



## Burton upon Stather Parish Council

### Bereavement/Compassionate Leave Policy

Burton upon Stather Parish Council recognises that bereavement is an emotional matter and will treat all applications for bereavement leave or compassionate leave with sensitivity and on an individual basis.

#### 1) Leave Entitlements:

##### 1. Paid Leave

Bereavement leave is paid leave that allows an employee time off to deal with their personal distress and related practical arrangements, primarily, but not limited to, when a member of the family dies.

Burton upon Stather Parish Council acknowledges that bereavement impacts all individuals differently and the guidelines below are intended to show the minimum paid leave an employee is entitled to in different circumstances.

The Parish Council acknowledges that not all employees will need to take the full allowance and some employees will need additional time, depending on their relationship with the person who has died and the circumstances of the death.

- 1.1 Paid leave of absence of up to five working days shall be granted in the case of any close relative of an employee eg spouse, mother, father, daughter, son, grandchild
- 1.2 Paid leave of absence of up to three working days for example for grandparent, mother-in-law, father-in-law

#### 2) Giving notice for bereavement leave

An employee should notify the Clerk and/or Chair of their need to take leave as soon as possible or, at the latest, on the first day of absence. An employee's next of kin or family member can notify the employee's line manager on their behalf.

In exceptional circumstances, applications for leave will be considered after the first day of absence. Line managers have the right to exercise discretion in exceptional circumstances as outlined above. Leave days do not have to be taken consecutively.

#### 3) Unpaid Leave

Depending on the circumstances an additional further five days unpaid compassionate leave may be granted. The following circumstances should be taken into account:

- The distance the employee has to travel to attend the funeral
- If the employee has to organise funeral arrangements
- If the individual has responsibility for executing the will
- Knowledge of the employees personal circumstances gained from conversations

The employee must consult with the Clerk/Chair prior to starting unpaid leave

#### **4) Annual Leave**

In the event of a bereavement, an employee will be able to take unpaid leave or annual leave at short notice to supplement their bereavement leave. Requests should be directed to the Clerk/Chair.

An employee who suffers a family bereavement while on annual leave can convert their annual leave into bereavement leave and take their annual leave at a future date.

#### **5) Compassionate Leave**

In other circumstances not covered by any of the specific leave provisions, approval of up to two weeks paid leave or six weeks' unpaid leave can be approved for other compassionate reasons.

#### **6) Parental bereavement leave**

Employees are entitled to 2 weeks Statutory Parental Bereavement Leave if their child:

- dies under the age of 18
- is stillborn after 24 weeks of pregnancy

Employees can claim this leave if they are the:

- birth parent
- natural parent (the person who gave birth to the child who has since been adopted, but has a court order to allow them to continue having access to the child)
- adoptive parent, if the child was living with them
- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'intended parent' – due to become the legal parent through surrogacy
- partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

Parental Bereavement Leave can be used within 56 weeks of the date of the death or stillbirth. It can be taken as either:

- 2 consecutive weeks
- 2 separate weeks
- 1 week only

In order to take Parental Bereavement Leave, an employee should tell their line manager:

- when they want their Parental Bereavement Leave to start
- whether they want to take 1 or 2 weeks' leave
- the date of their child's death

To take or cancel Parental Bereavement Leave, an employee should also give their line manager the correct notice:

- if within 8 weeks of the death or stillbirth – notice must be given before the employee would usually start work on the first day of leave
- if more than 8 weeks after the death or stillbirth – notice must be given at least 1 week before the start of the planned leave

#### **7) Parental Bereavement Pay**

If an employee has been with Burton upon Stather Parish Council for at least 26 weeks, they will be entitled to Statutory Parental Bereavement Pay if all of the following apply:

- their child dies under the age of 18 or is stillborn after 24 weeks of pregnancy
- they were employed when their child died
- they earn on average at least the average weekly minimum amount set by the government

To enable Burton upon Stather Parish Council to pay the employee for this time off, the employee must ask in writing (give 'notice') for Statutory Parental Bereavement Pay within 28 days of taking

Statutory Parental Bereavement Leave, starting from the first day of the week they're claiming the payment for.

