

PARENTAL BEREAVEMENT LEAVE AND PAY POLICY

1. INTRODUCTION

The Parental Bereavement Leave Regulations 2020 introduce an entitlement for bereaved parents to take up to two weeks' leave following the death of a child.

This policy sets out the rights bereaved parents have to leave and pay above the statutory requirements. The loss of a child is devastating, and we sincerely hope that none of our staff will need to access this policy. However, it is important that the rights of bereaved parents are easily accessible and digestible and our aim in producing this policy is to set these out, clearly and succinctly.

1.1 Purpose

This policy outlines the University's provisions for parental bereavement leave and pay to meet statutory requirements. The policy will be regularly reviewed and updated in order to ensure that it reflects best practice and any legislative changes.

1.2 Scope

This policy applies to parents and adults with parental responsibility employed by the University who lose a child under the age of eighteen or suffer a stillbirth after 24 weeks of pregnancy, from 6th April 2020.

While the Parental Bereavement Leave Regulations 2020 set out the right to time off for parents who experience a stillbirth using the legal/medical definition the University acknowledges that pregnancy loss at any stage can be extremely difficult and would endeavour to support parents affected by this in a compassionate manner.

The policy sets out the rights of bereaved parents, the eligibility requirements and process for taking parental bereavement leave and pay arrangements.

2. POLICY

2.1. Parental bereavement leave

2.1.1 The right to take parental bereavement leave

Employees who, at the date of the child's death, were one of the following, will be able to take parental bereavement leave regardless of their continuous service with the University:

- the child's parent
- the child's natural parent who has lost their legal status as parent following an adoption or parental order but in whose favour a contact order has been made
- a person with whom the child had been placed for adoption
- an adopter with whom the child was living, following the child's entry into Great Britain from outside the UK, and who had received official notification in respect of the child
- an intended parent of the child - someone who had applied, or intended to apply during the period of 6 months beginning with the day of the child's birth for a parental order in respect of the child and who expected the court to make such an order
- the child's parent in fact - someone who for the previous 4 weeks lived with the child in the child's home and had day to day responsibility for the child's care
- the partner of any of the above who was living in an enduring family relationship with that person and the child.

The right to parental bereavement leave will also apply to parents who suffer a stillbirth from week 24 of pregnancy onwards.

The right to parental bereavement leave applies per child.

2.1.2 Taking parental bereavement leave

The University recognises that losing a child is traumatic and that in most cases bereaved parents will require a significant period of time away from work to come to terms with their loss and that in addition to the provisions set out in this policy they may have a period of long-term sickness absence.

2.1.2.1 Leave entitlement and how it can be taken

The minimum period of parental bereavement leave that can be taken is one week (which can start on any day of the week). It cannot be taken as individual days.

You can take either one week or two weeks' leave. If you wish to take two weeks' leave the weeks do not have to be consecutive.

2.1.2.2 Timeframe within which leave entitlement can be taken

Parental bereavement leave can be taken within 56 weeks of the date of the child's death.

2.1.2.3 Notice requirements for taking leave

Within 56 days of the child's death

If you wish to take parental bereavement leave within this time period you will not need to provide advance notice of taking leave. You will simply need to let your manager know before you are due to start work on your first day of absence or if it is not reasonably practicable to do so, as soon as is reasonably practicable.

After 56 days of the child's death

If you wish to take parental bereavement leave after 56 days following the child's death you will normally be required to give at least one week's notice of taking leave.

Notification of taking leave

When you advise that you wish to take parental bereavement leave you will need to confirm the following:

- the date of the child's death;
- the date on which you want the period of leave to begin;
- whether you wish to take one or two weeks.

Regardless of when you wish to take parental bereavement leave written notification is not required; a phone call or email to your line manager will be sufficient. However, if you prefer, there is a template form (PBL1) which can be completed and emailed to your line manager.

Recording parental bereavement leave

Managers will need to record any periods of parental bereavement leave on Keele People.

