

Managing Cancer In The Workplace – Notes of Guidance For Managers

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Introduction

Over 100,000 people of working age are diagnosed with cancer in the UK each year and there are currently over 700,000 people of working age living with a cancer diagnosis.

Many people living with cancer tell cancer support charities that work is important to them. A job can restore normality, routine, stability, social contact and income. These things are also important to carers. Around one in eight workers in the UK are carers, many of whom will be supporting a friend or relative with cancer.

Managers play a pivotal role in supporting people with cancer and their carers. A good relationship between a Manager and an employee is more likely to lead to a successful return-to-work. This is particularly important because less than 40% of people are advised by health professionals about the impact cancer and its treatment may have on their ability to work.

As a Manager, you may not always feel confident about how best to support one of your employees who are affected by cancer. There are challenges at the time of diagnosis, during treatment, at the time of return-to-work and afterwards. It is also recognised that you need to meet the needs of other individuals in the workplace and the Council as a whole. In these difficult situations, you may also be affected, both on a practical and a personal level.

The Benefits of Best Practice

Supporting employees who are diagnosed with cancer makes business sense for Managers. By making reasonable adjustments, Managers can retain their employees and allow them to perform to their potential. Being confident about disability issues not only helps a Manager avoid legal risk, it can enhance the performance of the organisation and the individuals within it.

By implementing some small changes you can really make the difference to any employees who have been affected by cancer. These changes could include arranging time off for medical appointments, or making reasonable adjustments such as offering flexible working arrangements or organising a phased return-to-work. See the Council's Notes of Guidance for Managers on Making Reasonable Adjustments In The Workplace, which is available on the HR Support Portal, from your Line Manager or HR.

For employees, a supportive approach from Line Managers can reduce anxiety and provide the skills and confidence to deal with cancer at work. Research commissioned by Macmillan Cancer Support has shown that a good relationship with the Manager and a phased return-to-work are two important predictors of a successful adjustment back to work.

Over 70% of organisations that make workplace adjustments consider them to be easy. Many adjustments have no cost at all. Where there is some cost to the adjustment, it's usually small, and grants from the Access to Work Scheme can cover some or all of the cost.

There is a clear business case for Managers to support people affected by cancer to return to work.

Other Benefits Include:

Financial Benefits

- employers can retain valuable skills, knowledge and experience, and maintain productivity.
- it avoids the cost of replacing employees. The Chartered Institute of Personnel and Development (CIPD) estimates the average cost of recruitment to be £4,333 per employee, with an average recruitment time of between 6 and 16 weeks depending on the level of the position.
- it avoids the time and cost of training new employees.
- Managers who support someone with cancer can begin to develop a greater understanding of the needs of diverse groups – people who could be potential or existing customers. The spending power of disabled people in the UK is estimated at £80 million.

Employee Engagement and Improved Morale

- Managers who support an employee with an illness such as cancer will foster a greater sense of loyalty from them. This will naturally have a positive impact on employee engagement and morale.
- retaining experienced employees can reduce pressure on other employees and colleagues who would otherwise have to train new recruits.

Positive Image

- an employer who is seen to support employees with cancer is more likely to become attractive to customers, other businesses and job applicants.

Fulfilling Your Legal Obligations

- meeting legal obligations under the Equality Act 2010 will help avoid potential discrimination charges and their associated costs on time, reputation and money. The median award for a breach of the Disability Discrimination Act in 2008 was £8,000, but there were also awards of almost £500,000. Defending a tribunal case can also incur significant legal fees as well as management time.

Everyone is Different

It's essential to work with the employee to understand their requirements. Each person will have individual needs and aspirations, and Managers need to treat each case as such. For example, flexible working can be as simple as agreeing to accommodate the employee coming in late occasionally if they are feeling unwell. Pivotal to this is maintaining good communication between you and the employee.

See Appendix 1 for agencies where both you as a Manager and employees themselves can access advice and support.

Section 1 - How Cancer Affects People

The number of people living with and beyond cancer is growing and people are now living with cancer in different ways.

The effect a cancer diagnosis and treatment will have on a person and their ability to work will vary widely. It will depend on the type of cancer, its stage (the size of the tumour and whether it has spread), any symptoms the cancer might be causing, the cancer treatment and side effects, and how the person copes when faced with a traumatic situation.

Some people welcome work as a way of helping them to feel 'normal' and in control. Carrying on with or returning to work can help some people emotionally while they're waiting for a diagnosis, having treatment, or caring for someone with cancer. For others, working is a financial necessity and they can't afford to be away from work for long.

Some people give up their jobs because their cancer is advanced or the symptoms make it impossible to work. Side effects of treatment leave some people unable to work. Others may resign because their self-esteem or confidence has been damaged. Carers may need to reduce their hours or give up work to care for someone with cancer.

