
Dealing with the Bereaved: A practical guide to family liaison

BESPOKE SAFETY LTD

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Andy Lucas has stepped in to provide advice and guidance to local authorities in respect of the serious yet sensitive situation of a family losing a loved one due to a workplace fatality.

Many environmental health practitioners will have experience of settings in which a hazard to health has resulted in death and so will identify whole-heartedly with the necessity for and the wisdom of providing this guidance.

As the guidance points out, the Health and safety Executive is much more likely than local authorities to come across this situation regularly. Yet it is essential that when the tragedy of a workplace fatality is notified to a local authority appropriate family members should receive good quality emotional and practical support.

This is where the role of the Local Authority Liaison Officer is key. As the guidance points out the selection, training and support available to those who are selected for this onerous and stressful work needs to be carefully planned. It is pleasing to see the strong emphasis on meeting the needs of the LA LO through training, sharing good practice and a regard for the individual's own emotional needs.

On behalf of the Chartered Institute of Environmental Health, I commend this guidance to you and express the determination, which I am sure we all share, that those who have already suffered the trauma of learning of the loss of a loved one should have the support they need, when they are most in need of it.

David Kidney, Head of Policy, CIEH November 2011

Dealing with the Bereaved: A practical guide to family liaison

This guidance supports the Dealing with the Bereaved: A practical guide to family liaison training session delivered by Bespoke Safety Ltd. Delegates are free to use the guidance provided it is used solely to assist them in their local authority work. The guidance cannot be reproduced or used commercially without the permission of the author.

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Background

Police are well versed and used to providing support to the bereaved employing Family Liaison Officers (FLOs). However, in the case of a work related death, when the police no longer have an interest (e.g. homicide not implicated) the FLO is likely to be withdrawn. It should be remembered the police assume homicide in all cases of unexplained death until explained. It is therefore likely that at the early stages of any fatal accident investigation both the FLO and the local authority liaison officer (LA LO) will be deployed at the same time.

LAs are not routinely involved in investigating work related death. In 2010/11 provisionally there were only 27 fatalities notified to the 433 LAs compared to 227 notified to HSE. Consequently it is understandable that LAs are not as prepared when undertaking this work. However, given the complexity of this work and the impact on the family, LAs should still have in place adequate LA LO arrangements as outlined in this guide.

Significance of the Stephen Lawrence Inquiry

The role of the police FLO was reviewed following the Macpherson Inquiry which criticised the FLOs working with the family of Stephen Lawrence. In particular it was suggested that there were breakdowns in communication resulting in a loss of credibility with the family.

The report had a whole chapter on the failures of police liaison with the family of Stephen Lawrence (chapter 26). The development of police family liaison grew out of recommendation 23 which stated that *“police services should ensure that at local level there are readily available liaison Officers.”*

It is also important to note recommendation 26 of the Inquiry Report which stated that: *“Senior Investigating Officers and Family Liaison Officers be made aware that good practice and their positive duty shall be the satisfactory management of family liaison, together with the provision to a victim’s family of all possible information about the crime and its investigation.”*

LACORS recognised this and issued revised guidance in 2010. ‘Work Related Death incidents and investigations - family liaison and vulnerable witnesses.’

<http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=1955BCB&id=23536>

According to the LACORS guidance, LAs ought to have officers who have undergone 'familiarisation' training on family liaison issues.

The document also states that there is an expectation that families will be dealt with appropriately by the authorities in cases of fatality. However this guidance wrongly assumed the LA LO will perform the same role as the police FLO. In reality they are significantly different and should not be directly compared. The guidance also states:

That officer (LA LO) may be the person who would assume the role of 'officer in charge of the investigation' or 'senior investigating officer' in the investigation of a workplace fatality.

This contradicts guidance issued by HSE OM 2008/07 '*Contact with and disclosure of information to the relatives of people killed through work activities*'. The guidance is clear that a Principal Inspector (PI) should meet the family and not the investigating officer (IO). The PI can delegate this role to either another PI or a more senior colleague or a junior colleague provided they understand the nature of the role etc. The IO can accompany the PI but should not go alone.

The IO should never have to perform the role of LA LO for a number of reasons:

- the IO is too close to the investigation
- the family may place unwanted pressure on the LA LO
- investigating the death of someone can be stressful in itself without additional pressures

Role of the LA LO compared to the police FLO

National guidance offered by the police states

(National Policing Improvement Agency Family Liaison Guidance 2008

www.npia.police.uk/en/14021.htm

This document sets out the police national strategy for family liaison policy and practice throughout the investigation of a death. LAs should be mindful of it during workplace fatality investigations and abide by its principles and practices wherever practicable. The objectives of family liaison are

- 1. To provide information to and facilitate care and support for the family, who are themselves victims, in a sensitive and compassionate manner in accordance with the needs of the investigation.*