Cancelling a period of parental bereavement leave

To cancel a period of parental bereavement leave you will normally need to give the same amount of notice as you were required to give to take the leave. However, once a period of parental leave has commenced you will not be able to cancel it.

Managers will need to update Keele People should a member of staff cancel a period of requested parental bereavement leave.

Continuing terms and conditions of employment

Your contract of employment continues throughout your parental bereavement leave, unless either you or the University expressly ends it, or it expires.

During parental bereavement leave, you will continue to benefit from the terms and conditions of employment which would have applied had you been at work and you will accrue annual leave during parental bereavement leave.

Rights on returning to work

At the end of parental bereavement leave you have the right to return to the job in which you were employed before the absence.

If a period of parental bereavement leave is combined with a period of statutory leave and the absence totals more than 26 weeks you have the right to return to the same job or, if that is not reasonably practicable, to another job which is both suitable and appropriate for you to do in the circumstances.

2.1.3 Parental bereavement pay

All University employees who take parental bereavement leave will receive their normal pay¹, this will include any entitlement² to statutory parental bereavement pay.

Occupational parental bereavement pay includes any entitlement to statutory parental bereavement pay. If statutory parental bereavement pay is greater than occupational parental bereavement pay, you will receive statutory parental bereavement pay.

To receive parental bereavement pay you will need to complete and submit the PBP1 form, within 28 days from the first day of parental bereavement leave or where it is not reasonably practicable to give such notice, as soon as is reasonably practicable.

2.3 Supporting you and your return to work

We understand that if you suffer the loss of a child you will deal with this in your own way and it is therefore vital that the support we provide you with is appropriate and meets your individual needs. Your line manager/HR will discuss with you your preferred approach around matters such as frequency of contact, method of contact, accessing Occupational Health, etc.

The University recognises that returning to work after the loss of a child will be extremely difficult. The University aims to provide appropriate support and encourages you to seek advice and support if you are in need of it. Such advice and support can be obtained by speaking with your line manager or contacting, in confidence, a member of your Link HR team and/or Occupational Health.

3. ROLES AND RESPONSIBILITIES

Employees

- To notify their manager if they will be taking a period of parental bereavement leave.

Line Managers

- To ensure any periods of parental bereavement leave are accurately recorded on Keele People.
- To provide support to employees affected by the loss of a child, utilising specialist services, such as the Occupational Health Service.

¹ Normal pay is defined as the salary/wage that would have been received had you not been absent on parental bereavement leave. It includes non-superannuable allowances but excludes pay in relation to voluntary overtime.

² To be eligible to receive statutory parental bereavement pay employees must meet the definition of a bereaved parent and must:

- have more than 26 weeks' continuous employment with the University ending with the week before the week in which the child died and still be employed by the University on the day their child dies and
- have normal weekly earnings in the 8 weeks up to the week before the child's death that are not less than the lower earnings limit for national insurance contribution purposes.

- To provide further guidance and support on the application of this policy when required.

4. RELATED POLICIES AND PROCEDURES

- Maternity Leave and Pay Policy and Procedure
- Flexible Working Policy and Procedure

5. REVIEW, APPROVAL & PUBLICATION

As a general principle, this policy will be reviewed by the HR Department, in consultation with recognised Trade Unions, after three years or where operational and/or legislative requirements change. Any revisions will be approved in accordance with UEC and Council procedures, where applicable.

This policy is not contractual and is not intended to be incorporated into individual terms and conditions of employment. It may be subject to review, amendment or withdrawal.

The University will audit requests made for parental bereavement leave which will include equality data.

This policy will be available on the policyzone which is on the University's website.

6. DOCUMENT CONTROL INFORMATION

Document Name	Parental Bereavement Leave and Pay Policy
Owner	Rachel Adams, Director of Human Resources
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Equality Analysis Form Submission Date	Proceed – 5 March 2020
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Related University Policy Documents	Maternity Leave and Pay Policy and Procedure Flexible Working Policy and Procedure
<i>For Office Use – Keywords for search function</i>	