As a Manager, you may be one of the most important sources of support. You don't need to be a medical expert, but a basic understanding of cancer and its treatment can help you in that role. This knowledge will also help you to plan for and recognise issues that may emerge at work.

What is Cancer?

The organs and tissues of the body are made up of tiny building blocks called cells. Cancer is a disease of these cells. There are more than 200 different types of cancer, each with its own name and treatment. Some causes are known, but often the doctors simply can't say why a person has cancer.

Normally, cells divide in an orderly and controlled way. But if for some reason the process gets out of control, the cells carry on dividing and develop into a lump called a tumour. Tumours are either benign (non-cancerous) or malignant (cancer). Cancer cells have the ability to spread beyond the original area of the body. Without treatment, cancer may spread into surrounding tissue. Sometimes cells break away from the original cancer and spread to other organs in the body through the bloodstream or lymphatic system. When the cancer cells reach a new area they may go on dividing and form a new tumour. This is known as a secondary cancer or a metastasis.

Cancer Treatments

The aims of cancer treatment will depend on the type of cancer, its stage and a person's general health. Treatment may be given to cure a cancer, to slow its progress and to help relieve symptoms.

The most common treatments are surgery, radiotherapy, cytotoxic chemotherapy, hormonal therapy and targeted therapy. Sometimes a person may have more than one type of treatment.

Surgery may aim to remove all or part of a tumour. Some operations may be carried out as day surgery, so a person only needs to take a short time off work. Other operations are much larger and may mean spending a few weeks or even months away from work.

Radiotherapy treats cancer by using high-energy rays to destroy the cancer cells, while doing as little harm as possible to normal cells. For most types of curative radiotherapy treatment, a person will need to go to the hospital each weekday, Monday–Friday, for between 2 and 7 weeks.

Chemotherapy drugs interfere with the process of cell division, but affect normal cells as well as cancer cells. The drugs are usually given as a liquid through a drip into a vein (intravenously). Some chemotherapy drugs are taken as tablets or capsules, which can be taken at home.

Chemotherapy is usually given in cycles of treatment. Usually 4–6 cycles of treatment are given, which take 4–8 months. Some treatments for particular types of cancer last much longer than this, while others may be shorter.

Hormonal therapies stop or slow the growth of cancer cells by either changing the level of particular hormones in the body, or preventing the hormones affecting the cancer cells. Most hormonal therapies are given as tablets, but some are given as injections every few weeks or months. This kind of therapy can continue from a few weeks to a number of years.

Targeted therapies are newer treatments that work by targeting the growth of cancer cells. They generally have little effect on normal cell growth, so they usually have less troublesome side effects than chemotherapy drugs. Targeted therapies may be given as a drip (intravenous infusion) or as tablets. This kind of therapy can continue from a few weeks to a number of years.

Side Effects of Treatment

Side effects will depend on the treatment being given but will also vary from person to person. Some people will be able to work during their treatment, while others will need to be off for a few weeks or months.

Side effects of treatment can include:

- fatigue
- risk of infection
- nausea (feeling sick) and vomiting (being sick)
- hair loss
- sore mouth
- diarrhoea or constipation
- numbness or tingling in the hands or feet.

The employee's medical team should go through the possible side effects and how best to manage them before they start treatment. Some side effects can be easily managed with medicines.

Some people are surprised to find they have few problems with treatment. Other people may have significant symptoms from their cancer or side effects from treatment.

Some people find that side effects build up during the treatment so they may be able to work at first, but then need more time off as treatment progresses.

Practical Tip

You can try to make it easier for the employee to cope with the side effects of cancer treatment at work. For example, allowing frequent breaks, access to a fridge or an alteration to their uniform may make life easier.

Fatigue (extreme tiredness) is a common side effect of cancer treatment and can also be a symptom of some cancers. It can be worse at different stages of treatment, or at different times of the day. Fatigue can affect people in different ways and may persist long after the treatment is over. It may mean the employee:

- finds it harder to perform certain tasks.
- has less strength and energy than before.
- has difficulty concentrating or remembering things.
- becomes exhausted during meetings or after light activity.
- struggles to control their emotions.
- experiences dizziness or is 'light-headed' from time to time.

Fatigue, together with the other effects of cancer and its treatments, may mean that the employee is unable to work for long periods. Tiredness can also make people irritable and affect how they relate to other people.

Practical Tip

You can help an employee to cope with fatigue by offering various adjustments. Flexible working, working from home if the post is appropriate, reduced hours or lighter duties are a few of the options outlined later in this guide and the Council's policies and procedures. Simple steps like rest breaks or a short walk outdoors can really help.

