

Personnel committee to review and make recommendations

Parental bereavement leave policy

Sample Policy

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Introduction

The purpose of this policy is to set out the Company's stance on employee entitlements to parental bereavement leave which are effective from 6 April 2020. The Company acknowledges that the death of a child, or a stillbirth, can be one of the most harrowing experiences of someone's life. This policy explains rights to time off, pay during time off and other support offered.

Eligibility

Parental bereavement leave is available from day one of employment. It is available to employees on the death of a child under the age of 18. You may take parental bereavement leave if you fall into any one of the following categories:

A 'natural' parent

An adoptive parent, and those with whom a child has been placed under the 'foster to adopt' scheme, provided the placement is ongoing

A 'natural' parent where the child has been adopted but a Court Order exists to allow the 'natural' parent to have contact with the child

An employee who is living with a child who has entered Great Britain from overseas in relation to whom has received official notification that they are eligible to adopt

An intended parent under a surrogacy arrangement where it was expected that a parental order would be made

A 'parent in fact' which is someone in whose home the child has been living for a period of at least four weeks before the death and has had day to day responsibility for the child, subject to exceptions. This category includes guardians and foster parents but does not include paid carers

The partner of anyone who falls into the above categories, where they live in an enduring family relationship with the child and their parent.

In addition, parents who suffer a stillbirth after 24 weeks of pregnancy are entitled to take parental bereavement leave.

Taking leave

A total of two weeks may be taken as parental bereavement leave and you may choose to take leave as:

A single block of one week

A single block of two weeks

Two separate blocks of one week

Leave must be taken in whole weeks and can start on any day of the week. It may be taken at any time in the 56 week period following the death.

If you have suffered a stillbirth after 24 weeks of pregnancy, you are still entitled to take the full entitlement to maternity and paternity leave, provided you were eligible to take maternity or paternity leave in the first place, in addition to parental bereavement leave. Parental bereavement leave cannot be taken at the same time as maternity or paternity leave.

Where more than one child dies or is stillborn, you are entitled to two weeks of parental bereavement leave in relation to each child.

Notification requirements

If leave is to be taken within the first 56 days of the death, no advance notification is needed. You should contact [name/job title] by [telephone, email, text message] by the time you were due to start work on the day you wish leave to begin. If it is not possible to let us know before the leave begins, please let us know as soon as is reasonably practicable after it starts, giving the date of the death, the date on which leave will start and whether one or two weeks is to be taken.

If leave is to be taken after the first 56 days have passed since the death, one weeks' notice is required. You should [name/job title] by [telephone, email, text message] a least one week before you wish leave to start giving the date of the death, the date on which leave will start and whether one or two weeks is to be taken.

Cancelling or changing dates of leave

You can cancel a period of leave that you have already told us about, as long as the period of leave has not already started. If your leave was due to start within the first 56 days of the death and you want to cancel it, you simply need to let us know, by your normal start time on the day that leave was due to start, that you no longer wish to take it. You are then free to re-arrange the leave.

If your leave was due to start once the first 56 days since the death has passed and you want to cancel it, you should let us know no later than one week prior to the intended start date.

You can also change the start date of leave by following the corresponding notice requirements above.

Payment during leave

You will qualify for statutory parental bereavement pay during leave if you meet the following criteria:

You have been continuously employed with us for at least 26 weeks by the week prior to the week in which the child dies

Your normal average weekly earnings are not less than the lower earnings limit relevant for national insurance purposes

You are still employed by us on the date the child dies.

Payment will be made at the rate set by the Government each year or 90% of your average weekly earnings (whichever is lower).

In order to receive statutory parental bereavement pay, you must provide us with notice including the following information within 28 days, or as soon as is reasonably practicable, of the first day of parental bereavement leave:

The child's name

The date of the death or stillbirth

A declaration that you fall into the one of the categories listed under 'Eligibility' above.

Returning to work

Upon your return to work, you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence unless:

The period of leave you have taken is more than 26 weeks when added to any other period of statutory leave including maternity, paternity, adoption leave etc in relation to the same child and

It is not reasonably practicable for you to return to the same job.

On your first day back to work, [name/job title] will set time aside to hold an informal meeting with you to discuss any arrangements regarding your return to work and any additional support we may be able to offer you.

~~(optional)~~ **Employee Assistance Programme**

We would like to remind you that you have access to a 24 hour telephone counselling service and we would like to encourage you to use it if you feel like you would like to talk to someone about your loss. The service can be accessed at [0800 023 4742](tel:08000234742) / wisdom.healthassured.org ~~[insert details of EAP]~~.

As part of our Employee Assistance Programme, you also have access to an online wellbeing tool, Wisdom AI, which you can use to find fast answers to any wellbeing questions you have. You can access Wisdom AI at any time via the Health Assured portal. The link in the menu bar will take you directly to the Wisdom AI homepage, where you can ask your question. More details of this service are available from [your](#) Manager.