The notice should state the employee is entitled to Statutory Parental Bereavement Pay and include:

- their name
- the start and end dates of the leave they want to claim the pay for
- the date of their child's death
- their relationship with the child

### **8) Enhanced parental bereavement leave and pay**

On top of the 2 weeks Statutory Parental Bereavement Leave and Pay for parents, Burton upon Stather Parish Council will grant eligible employees additional time off and pay.

Burton upon Stather Parish Council will grant eligible employees a total of 3 weeks' paid leave. This is paid at the employee's usual rate of pay.

### **9) Miscarriage leave**

If an employee or their partner has a miscarriage in the first 24 weeks of pregnancy, Burton upon Stather Parish Council recognises many people will consider this a bereavement.

In these circumstances, Burton upon Stather Parish Council provides **5** days leave. This time off will be paid. This will be paid at their usual rate of pay.

Up to 2 weeks sickness absence related to a miscarriage will be recorded as 'pregnancy related sickness'. This absence will be kept separate to other types of sickness and Burton upon Stather Parish Council will not count these absences towards any review or trigger points set out in the organisation's absence policy.

#### Miscarriage that happens at work

Burton upon Stather Parish Council understands it can be a very distressing time if an employee's miscarriage happens at work.

Any employee who needs assistance, for example help contacting a partner or family member, or needs immediate medical help such as a first aider, can contact one of the following: the Clerk/Chair/Councillor

If an employee needs to leave the premises, they should report a sickness absence to the Clerk/Chair. An employee does not have to report the exact reasons for their sickness absence if they do not feel comfortable to.

### **10) Return to work**

In certain circumstances, a full return to work may not be possible for an employee following the death of an immediate relative. In such circumstances, the Parish Council will allow a phased return to work on a part-time or reduced hours' basis where practicable. Alternative duties may also be considered. Any such arrangement would need to be agreed in advance by the Clerk/Council and be subject to an agreed maximum number of days. It would be managed in line with the Flexible Time Working Regulations.

### **11) Employee Support**

Burton upon Stather Parish Council acknowledges that bereavement leave is intended to support employees in the immediate period around the death of relative. However, the process of grief, the natural reaction and adjustment to loss and change may take a significant time and will be personal to each individual.

An employee with any concerns about the grieving process impacting on their work performance should discuss this in confidence with the Clerk and/or Chair to ensure that any reasonable

adjustments that may be necessary are discussed and put in place and that the employee is supported in their return to the full range of duties and responsibilities that they had prior to the bereavement or their duties and responsibilities are adjusted (as necessary) with prior agreement with the Clerk and/or Chair.

Burton upon Stather Parish Council recognises that people may not require counselling to cope effectively with their grief. However, for employees wishing to seek professional help in coming to terms with a death, the organisation will cover the cost of up to counselling session with an independent counselling practice. This is a confidential service and can be accessed directly through HR or the employee assistance programme.

### **12) Health and Safety**

Bereavement can have an impact on concentration, sleep and decision making. The health and safety assessment of the workplace will include consideration of the impact of bereavement on employees, their duties and responsibilities, and the context in which they are working, eg do they operate machinery?

Any employee who is concerned about their ability to conduct their duties safely in the weeks following a bereavement must discuss this with the Clerk and/or Chair.

Burton upon Stather Parish Council reserves the right to request that an employee visit a doctor before resuming full duties.

### **13) Culture and Diversity**

Burton upon Stather Parish Council recognises that different cultures respond to death in significantly different ways.

The Clerk and/or Chair will check whether the employee's religion or culture requires them to observe any particular practices or make special arrangements which would necessitate them being off work at a particular time. Employees should not assume that the Clerk and/or Chair is aware of any such requirements and should draw this to the Clerk's and/or Chair's attention as soon as possible.

If the Clerk and/or Chair is unsure of how to respond to a bereaved employee from a different culture, they should ask the bereaved employee or someone else from the cultural group about what is appropriate.