If the employee is caring for someone with cancer, that person's fatigue can have an impact on them too. It can increase their need for time off so they can attend to caring responsibilities.

Body changes

Cancer and its treatment can cause physical changes, so you and your colleagues may need to be prepared for this. Again, it depends on the individual.

Changes can include:

- hair loss
- changes in complexion or skin tone
- scarring
- altered appearance after surgery

- weight loss or gain.

After treatment is over

People who have finished treatment may find it difficult getting back to normal. They may struggle with their emotions (see below) and fatigue or need to adjust to changes that treatment has made to their body. Some treatments leave people with long-term side effects. Many people want to get back to work but may have difficulties in returning to their old jobs. They will need your understanding and support to do this successfully.

Some people recover well after treatment and they aren't ever affected again by the cancer. But some people may be living with the knowledge that their cancer can't be cured, even though they feel well at the moment. Their cancer may return at some point and they may need further treatment. Some of these people will then have further periods of remission while for others the cancer may be more advanced.

Some people live with cancer for many years without ever developing significant symptoms. However some people may die from their illness within a matter of weeks or months.

Emotional Effects of Cancer

Being diagnosed and then going through cancer treatment can understandably have a huge impact on the person concerned, their family and friends and their work colleagues.

Going for tests and waiting to hear results can be an anxious time. Many employees may wish to keep their situation confidential at this point. If they tell you what is happening, you can respond appropriately to their need for time off to attend medical appointments. See Section 2 of this guide for employers, for information and advice on talking about cancer. Remind employees of the support available through the Council's Employee Assistance programme, Care First. The Care First contact number is 0800 174319.

When someone receives a cancer diagnosis, the shock can make them feel numb at first. Some people can take a while to accept the fact that they have cancer and they may try to carry on as if nothing is wrong. Other feelings people may have include:

- anger or bitterness.
- Sadness.
- fear – of the disease, treatment and dying.
- loneliness and isolation.

If an employee learns that they or a loved one has a cancer diagnosis, they may need time off to be with their family and collect themselves before coming back in to work.

Learning that a cancer has recurred can also be devastating news, particularly if the person needs more treatment or if their medical options are becoming limited.

Uncertainty can be one of the hardest things to deal with when faced with a diagnosis of cancer and can cause various emotional responses. Some people manage this by taking one day at a

time and not looking too far into the future. Others want to find out as much as possible to help them regain some sense of control.

Practical Tip

Sometimes cancer puts people on an emotional rollercoaster. Distress can hit them out of the blue. If this happens to an employee at work, it might help to offer them a private space for a while. You could suggest they go home for the rest of the day. Ask if they would like you to call a relative or friend to come and travel with them. This can be offered through the provisions of the Council's Leave of Absence Scheme, annual leave, providing opportunities to work the time back so there is no reduction in salary and the Flexible Working Hours Scheme

Your own emotions

You and your colleagues may also have strong feelings and this is only natural.

Don't hesitate to ask for support in dealing with your own emotions. Within the limits of confidentiality, it may help to talk to another Manager in your workplace, HR or Care First.

If the Employee is a Carer

Becoming a carer is often unexpected and can be one of life's most emotional and physically demanding roles. Sometimes it's hard to juggle caring and employment at the same time, but there is support available to help carers remain in work.

Caring responsibilities may cause absences. For example, an employee might take sick or annual leave when a crisis occurs, rather than asking for time off to care for someone with cancer. Often this is because people wrongly believe their caring role isn't a legitimate reason to request leave or the carer may not feel comfortable disclosing that they are caring for someone. You should refer employees to the provisions of the Council's Carers Policy. Copies of this are available from the HR Support Portal or HR.

Being a carer can have an impact on both physical and emotional health and this can affect the carer's ability to work. They may find it difficult to concentrate or feel tired from lack of sleep. Being a carer can exacerbate existing health problems, such as high blood pressure or back problems.

Cancer can be a fluctuating illness, with long cycles of treatment, often requiring outpatient appointments. Carers may need time off work at short notice. And side effects and symptoms can persist after treatment so the need for flexibility may remain for some time.

An employee's commitment to their job and colleagues may cause them to feel guilty if they're unable to complete their usual work. Caring responsibilities may also affect how an employee views their own career development – they may feel discouraged about seeking promotion or applying for a new job. Being a carer shouldn't adversely affect an employee's longer-term job prospects and it will help if you can reassure them about this. Employees may appreciate it if you explain the options for leave, the Council's policies and procedures and their rights, for example, flexible working.

Practical Tip

It will help if, as soon as you are aware of a person's caring responsibilities, you can go through the Council's policies and procedures and their rights as a carer, and explain what leave options they have. Letting them know what you need from them will also help you support them.

