



## Parental Bereavement Policy

Parental bereavement leave is the term applied to time off from work to deal with the death of a child, if the child is under the age of 18 or are stillborn after 24 weeks' pregnancy. This policy sets out the statutory rights of York Childcare employees and how to request Parental Bereavement leave and how YC will support its employees.

Parents also have a right to time off for dependants.

### Eligibility and Rights

Eligible parents have a right to 2 weeks':

- Statutory Parental Bereavement Leave, if they're an employee
- Statutory Parental Bereavement Pay, if they're an employee or worker
- 

'Statutory' means the legal minimum an employer must give.

This right applies to the:

- biological parent
- adoptive parent,
- if the child was living with the person 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

Parents have a right to take Statutory Parental Bereavement Leave if:

- they're classed as an employee of YC
- their child dies under the age of 18 or is stillborn after 24 weeks' pregnancy
- 

Employees have this right from the day they start their employment with YC.

Statutory Parental Bereavement Leave can be taken in the 56 weeks following their child's death. If more than 1 child dies, the employee is entitled to 2 weeks' Statutory Parental Bereavement Leave for each child.

YC recognises that employees who have suffered the loss of a child may require more than the statutory parental bereavement leave allows; employees may wish to consider taking a period of annual leave, this should be requested this in the usual way.

YC will consider any request sympathetically and are willing to consider requests for periods of unpaid leave. Discussions regarding further leave should be held with your line manager.



Under our compassionate leave policy, employees are also entitled to up to 5 days' paid leave. Further information about how to request compassionate leave is contained in the policy.

### **Parental bereavement pay**

Employees and workers are entitled to 2 weeks' Statutory Parental Bereavement Pay if:

- their child dies under the age of 18 or is stillborn after 24 weeks' of pregnancy
- they were employed by YC when their child died
- they'd worked for YC for at least 26 weeks, on the Saturday before the child's death
- they earn on average at least £120 per week, before tax

### **How much is Statutory Parental Bereavement Pay**

Statutory Parental Bereavement Pay is the minimum amount YC must pay eligible employees.

Eligible employees and workers will get one of the following, whichever is lower:

- £151.97 a week
- 90% of their average weekly earnings

### **Taking Statutory Parental Bereavement Leave**

An employee can choose to take either 1 or 2 weeks' leave.

If an employee takes 2 weeks, this can be taken in one go, or as 2 separate weeks. For example, they could take 1 week immediately after the death, and take the other week later on as long as the leave ends within 56 weeks of the child's death.

The date of the child's death is the first day of the 56 weeks.

### **Giving notice to take leave**

An employee must tell their line manager of their intention to (give 'notice') to use Statutory Parental Bereavement Leave. To give notice, the employee must tell their line manager:

- when they want the leave to start
- whether they want to take 1 or 2 weeks leave
- the date their child died

This notice does not have to be in writing. The rules for giving notice depend on how long it's been since their child died.

### **Taking leave in the first 8 weeks**

If it's within 8 weeks (56 days) of their child dying, an employee can start their leave as soon as they give notice. Line Managers must be informed before they start their leave, this can be on the first day of leave as long as it's before they're due to start work. For example, if they've started work and



give notice to start their leave straight away, Statutory Parental Bereavement Leave must start the following day.

### **Cancelling Leave**

Employees have the right to cancel leave, as long as they tell their line manager before their leave starts. This can be on the day their leave is due to start, as long it's before they're usually due to start work.

Any cancelled leave can be taken later by giving notice again.

### **Taking leave after the first 8 weeks**

If leave will be taken more than 8 weeks (56 days) since their child died, the employee must give their line manager 1 week's notice:

- to take the leave
- if they want to cancel the leave

Any cancelled leave can be taken later by giving notice again.

### **Claiming Statutory Parental Bereavement Pay**

Employees and workers must ask YC in writing (give 'notice') to receive Statutory Parental Bereavement Pay. They must confirm:

- their name
- their entitlement to Statutory Parental Bereavement Pay
- 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

Notice must be given within 28 days of starting leave. If someone takes the 2 weeks off separately, they must give notice in writing for each week. Employees can give notice for their leave and pay in one document.

### **Supporting an employee after the death of a child**

If an employee's child dies, YC recognises the importance of offering support to their employee after the death, including when they return to work.

### **Practical and emotional support**

YC offers a variety of practical and emotional support that may be relevant to employees who have suffered the loss of a child. These include the following:

- the Sovereign Health employee assistance programme which includes employee counselling service,



- mental health first-aid programme, and
- Access to an occupational health assessment

### **Returning to work**

Your line manager will keep in touch with you during any period of parental bereavement leave to discuss:

- what information, if any, you want to share with colleagues before you return to work and how that information should be provided;
- any additional support you need to return to work; and
- any adjustments recommended by a health and safety risk assessment.

Your line manager will arrange a meeting with you to discuss these issues before your return to work if you would find that useful.

Your line manager will also have regular meetings with you after your return to work so that we can continue to provide adequate support.