



# ECCLESFIELD PARISH COUNCIL

*Serving your Community Since 1894*

## **BEREAVEMENT POLICY**

### **1. Introduction**

Ecclesfield Parish Council ('The Parish Council') acknowledges the personal nature of bereavement and grief and is committed to supporting employees in practical and reasonable ways.

### **2. Leave Entitlements**

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

The 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.

Additional time off can include annual leave. Employees should check the Council's policies on leave and their contract of employment.

If a dependent dies 5 working days of paid leave will be granted in the event of the death of a dependent. A dependent could be a:

- spouse, partner or civil partner
- child\*\*
- parent
- step-parent
- sibling
- person who lives in the employee's household (not tenants, lodgers or employees)
- person who would rely on the employee for help in the event of an accident, illness or injury, such as an elderly neighbour
- person who relies on the employee to make care arrangements

\*Partner includes someone the employee is cohabiting with but is not the employee's spouse or civil partner.

\*\* Child includes children the employee is the adoptive parent, legal guardian or carer for. If the child dies under the age of 18 or is stillborn the employee may be entitled to additional leave.

If a non-dependant dies, 2 days paid leave may be granted on the death of someone who is not a child or dependant. These circumstances would include (but are not limited to) situations where the employee is responsible for funeral arrangements or has to travel abroad to attend the funeral.

### **3. Giving Notice for Bereavement Leave**

An employee should notify the Clerk (or the Chairman of Staffing Committee in the Clerk's absence or where the concerned employee is the Clerk) of their need to take leave as soon as possible or, at the latest, on the first day of absence. In exceptional circumstances, applications for leave will be considered after the first day of absence. The Clerk in consultation with the Chairman of the Staffing Committee has the right to exercise discretion in exceptional circumstances as outlined above. Leave days do not have to be taken consecutively.

### **4. Additional Leave**

In the event of 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 (or the Chairman of Staffing Committee in the Clerk's absence or where the employee is the Clerk). 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. Unpaid leave on compassionate grounds may be granted after bereavement. An employee must consult with the Clerk in conjunction with the Chairman of the Staffing Committee before starting unpaid leave.

### **5. 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 week
- 2 separate weeks
- 1 week only

In order to take Parental Bereavement Leave, an employee should tell the Clerk (or the Chairman of Staffing Committee in the Clerk's absence or where the employee is the Clerk):

- 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 the Clerk (or the Chairman of Staffing Committee in the Clerk's absence or where the employee is the Clerk) 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

## **6. Parental Bereavement Pay**

If an employee has been with the 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 the Council to pay the employee for this time off, the employee ought to 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

## **7. Miscarriage Leave**

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

In these circumstances, the Council provides 2-5 days leave. This time off will be paid. This will be paid at their usual rate of pay.

Up to 2 weeks of 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 the Council will not count these absences towards any review or trigger points set out in the Council's absence policy.

## **8. Miscarriage That Happens at Work**

The 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 they should inform the Clerk or another member of staff,

If an employee needs to leave the premises they should report a sickness absence to the Clerk or the Chairman of the Staffing Committee if it relates to the Clerk as soon as possible. An employee does not have to report the exact reasons for their sickness absence if they do not feel comfortable.

## **9. 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 – for example, when the employee's grief is likely to impact on their ability to perform their role, or where new childcare arrangements have to be sourced or responsibility for the care of an elderly parent has transferred to the employee.

In such instances, 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 either the Clerk or the Chairman of the Staffing Committee and would be subject to an agreed maximum number of days.

## **10. Employee Support**

The Parish Council acknowledges that bereavement leave is intended to support employees in the immediate period around the death of a 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 either the Clerk or the Chair of the Staffing Committee, 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 the prior agreement of Clerk/Chairman of Staffing Committee

## **11. 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.

Any employee who is concerned about their ability to conduct their duties safely in the weeks following bereavement must discuss this with the Clerk or the Chairman of the Staffing Committee.

The Parish Council reserves the right to request an employee to seek medical advice before resuming full duties.

## **12. Culture and Diversity**

The Parish Council recognises that different cultures respond to death in significantly different ways.

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

**Approved by Council April 2022**

**Review Date April 2024**