Section 2 - How to Talk About Cancer

People often find it difficult to talk to someone who has been diagnosed with cancer. They want to help but may not be sure what to say.

Everyone is different in how they communicate with others about serious life events. Some people find it easy to talk about their thoughts and feelings, while others are more private.

Cultural differences matter too. Some languages don't even have a word for cancer. In some communities it is taboo – something people don't think they should mention.

People may be embarrassed to discuss the physical details of their cancer, especially if a person of the opposite gender is present. People with caring responsibilities may not recognise themselves as a carer or they may not feel comfortable talking about their personal life in the workplace.

Communication about cancer can be helpful to everyone concerned and there are a number of things you can do to make conversations easier.

Don't forget to remind employees of the services of Care First and the agencies detailed at Appendix 1.

Guidelines on sensitive communication

Communication is a very individual matter and you will need to consider your response in a given situation. Remember, everyone is different and what is appropriate for one person won't be helpful for someone else.

Try to:

- choose a private place to talk and make sure you won't be interrupted.
- be prepared for the meeting to overrun – let the employee set the pace.
- show you are listening – encourage conversation by nodding or with verbal cues like, 'I see' or 'what happened next?'
- show it's OK to be upset by allowing the employee time to express their emotions, and recover if necessary, while remaining calm yourself.
- show empathy with phrases like, 'you sound very upset'.
- respond to humour but don't initiate it – humour can be a helpful coping strategy for people going through a difficult time.
- adjourn the meeting if the employee becomes too distressed to continue.

Try not to:

- be afraid of silence – it's OK if it goes quiet for a bit.
- be too quick to offer advice.
- use clichés like, 'things could be worse' or 'things will work out'.
- discount the employee's feelings.
- share stories about other people you know who have cancer – this takes the focus away from the employee.

First conversations

As soon as you become aware that an employee has been diagnosed with cancer, or that they are caring for someone with cancer, talk to them to see if there is anything that can be done to help them. Find out if they wish to discuss the matter or whether they wish to keep the matter confidential. Sometimes it can be helpful for individuals to have more than one point of contact. Someone other than their Line Manager can be seen as more neutral or easier to relate to about health where gender or age is an issue. This gives them the opportunity to talk confidentially about their situation and what impact it might have on their work. However, in order for the Line Manager to support and manage the employee, there is a basic minimum of information that they will need and the employee will be required to provide this information to their Manager. This can either be done by the employee themselves or the person that the employee speaks to in place of their Manager.

Some employees may prefer to look for help themselves and access existing policies without specifically revealing a cancer diagnosis. For others, an informal initial conversation may be preferable.

The employee may wish to have a third party present at this or future meetings, such as a colleague or trade union representative. Communication and note taking should be handled sensitively and confidentiality should be assured at all times.

If they can, let the employee take the lead by telling you what has happened. If you need to move the conversation on a bit, you could try asking about:

- how they are feeling, emotionally and physically.
- whether they wish colleagues to be informed and what information should be shared.
- what sort of time off they might need for medical appointments and during treatment (they may not know at this point – it's often a case of seeing how things go).

It would be helpful if you also offer information about:

- the options for time off.
- Council policies on Flexible Working, applying for carers leave or leave of absence, the Flexible Working Hours Scheme, Career Break Scheme, making reasonable adjustments and the Managing Sickness Absence Procedure to look at the procedure that needs to be followed in relation to the employee's absence and their return-to-work after sick leave.
- their rights to be protected against discrimination either because they have cancer or are caring for someone with cancer. See Section 5 of this guide for more information about legislation.
- any services the Council offers to help them, for example, Care First.

Make a plan with the employee as to how and when you are going to contact with them during any absence from work. This contact should be often enough to be supportive but not too often as to be seen as being over bearing.

Make sure you end the meeting with an assurance that the employee's work is valued and that your door is always open if they need your assistance. Agree how you will keep the lines of communication open and set a date for the next meeting.

Practical Tip

If the employee is a member of a trade union, it may be a good idea to involve the employee's trade union, as they will have access to a Welfare Officer. It could help to involve them at an early stage if the employee wants their help.

Telling Colleagues

It's important to agree a communication plan with the employee early on. This can include what will and won't be mentioned, who will be told and who will do the telling.

The employee may not wish to tell others they are affected by cancer. This must be the employee's decision. However, colleagues may be more understanding about absences and other changes in work arrangements if they know what is happening.

If the employee agrees that others should know, ask them:

- if they want to break the news themselves.
- if someone else should do it, and whether they want to be present.
- how the news should be communicated, for example one-to-one or in a meeting.
- how much information should be shared and what should remain confidential.

