be a traumatic experience for those who are left to deal with the loss of a colleague. The information below provides guidance to assist employees who are faced with the difficult situation of a colleague dying. It outlines the steps that the College and its employees should take following the death of a colleague.

2. Scope

These guidelines are for dealing with the death of current employees only. The death of retired employees should be reported to the Pensions Department in the first instance.

3. Being notified about the death of a colleague

There are a number of ways in which the College might be notified that an employee has died. It might be contacted by the employee’s family/next of kin or told by another employee who is a close friend of the deceased. The College might also be informed by the authorities, for example after a catastrophic event such as a natural disaster or car crash, or by telephoning the employee’s home to find out why they had not turned up for work. It is important that all staff ensure that up-to-date contact details for themselves and their next of kin are on the Human Resources (HR) Database; this can be done through the self-service portal in Business World.

The death of the employee might be sudden or the result of a long illness of which individuals within the College may already be aware.

When taking action on the death of an employee, line managers need to be flexible and sensitive to the particular circumstances. However, the College should generally take steps under each of the following headings.

4. Who to notify in the College

When notified that a colleague has died, please notify HR and the line manager of the individual who has died immediately. HR will ensure that the following people are told:

- The Master
- The College Secretary
- Director of HR
- Executive Dean of the relevant school/Directors
- Head of Department/Assistant Dean
- Head of HR Operations
- Payroll and Pensions Supervisor
- Health and Safety Officer (if appropriate)
5. Communication

Executive Deans/Director of Professional Service (whichever is applicable) should communicate the news to those closest to the deceased (for example, those in the same department/team/section as promptly as possible. Affected staff should be made aware of the College’s free counselling service “Only Connect” details can be found on the following link: http://www.bbk.ac.uk/hr/policies_services/counselling

The College Secretary will send a letter of condolence on behalf of the College to the family/next of kin. The College Secretary will also put a short obituary in Birkbeck Matters.

The relevant school/department should nominate somebody to communicate with the next of kin (this would normally be the line manager) to ascertain the family's/next of kin'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.

Those giving information about the death of an employee should not give out any information that is sensitive or contrary to the family's/next of kin's wishes or instructions. If in doubt, please contact HR for advice.

If the individual’s position was grant funded, the grant holder or the relevant Head of Department/Assistant Dean will be required to inform the funding body.

6. Time off and funeral arrangements

Management should allow employees appropriate time off to attend the funeral or memorial service. Unless the deceased's family/next of kin wish otherwise, it will normally be appropriate for close work friends and/or a senior member of staff to attend the funeral or memorial service on behalf of the College.

Individuals wishing to take time off to attend the funeral or memorial service should refer to the College’s separate policy on compassionate leave http://www.bbk.ac.uk/hr/policies_services/Familyleave/bereavement and can also contact HR if they have any queries.

7. Covering the deceased employee’s duties

The College acknowledges that the immediate aftermath of the death of a colleague 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 the College to continue to function as usual. 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, his/her 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 employees should be offered advice and support such as counselling or extra training if they are taking over areas with which they are not familiar.

8. **Informing third parties of the death of an employee**

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

Third parties could include students, customers and other contacts that had regular dealings with the employee. These individuals will need to be informed (normally by the employee's line manager, although other staff members who know the contact or staff member taking over the duties of the employee can notify contacts). Consideration should be given on how communication to students is handled if the person who has died was their lecturer or had some other business relationship with students. How this is handled is left to the discretion of the relevant school/department.

9. **Making final salary payments**

HR/Payroll 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.

HR in, conjunction with Payroll, will calculate the deceased's final salary payment and pay it to his/her personal representative. HR should obtain proof that the individual (normally the executor of any will) is the deceased's personal representative and not simply pay the money to the first family member to request it. It should obtain a receipt on behalf of the estate. Payroll must complete a P45 form, indicating that the employee has died.

HR should consider whether or not to deduct any sums owed to the College by the deceased, such as loan repayments, from his/her final salary payment.

Payroll should ensure that any letters enclosing payslips or forms that are sent to the deceased's family/next of kin are not addressed to the deceased.
10. Other payments due on the death of an employee

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. The Payroll and Pensions Supervisor will write directly to the next of kin/appointed family member to establish pension benefits and to also establish if there is a will.

If the staff member was in a pension scheme, a death certificate will be required. The Payroll and Pensions Supervisor will write directly to the next of kin to request the death certificate. If the staff member was not in a pension scheme then a death certificate is not required.

11. Other practical issues following the death of an employee

The HR Business Partner should ask the deceased’s family/next of kin whether they wish to pack up his/her belongings or would prefer a close work colleague to do so instead.

The Head of Department/Service in conjunction with IT Services will ensure that the employee is de-registered from College systems and other lists as appropriate (e.g. School web pages, phone list). Computer files will be held confidentially until an instruction is received from the Head of Department/Service to delete them.

HR should inform all internal departments and external bodies (for example trade unions) that keep records of employees of the death. This will prevent a situation arising where the family/next of kin are still receiving employment-related post addressed to the deceased months after his/her death.

For any death at the College or other circumstances which would make an enquiry appropriate, the Health and Safety Officer will notify the College Secretary to discuss initiating an internal enquiry.

For any death related to an incident which has the potential to give rise to a claim against the College, HR will be responsible for liaising with the College’s insurance and legal firms. As the Management Accountant has responsibility for insurance in the College, they should also be consulted.

Copies of relevant incident report forms and investigation reports should be forwarded to HR without delay.

HR will amend the employee’s personnel records, so that no inappropriate contact is made.

If you have any queries relating to this guidance, please contact HR on humanresources@bbk.ac.uk