

A guide for employers
Workplace support strategies

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3 Workplace support strategies

There are many straightforward actions that will effectively support your employee and minimise the impact on daily operations.

This section of the guide covers:

- options for time off
- keeping in touch
- the role of occupational health
- return-to-work options
- adjustments to working arrangements and responsibilities
- leaving work
- bereavement.

Options for time off

Agreeing some time off work will be one of your employee's most pressing needs. They should try to give you advance notice so you can arrange cover, but sometimes the unexpected occurs and this may not be possible.

People who are having tests, receiving treatment and recovering from cancer will need to attend medical appointments. They may need to stay in hospital, for example if they are having surgery. They may also benefit from receiving complementary therapies.

Your organisation should have clear policies about sickness leave – this is an essential part of the contract of employment. Your sickness leave policy should include information on how time off for medical appointments will be dealt with. Employers are obliged to pay Statutory Sick Pay (SSP) to qualifying employees who are off sick for four or more days in a row, including weekends and holidays. It is not payable for the first three days in any period of entitlement but thereafter is payable for up to 28 weeks at a weekly-rate subject to current limits. Of course, your employee may be entitled to occupational or company sick pay on top of SSP under their contract of employment. Your organisation may decide to pay over and above these statutory or contractual obligations.

'From the moment I knew I had cancer, my employer could not do enough to help me through. It was a very bad time in my life but with their help they took some of the stress out of it, giving me support not only from HR, but also medical and welfare officers. After the first six months, I'd expected to go onto half pay, but they continued to pay me in full for another six months until I returned.'

Ann, breast cancer

If your employee is a carer, he or she is legally entitled to take 'reasonable' time off to deal with an emergency affecting a dependant. Whether this is paid or not will depend on your organisation's policy (see 'Carers' rights' on page 26).

Other options you can explore with your employee include:

- compassionate leave
- parental leave (if their child has cancer)
- voluntary use of annual leave, particularly to alleviate any financial burden of taking time off
- flexible working (carers have the right to request this – see page 27)
- working from home
- reduced hours
- taking time off in lieu, if appropriate.

The above options aim to provide your employee with sufficient time off to look after their health or their loved one, keep your organisation running smoothly, and protect the employee as much as possible from financial hardship. You may need to provide the team with cover – for example, if the employee is unable to work for a long period, or if they choose reduced working hours. This should be discussed upfront with the employee. Be clear about your reasons for hiring temporary cover and be sensitive to the views and concerns of the employee. (They may feel that you do not have confidence in their treatment programme). Be clear that the extra resource is temporary. You should follow your organisation's standard procedures for employing temporary workers.

FOR MORE INFORMATION

There is more information about sick leave in our publication about state benefits, *Help with the cost of cancer*, at [macmillan.org.uk/financialsupport](https://www.macmillan.org.uk/financialsupport). Printed copies can be ordered through [be.macmillan.org.uk](https://www.be.macmillan.org.uk) or by calling **0808 808 00 00**.

For more information about managing absence and other employment issues, you can refer to the Chartered Institute of Personnel and Development (CIPD) website www.cipd.co.uk

You can also learn basic facts about statutory sick pay (SSP) and other employment rights on the government's online information portal [direct.gov.uk](https://www.direct.gov.uk)

Carers UK offers advice on employment issues and rights, including time off. Go to [carersuk.org](https://www.carersuk.org)

Employers and employees can contact the Advisory, Conciliation and Arbitration Service (ACAS) for help on any employment issue, including absence management. The website also has useful information about this and other relevant topics. Go to [acas.org.uk](https://www.acas.org.uk) or phone their free, confidential telephone helpline **0845 747 4747**.

Keeping in touch

People living with cancer often feel 'out of touch' with work during their absence. It is important to maintain appropriate contact with your employee during periods of sick leave. It will remind them that they are valued, but handle communication carefully because there is a risk that your employee might feel you are pressuring them to return too soon.

You should discuss your organisation's sickness absence policy with your employee. It is helpful to clarify responsibilities on both sides. If possible, discuss arrangements with your employee prior to their absence. Ask them if they want to receive newsletters and key emails. Do they want to hear from colleagues? If so, do they prefer phone or email? How frequently do they want to hear from the team?