When sharing information, concentrate on the impact the employee's illness may have on people and projects at work. Avoid personal details. Use positive language, but be honest about what to expect. Don't dramatise, and discuss with your team about how to best approach and talk with their colleague.

You can also invite staff to speak to you or HR if they are having practical problems with the situation or if they are feeling distressed. If you think it's appropriate, you can point them towards services like those outlined in Appendix 1 or Care First, which can provide them with more support.

Section 3 Workplace Support Strategies

There are many simple actions that will minimise the impact of daily operations and effectively support the employee.

Options for time off

Agreeing some time off work will be one of the employee's most pressing needs. Employees should try to give you advance notice so you can arrange cover if necessary, but this may not always be possible. Explain the provisions of the Council's Flexible Working Hours Scheme, if appropriate, the Managing Sickness Absence Procedure or the Leave of Absence Scheme.

People living with and after cancer will need to attend medical appointments. Some may need to stay in hospital for treatment. They may also benefit from receiving complementary therapies and may need time off for these appointments too.

If the employee is a carer, they are legally entitled to take 'reasonable' time off to deal with an emergency affecting a dependant. Please refer to the Council's Leave of Absence Scheme and Carers' Policy for further information.

Other options you can explore with the employee include:

- 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).
- working from home, if appropriate to the post. Refer to the Council's Home Working Policy.
- Career Break Scheme.
- reduced or condensed hours.
- taking time off in lieu, if appropriate.

The above options aim to provide the employee with sufficient time off to look after their own health or the person they care for, keep your Service Area running smoothly, and protect the employee as much as possible from financial hardship.

You may need to arrange cover, for example, if the employee is unable to work for a long period, or if they choose to reduce their hours. This should be discussed upfront with the employee. Be clear about your reasons for hiring temporary cover and be sensitive to their views and concerns. They may feel you don't have confidence in their treatment programme. Ensure that you let them know that the extra resource is temporary.

Sickness Absence

The Council manages sickness absence through the Managing Sickness Absence Procedure and this forms an essential part of an employment contract. Further advice is available from the Managing Attendance Team, who will provide advice to Managers on supporting an employee with cancer.

Keeping in touch

Like all employees on long-term sickness, people living with cancer often feel 'out of touch' with work during their absence. It's important to maintain appropriate contact with the employee during periods of sick leave. This contact is maintained through you or a nominated person such as a trade union representative. Handle communication carefully so that the employee still feels valued but doesn't feel you are pressuring them to return too soon. Please refer to the Managing Sickness Absence Procedure for further information on keeping in touch with employees when they are off on the sick.

If possible, discuss arrangements for keeping in touch with the employee before their absence. Ask them if they want to receive newsletters and key emails. Do they want to hear from colleagues? If so, how (by phone, email), and how often? Ask the employee to identify a good time to get in contact.

Cancer treatment may make it difficult for the employee to be in contact at certain times, and this may only become apparent after treatment has started. If you have agreed to call at a certain time on a certain day, keep that arrangement as the employee may have made the effort to be 'up and about'.

Sometimes an 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.

Referral to Occupational Health

The employee and your Service Area may benefit from advice from Occupational Health. Occupational health advisers draw on their clinical knowledge and an awareness of the specific duties and demands of the employee's role. If you have an employee who requires a referral to Occupational Health, please refer to the Managing Attendance Team at Ty Penallta for further advice.

Return-to-Work Options

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

As stated earlier many employees choose to share their cancer diagnosis with their Manager. As their Manager, you have no legal right to know the diagnosis or the clinical details of their 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 Occupational Health for advice about the individual's health in relation to their ability to carry out their role. This conversation may cover:

- the likely duration of absence.

- the likely effect health issues may have on return-to-work.
- the likely duration of any health issues that may affect the individual's ability to carry out their role.
- whether there are any adaptations needed in the workplace to help overcome any disadvantage the individual may suffer as a result of health issues.
- the likely duration of any adaptations.
- the potential impact of health issues on performance and/ or attendance.
- the potential impact of health issues on health and safety.
- if the individual will be unable to carry out their role for some time, whether the individual could carry out alternative roles within the Council.

If you do not have this information, you will not have all the information necessary to make an informed management decision on an employee's absence and future employment.

Practical Tip

If you 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 Service Area. For example make sure that if an employee's role contains any manual handling, they are able to still undertake this when they come back to work or whether they need any reasonable adjustments to be made. Think about the duties that the employee is undertaking and ensure any questions to the Occupational Health Advisor are based on the duties that the employee is expected to undertake.

Joint Return-to-Work Planning

This is where both you and the employee discuss and agree the best way forward. 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 fully involve the employee in these conversations to ensure it's a shared decision-making process.

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). See the Council's Notes of Guidance on Making Reasonable Adjustments for further information or speak to the Managing Attendance Team or your Business Partner Team.

