**Parental Bereavement Leave Policy**

We recognise that, while dealing with any bereavement is complex, the death of a child is among the most devastating events an employee can ever face.

This policy reiterates our commitment to supporting our employees through their grief by ensuring that bereaved parents can take parental bereavement leave.

This policy applies to employees who have lost a child (i.e. under 18) on or after 6 April 2020. The policy also applies to parents who suffer a stillbirth after 24 weeks of pregnancy.

**Who Can Take Parental Bereavement Leave**

Whatever your length of service, you can take parental bereavement leave if you are the:

* parent of a child who has passed away; or
* partner of the child's parent, where you live in an enduring family relationship with the child who has passed away and their parent; or
* "parent in fact" of a child who had passed away, which means that, for a continuous period of at least four weeks before the child died, you have been living with the child and had "day-to-day responsibility" for the child (but you have not been paid to look after the child);
* "intended parent" of a child who has passed away, i.e. a parent using a surrogate;
* "natural parent" of a child who has passed away who is named in a court order, i.e. where a court orders some contact for an adopted child's birth parent; or
* adopter of a child who has passed away.

In practice, this means that most employees with parental responsibility for a child who passes away on or after 6 April 2020 can take parental bereavement leave.

If you have suffered a bereavement but are unsure if you are entitled to parental bereavement leave, you should contact your line for clarification.

**What Leave a Bereaved Parent Can Take?**

For each child who has passed away, a bereaved parent can take one- or two-weeks’ parental bereavement leave.

Parental bereavement leave is not available as individual days.

**Timing of Parental Bereavement Leave**

If you are a bereaved parent, you can take the rest as:

* a single block of two weeks, or
* two separate blocks of one week at different times.

The leave must be taken within 56 weeks of the date of the death of your child.

This lengthy period recognises that, as a bereaved parent, you may need some flexibility when you take the leave. For example, you may:

* wish to take leave around the first anniversary of your child's death or at another particular special time, such as your child's birthday; or
* already be on another type of leave, such as maternity leave or sickness absence.

**Notice to Take Parental Bereavement Leave**

Informal notification, such as a phone call or email, is sufficient to take parental bereavement leave.

If you intend to take parental bereavement leave within the first 56 days after your child's death, you can take the exit immediately. You do not have to provide a period of notice. This means you can begin parental bereavement leave by letting your line manager know when you are due to start work or, if that is not feasible, as soon as is reasonably practicable.

If you intend to take parental bereavement leave more than 56 days after your child's death, you must give your line manager at least one week's notice of your intention to take parental bereavement leave.

**Cancellation of Parental Bereavement Leave**

If you have asked to begin parental bereavement leave within the first 56 days of your child's death, you can cancel your parental bereavement leave as long as you let your line manager know before you would have been due to start work.

If you have asked to begin parental bereavement leave more than 56 days after your child's death, you can cancel your parental bereavement leave as long as you let your line manager know at least one week in advance.

You cannot cancel any week of parental bereavement leave that has already begun.

**Pay During Parental Bereavement Leave**

**Option 1**

Employer Pays Parental Bereavement Pay at the Statutory Minimum Rate

To be eligible for statutory parental bereavement pay, employees who are on parental bereavement leave are required to have the following:

* at least 26 weeks continuous employment with their employer by the week before the week in which their child passes away, and still be employed by that employer on the day on which the child passed away; and
* average weekly earnings in the eight weeks up to the week before the child's death that are no less than the lower earnings limit for national insurance contribution purposes.

Suppose you take parental bereavement leave and qualify for statutory parental bereavement pay. In that case, you will be paid at the rate set by the Government for the relevant tax year or 90% of your average weekly earnings where this figure is lower than the Government's set weekly rate. A non-eligible employee's parental bereavement leave will be unpaid.

Please notify us of the weeks you wish to claim statutory parental bereavement pay. You must generally provide the parental bereavement pay notice within 28 days of the first day you are claiming statutory parental bereavement pay. However, if that is not feasible, you can provide the information as soon as is reasonably practicable.

At the same time as you give notice, you must provide evidence of entitlement to statutory parental bereavement pay. To ensure we can pay statutory parental bereavement pay, your line manager will ask you to sign and return a [form to provide notice and evidence of entitlement to parental bereavement pay](http://www.xperthr.co.uk/policies-and-documents/form-for-an-employee-to-provide-notice-and-evidence-of-entitlement-to-parental-bereavement-pay/164942/).

**Option 2**

**Employer Offers Parental Bereavement Pay**

Recognising the need to support bereaved parents, we will continue to pay average pay during parental bereavement leave.

**Rights during parental bereavement leave**

During parental bereavement leave, all terms and conditions of your contract [except average pay] will continue. [[Salary/wages] will be replaced by statutory parental bereavement pay if you are eligible.

This means that [, while sums payable through [wages/salary] will cease, all other/all] benefits will remain in place. For example, holiday entitlement will continue to accrue. Pension contributions will continue to be paid. [You will stay in any [life assurance/private medical insurance] schemes you have joined.]

**Returning to Work Following Parental Bereavement Leave**

You have the right to resume working in the same job when returning to work from parental bereavement leave if the period of rest when added to any other period of statutory holiday (typically maternity leave, paternity leave, adoption leave, or shared parental leave) about the same child, is 26 weeks or less.

You are entitled to return to another job that is suitable and appropriate for you, rather than the same position, if:

* the period of leave taken is more than 26 weeks when added to most other periods of statutory holiday taken in relation to the same child; and
* it is not reasonably practicable to return you to the same job.