Ask them to identify a good time to speak. Be aware that the pattern of cancer treatment may make it difficult for your employee to be in contact at certain times, and this may only become apparent after treatment is well underway. On the other hand, once you have agreed to call at a certain time on a certain day, keep to that arrangement as your employee may have deliberately made the effort to be 'up and about'.

Sometimes your employee may not want any contact. Explore their reasons and reassure them you just want to be supportive. It may simply be a reflection of how they are feeling at that point in time. You can revisit their decision at a later date when they may find the prospect of contact from work less daunting.

The role of occupational health

Your employee and your organisation may benefit from the help of an occupational health adviser. This is a health professional, such as a nurse or doctor, who specialises in workplace health issues. Occupational health professionals draw on their clinical knowledge and an awareness of the specific duties and demands of the employee's role. You might consider consulting an occupational health professional at an early stage, before moving ahead with important changes or decisions affecting policies or individuals.

Most occupational health professionals serve in an advisory role for managers and employees. Occupational health advice can help you understand your responsibilities under employment and health and safety law. It can also inform business decisions about:

- reasonable workplace adjustments
- recruitment
- return-to-work
- ongoing employment
- release of company benefits such as pensions.

Occupational health advisers can also assist managers in undertaking an appropriate and specific risk assessment for individual employees with a chronic health problem, such as cancer. This is to help ensure, from a health and safety perspective, the appropriateness of the work the employee returns to.

When an employee has a cancer diagnosis, occupational health involvement is most likely to arise in relation to:

- fitness for employment when considering job applicants
- fitness for return-to-work after sickness absence
- where there is management concern about the health and safety or performance of affected employees.

Occupational health services are not provided free under the NHS and are offered at the discretion of employers. Survey data indicates that 98% of public sector employees and 36% of private sector employees have access to an occupational health professional through their employer.⁸ Some large organisations have occupational health expertise in-house. Medium-sized and smaller organisations often access this expertise through external contracts, although some have not instituted any occupational health arrangements. Many commercial companies offer occupational health consultancy or you can opt for NHS Plus, an occupational health service (which charges fees) for small and medium-sized businesses. The NHS Plus website is www.nhsplus.nhs.uk

Return-to-work options

If your employee has been away from work having treatment, it can be difficult to know when they are ready to return. Macmillan's research into working and cancer found most employees surveyed received little, or no worthwhile medical advice about returning to work at the right time.⁹ Many people are largely left to make this decision alone, based on when they feel it's the right time to return.

Many employees choose to share their cancer diagnosis with their employer. As a manager, you have no legal right to know the diagnosis or the clinical details of an employee's condition. In fact, employees have a right of confidentiality under the Human Rights Act 1998. However, civil law and medical ethics recognise that managers may legitimately seek information relating directly to operational matters.

For example, you could ask an occupational health professional for advice on questions relating to:

- likely duration of absence
- likely degree of disability on return-to-work
- likely duration of any such disability
- adaptations needed in the workplace to overcome the functional effects of disability
- impact of disability on performance and/or attendance
- impact of disability on health and safety
- consideration of alternative employment within your organisation.

If you do seek occupational health advice about an employee's condition (with their permission), you should frame your requests for information around questions that are relevant to running your organisation.

To some degree it will be a matter of trial and error. It will help if everyone is prepared to take it gradually, and possibly encounter some setbacks.

On the positive side, people who return to their jobs after cancer treatment often find their work takes on an increased importance in their lives. Work provides a sense of self-worth and allows an individual to focus on their abilities, not just their illness. A job can restore normality, routine, stability and social contact. Of course, for many people it is also crucial to regain the income, particularly if they have been on unpaid leave or reduced pay.

⁸ Health and Safety Executive. Occupational Health Advisory Committee report and recommendations on improving access to occupational health support. 2000. Available at www.hse.gov.uk/aboutus/meetings/iacs/ohac/access.htm#7 Accessed May 2009.