Any planned adjustments should be discussed with and approved by the employee concerned.

For a successful return-to-work, for all employees returning from long-term sickness, you can try these specific steps:

- 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.
- help them feel part of the team again. Treat all your employees equally to ensure everyone knows arrangements are fair and to avoid resentment.

- agree a regular review process with the 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. See the Council's Home Working Policy.
- signpost to sources of information and further support, especially Care First.

The Importance of Line Managers

Line managers are important in the return-to work process for many reasons:

- you are often the first contact point when the employee is unwell and doesn't attend work.
- you are responsible for the day-to-day management of the employee on their return.
- you are key to work adjustments and implementation of work redesign initiatives.
- you may be the first person called upon by the employee when they need to meet HR or an occupational health professional for advice about their condition and their return-to-work.
- your behaviour can influence employees' exposure to workplace psychosocial hazards, for example, work demands. These are likely to be felt more by those returning following a period away from the workplace.
- your behaviour can either cause the employee stress or prevent additional stress, and stress or anxiety is likely to be felt more by those returning following a period of sickness absence.

Practical Tip

It is a good idea to schedule a meeting with the employee before they start their first day back at work. This gives them a chance to visit the workplace, hear important updates and raise any concerns. It also allows you to find out how they are feeling and sort out any potential problems before they occur.

Carers

Most of the points above can also apply to carers. However, carers may have additional difficulties re-entering the workforce, particularly if they have been bereaved. Their confidence and skills may have been affected by absence from work but they may also have emotional and practical issues to deal with following the death of a loved one. A carer may require help in overcoming these issues, although some people may want to work through problems themselves. Make sure that any employees who have found themselves in this situation are aware of the bereavement services that Care First provide, in case they wish to access them.

Please see Appendix 1 for organisations that can provide support.

Phased Return-to-Work

If Occupational Health recommends it, employees are entitled to up to four weeks phased return. If the phased return to be longer than this then it must be facilitated by using annual leave, flexi leave or time in lieu.

Practical steps

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

- plan for occasional absences for ongoing medical appointments and for days when the 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 the employee to work when they feel strongest and have the most energy. Flexible hours mean the employee can avoid the strain of travelling at peak times. This is also very helpful for carers.
- home working has many of the same benefits as flexible hours. It allows the employee to conserve their energy. If their post allows them to work from home, make sure their home has a suitable work 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. See the Council's Home Working Policy for further advice and guidance.
- work breaks are a good idea. A short rest in a quiet place can be helpful.
- Overtime, additional hours or hours in excess of their contract should be discouraged. Check the employee is leaving work on time.
- 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 don't feel over-burdened. prioritise duties so the 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.
- changes in the work environment may be needed. Get a professional assessment to see if the 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 Access to Work scheme (see below) can help with mobility issues.
- suitable alternative employment may be an option if, despite best efforts, the employee is unable to fulfill 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. You may wish to seek advice from HR about this.

Remember, changes to employees' working conditions can be temporary or permanent and may have an impact on their terms of employment. See the Council's Flexible Working Policy for further information and advice. Make sure the employee and the people responsible within your Service Area are clear on this issue before substantial changes are agreed.

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

Access to Work Scheme

Access to Work (AtW) is a government funded programme that supports people with long term health conditions. AtW gives practical support and help to meet additional costs associated with

work related obstacles. The main elements of support are special aids and equipment: required in the workplace as a direct result of an employee's condition, travel to work where an employee can't use available public transport as a result of their health condition or providing a Support Worker to allow the employee to access their work environment or a job coach to assist with their duties.

For more information please contact your HR Business Partner Team or telephone AtW on 029 20423291.

Leaving work

If an employee wants to resign, it's important to understand their reasons. 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 employee. Of course, for some people, leaving work is the best choice. If that is their decision, make sure the Council's leaving procedures are followed. Don't forget that employees may be able to take advantage of the Council's Career Break Scheme rather than resigning. See the Career Break Scheme for further information and further advice is available from the Managing Attendance Team or your HR Business Partner Team.

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 Section 4 of this guide for more information about personal finances). It's a complex area and every person's situation is unique. Because so much is at stake, encourage the employee to seek expert advice and establish what their position is, before any formal action is taken on either side. Further advice is also available from the Managing Attendance Team or your HR Business Partner Team.

Bereavement

Although many people now survive cancer treatment, the employee or the person they are caring for may die from their illness.

If the employee is a carer, they will need time off work to grieve and see to the needs of their family. This is sometimes known as compassionate leave. If there are children, the employee will need to give them extra emotional support. It may not always be easy to predict when they will be needed at home. They may also need time off work to sort out practicalities, such as arranging the funeral and dealing with financial or legal matters. See the Council's Leave of Absence Scheme for employees' entitlements to bereavement leave.

This is obviously an emotional time for everyone concerned. Some people at work won't want to talk about their feelings, but it helps if you can provide an appropriate opportunity anyway (Section 2 has more details on how to talk about cancer). Make employees aware of Care First if they want to discuss their feelings with someone outside of the workplace. Further advice and support is also available from Cruse Bereavement Care.

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, personally as well as professionally. This could be an exhausting time for you.

Remember to look after your own needs and be aware of where you can get support from too from your Line Manager, HR or Care First, etc.

Practical Tip

As the employee's Manager, you will be responsible for practical steps. These might include:

- informing colleagues within the Council.
- telling clients, customers and suppliers. This can prevent embarrassment and pain if they attempt to contact your colleague without knowing what has happened.
- assisting the family. There should be just one point of contact between the Manager 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.

Section 4 - Personal Finances

Cancer can have a serious impact on personal finances. People often experience a loss of income, and at the same time increased expenses, such as travel costs to hospital.

Impact of Employment Changes

State benefits can be hard to understand and difficult to access. Research indicates that the benefits system is not well designed to meet the needs of people affected by cancer – it's more like an obstacle course than a support mechanism.

Financial factors that can be affected by employment include:

- a loss of income.
- a change in pension entitlement and payment levels payouts under insurance policies, including life, mortgage, income protection and critical illness schemes.
- a change in eligibility for state benefits (this can be a very significant source of new income for people affected by cancer and it may not occur to an employee to apply for benefits).

The employee may wish to consult an independent financial adviser (IFA) about financial products such as pensions, insurance and investments. They can find a qualified professional at unbiased.co.uk. They can confirm an IFA's credentials by checking the [Financial Services Authority website](#). IFAs may charge a fee for their services. Employees can also get information from the [Money Advice Service](#) (call 0300 500 5000) – an independent body set up by the government. It runs a free financial health check service and gives general advice about all types of financial matters, signposting to sources of more detailed help.

Practical Tip

Decisions taken around employment can significantly affect a person's entitlements and long-term financial outlook. Before formally agreeing changes in working hours, resignation or early retirement, ensure the employee has obtained expert advice on the consequences for their own financial situation. The Pensions Section at Torfaen, if the employee is a member of the Local Government Pension Scheme can provide some advice on pension payments if the employee is thinking about early retirement. If the employee is a member of the Teachers' Pension fund, the Pensions Section at Darlington can provide advice on pension payments.

Section 5 - Legislation

This section provides information about the Equality Act 2010, to inform you as a Manager about what you can do to avoid discrimination regarding cancer.

The Equality Act 2010

The Equality Act 2010 has replaced discrimination laws in England, Scotland and Wales – including the Disability Discrimination Act (DDA) – bringing them together under one piece of legislation. The Disability Discrimination Act still protects people with a disability in Northern Ireland.

The information on this page is not a substitute for legal advice. If you need legal advice, please contact Legal and Governance.

How are People With Cancer Affected by the Equality Act?

Under the Act, it's unlawful for a Manager to discriminate against a person because of their disability. Everyone with cancer is classed as disabled under the Act. Even if a person who had cancer in the past has been successfully treated and is now 'cured', they will still be covered by the act. This means their Manager must not discriminate against them for a reason relating to their past cancer.

Previously, protection did not extend to people who are mistakenly thought to have a disability.

What About Carers?

The Act protects people who experience discrimination because they are associated with someone who has a disability. For example, it would be unlawful if the partner of someone who has cancer were refused promotion because of concerns that they would be unable to give sufficient attention to the job. However, the act doesn't allow reasonable adjustments to be claimed for caring responsibilities, although other legislation may provide the right to a 'reasonable' amount of unpaid time off work for caring responsibilities.

Example of Discrimination

Paula would like to take time off work to care for her husband Bob while he has chemotherapy treatment. While Paula is at work, her colleague, Sue, makes offensive comments about Bob's cancer and the fact that he is losing his hair. If Paula feels Sue's comments are creating a humiliating or degrading environment, then the Manager is likely to be vicariously liable (an Manager is vicariously liable for the acts of its employees that are done in the course of their employment), unless the Manager can show they took all reasonable steps to prevent the harassment.

Other Relevant Legislation

Time Off for Dependants

Employed carers have the right to take a 'reasonable' amount of unpaid time off work to deal with particular situations affecting their dependants. This right is covered by the amended Employments Rights Act 1996. In addition to this see the Council's Leave of Absence Scheme and Carers' Policy for additional entitlements to time off for dependents.