⁹ Macmillan Cancer Support. The road to recovery: getting back to work. 2007. Available at www.macmillan.org.uk/Documents/Support_Material/Get_involved/Campaigns/Working_through_cancer/Working_through_cancer_Report.pdf

Joint return-to-work planning – where both you and your employee discuss and agree the best way forward – is a constructive approach. Cancer can be unpredictable so plans should be flexible, allowing for changes along the way. The possibility of flexible working and a gradual, phased return-to-work are potentially helpful ways of easing someone back into the workplace. It's important to involve the employee with cancer in a genuine dialogue and a joint decision-making process about their return-to-work.

It is a good idea to schedule a meeting with your employee at least a couple of weeks before they start their first day back on the job. This gives them a chance to ease back into work, hear important updates and raise any concerns about what to expect. It also allows you to find out how they are feeling and iron out any potential problems before they occur. It will help you plan any reasonable adjustments you might need to make in the workplace or to the employee's working day (see below).

For a successful return-to-work, you can try these specific steps:

- Welcome them back. Be there on their first day, or failing that, make sure you phone in. Make sure the rest of the team are expecting them, adding to the welcome.
- Meet at the start of the day to discuss their work plan and handover arrangements. This is another opportunity to check for concerns they may have.
- Arrange a smooth handover. Make sure they don't come back to a mountain of work and emails. Spread the work out so everything doesn't land on them at once. This may be the right time to start thinking about any adjustments to the individual's role or workplace. Your employee will be reassured

if they know that it may be possible to make adjustments to help them deal with specific challenges.

- Make them feel part of the team again. Treat all your employees equally to ensure everyone knows arrangements are fair and to avoid resentment.
- Carry out regular reviews. Agree a regular review process with your employee.
- This way, you can monitor their progress, ensure their workload is manageable and make any necessary adjustments to help them succeed.
- Make sure they are taking breaks and that they are not over-working.
- Consider a health and safety assessment, especially if there has been a change in duties or working arrangements. If they are working from home, you should assess this environment for health and safety too.
- Signpost sources of information and further support. On page 30, you will find more information about the range of services and resources Macmillan provides. There is also an A to Z of further information in Appendix 2, page 32. You can suggest talking to an occupational health or HR professional if this is possible in your organisation. If your employee benefits plan includes access to a confidential counselling service, you can let them know this is available.

Most of the points above can also apply to carers. In addition, carers may have additional difficulties re-entering the workforce. This may be due to loss of skills and confidence, but in circumstances where a carer is bereaved they are also likely to suffer emotionally. This is a very

personal situation but may be a further barrier to returning to work, and a carer may require help in overcoming these issues. Some people may just want to work through problems themselves.

'I had to take two months off work for treatment and recovery. My boss didn't contact me to ask how I was doing in all that time. It was only my email that got a response. When I returned to work, I was criticised for being negative and impacting on the rest of the team. I took up an offer of early retirement because I couldn't continue to work for someone who handles a cancer patient in such an insensitive way.'

Fran, eye cancer

Reasonable adjustments

Under the Equality Act 2010, employers have a duty to make reasonable adjustments so that a disabled person is not placed at a disadvantage at work (for more details, see page 25). From the point of diagnosis people with cancer are protected by this law.

Practical steps

You can take many practical steps to help your employee meet their potential at work. Here are some key examples:

- Plan for occasional absences for ongoing medical appointments and for days when your employee, or the person they care for, is not feeling 100%. Fatigue can persist long after cancer treatment has been completed
- Consider flexible working hours. This can help enormously if fatigue is a problem because it allows your employee to work when they feel strongest and have the most energy. Flexible hours mean your employee can avoid the strains of peak travelling times and this is also very helpful for carers.
- Home working has many of the same benefits as flexible hours. It allows your employee to conserve their energy for tasks. Make sure their home provides a suitable environment and that they have the required facilities and equipment to do the job. It's also important to make sure they stay in touch with colleagues and don't become isolated. For reasons of health and safety, you should carry out an assessment of their home workplace.
- Work breaks are helpful. A short rest in a quiet place can work wonders.
- Overtime should be discouraged. Check your employee is leaving work on time.
- Lone working may not always be advisable in case your employee unexpectedly feels unwell and needs assistance. If they are working from home, is another person present in the household so they are not alone on the job?