An employee is only entitled to take time off for dependants where it is necessary for that person:

- whilst the person requiring the care is seriously ill/incapacitated at home.
- accompanying the person requiring the care to hospital as an emergency admission.
- where the person requiring the care requires a medical examination by a doctor and the carer is required to be present.
- where the carer is required to be present by an external organization.
- where the carer has to be deal with an unexpected disruption or breakdown of care arrangements.
- to make longer-term care arrangements for the provision of care for a dependant who is ill or injured. (This would include, for example, arranging to employ a temporary carer. It does not enable the employee to take additional or ongoing time off to care for the dependant themselves)

It should be noted that this doesn't apply to planned time off to care for dependants, for example, to take them to a medical appointment.

What counts, as a reasonable amount of time off will depend on the individual circumstances. The nature of the incident and the extent to which another person was available to assist are relevant factors, but not any potential disruption to the employer's business. A Manager should always take into account the employee's individual circumstances. Decisions should always be based on the facts of each case.

Right to Request Flexible Working

The Work and Families Act 2006 and the Employment Rights Act give employed carers the right to request flexible working, such as changed hours or working from home. There is no automatic right to actually work flexibly; the right is to make a request to do so. Managers can refuse a request, but only on specified grounds. Employees can appeal against such a refusal. If a request is granted, it may be either a temporary or permanent change to the employee's contract. See the Council's Flexible Working Policy for the procedure to follow and an employee's eligibility to apply to work flexibly. Flexible working also applies to parents as well as carers – and there may be an overlap, for example when a parent has a disabled child

Employees may also ask for a Career Break to care for someone. See the Council's Career Break Scheme for further information.

Confidentiality

The Human Rights Act 1998 protects an individual's right to have personal information kept private. This includes medical information. A Manager doesn't have an automatic right to access medical information about an employee. However, a Manager may ask an employee for their consent to seek a medical report on their condition from their doctor or other health professional. The employee has the right to see any medical report provided by their GP or treating health professional before it is supplied to the Council. This information will always be requested through Occupational Health after the process has been explained to the employee.

Practical Tip

It's helpful if the person affected by cancer agrees that colleagues and clients can be informed about their condition. However, a Manager can't divulge this information without the employee's consent. Managers should take care to protect the employee's records, including emails and any notes from meetings containing details about the employee's medical condition.

SUPPORT AGENCIES FOR EMPLOYEES DIAGNOSED WITH CANCER OR CARING FOR RELATIVES WHO HAVE BEEN DIAGNOSED WITH CANCER

MACMILLAN CANCER SUPPORT

Macmillan Cancer Support specialists can provide information and advice on

- emotional support to employees and line managers. Call Macmillan free on 0808 8080000 (9am–8pm, Mon–Fri) for further information or visit www.macmillan.co.uk.
- coping with hair loss and coping with body changes after cancer.
- money worries. They are well equipped to help, offering a wide range of publications and services.
- how to access to information on benefits and other kinds of financial support including a free benefits awareness course and has a national network of local financial advice centres that employees can visit.

Macmillan has designed top 10 tips to guide them and support their employee through the cancer journey, from diagnosis through treatment and living with cancer. Copies of this leaflet are available to download from www.macmillan.co.uk.

Macmillan have a booklet called The Emotional Effects of Cancer, which explains more about the different feelings people may have following a cancer diagnosis and what can help.

TENOVUS

Tenovus can provide information and advice on

- worries and concerns about cancer as well as providing information, advice and support. This service is available to employees who have cancer or have a relative or friend that has cancer. Call Tenovus free on 0808 8081010 or visit www.tenovus.org.uk.
- signposting to other health and social services.
- counseling.
- finances – accessing benefits and other entitlements as well as dealing with debt.
- social activities – joining the Tenovus choir

MARIE CURIE CANCER CARE

Marie Curie Cancer Care can provide information and advice on

- managing the physical symptoms of the illness.
- emotional support for the employee and their family – coping with your feelings and the feelings of your family and friends.
- assistance with work.
- finances.
- provide a guide for carers on how to care for someone with cancer.
- dietary advice – it is important to maintain a healthy diet and understand that a person's tastes and preferences may change.

- some of healthcare options available.

CANCER RESEARCH UK

Cancer Research UK can provide information and advice on

- coping physically with cancer including the side effects of drugs and radiotherapy.
- coping emotionally with cancer.
- coping practically including financial support such as the grants and benefits that are available. Advice is also provided on how cancer can affect insurances, mortgages and pensions.

Call Cancer Research UK free on 0808 800 4040 or visit www.cancerresearchuk.org.uk.

TRADE UNIONS

Employees who belong to a trade union, may also be able to obtain advice from them. Employees should contact their local trade union representatives for further advice. Contact names and numbers are available on the HR Support Portal.