- Break tasks down into smaller steps. This makes the job more manageable and encourages a sense of achievement.
- Reallocating or changing work duties might be a practical solution. Manage this sensitively so colleagues do not feel over-burdened.
- Prioritise duties so your employee knows the most important tasks to concentrate on. This gives them a greater sense of control and achievement, and ensures the needs of the job are met.
- Adjust performance targets temporarily so they remain realistic for your employee.
- Changes in the work environment may be needed. Get a professional assessment as to whether your employee needs different equipment or a change in the location of their workstation. If mobility is a problem, having a car parking space closer to the entrance is helpful. Are there any issues with accessibility that should be considered and, if so, what changes would it be reasonable to make? The government's Access to Work scheme (see page 24) can help with mobility issues (see section on reasonable adjustments under the Equality Act 2010 on page 25).
- Suitable alternative employment may be an option if, despite best efforts, your employee is unable to fulfil their role. If the situation is likely to change in the future, this can be offered on a temporary basis with an agreed date for review.

Remember, changes to your employee's working conditions can be temporary or permanent and may have an impact on their terms of employment. Make sure the employee and the people responsible within your organisation are clear on this issue before substantial changes are agreed. Review your organisation's policies to determine what support can be offered. Any substantial and/or permanent changes should be confirmed in writing, and your employee should sign to indicate their agreement to the change.

These measures do not have to be expensive or disruptive. Many of these ideas are just common sense. Sometimes, small changes can make a big difference for your employee.

Leaving work

If your employee wants to resign, it's important to clarify their reasons – why do they want quit? Sometimes important decisions are made when emotions are at an all-time low. Additional support, and an explanation of all the options, may lead to a different decision – and help you retain a valued member of staff.

Of course, for some people, leaving work is the best choice. If that is their decision, make sure your organisation's leaving procedures are followed.

Stopping work because of cancer can have serious financial implications. Resigning or retiring early can change a person's entitlement to state benefits, pensions and insurance (see page 23 for more information about personal finances). It is a complex area and every person's situation is unique. Because so much is at stake, encourage your employee to seek expert advice and establish what their position is, before any formal action is taken on either side.

Bereavement

Unfortunately, although many people now survive cancer treatment, you may be in a position where your employee or their loved one dies.

If your employee is a carer, they will need time to grieve and see to the needs of their family. When there are children, your employee will need to give them extra emotional support. It is not always easy to predict when they will be needed at home.

This is obviously an emotional time for everyone concerned. Some people at work will not want to talk about their feelings but it helps if you can provide an appropriate opportunity (see page 12 for more details on how to talk about cancer).

At the same time, as an employer you will be responsible for practical steps. These might include:

- Informing colleagues within the organisation
- Telling clients, customers and suppliers. This can prevent embarrassment and pain if they should attempt to contact your colleague without knowing.
- Assisting the family. There should be just one point of contact between the employer and the family. Normally this would be the line manager or the HR department. Prompt action should be taken to settle financial matters such as remaining pay, pensions and insurance.
- Letting colleagues know about funeral arrangements. The family's wishes must be respected in every way. Ask what kind of contact and involvement they want from people at work.
- Returning belongings to the family. This should be done as soon as possible and with sensitivity.
- Arranging the return of any employer property, such as computers or a company car. Be sensitive about the timing.

Even if the team has known that a colleague is terminally ill, it can be extremely difficult to come to terms with their death. People will react differently and some team members will need your support, personal as well as professional. This could be an exhausting time for you, and you are not immune to grief. Remember to look after your own needs too.

FOR MORE INFORMATION

If anyone at work needs someone to talk to, they can contact Macmillan's free and confidential Macmillan Support Line on **0808 808 00 00** for emotional support.

They can also contact:

Cruse Bereavement Care

Helpline **0844 477 9400**

www.crusebereavementcare.org.uk

(As a manager, you may find the practical information on this website particularly helpful.)