

Parental Bereavement Policy

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1. Introduction

Cambridgeshire and Peterborough Combined Authority recognises that bereavement is difficult, and the death of a child is one of the most devastating events any individual can ever face. This policy reiterates our pledge to supporting our employees during the loss of a child and ensuring that bereaved parents can take parental bereavement leave.

2. Purpose

This policy sets out the arrangements for support, time off and pay for CPCA employees in the event of the death of a child or a stillbirth. This applies to all employees irrespective of their length of service with the organisation.

3. Vision and Values

Our vision is for a prosperous and sustainable Cambridgeshire and Peterborough. Driven by our values and using our collective voice and strengths, we seek inclusive good growth for an equitable resilient, healthier and connected region.

Our values define what is important in the way we deliver this vision. At Cambridgeshire and Peterborough Combined Authority our core values are Collaboration, Integrity, Vision, Innovation and Leadership. We are committed to ensuring our culture enables our employees to display these values regardless of their roles within the organisation. Managers and employees alike must ensure our core values are upheld when implementing this policy.

4. Who is eligible?

All employees are eligible for enhanced parental bereavement leave and pay regardless of length of service.

An employee can take parental bereavement leave, whatever their length of service. This right will apply

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to 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.

In the event both parents of the child who dies are employees of CPCA, each is entitled to parental bereavement leave.

If an employee has suffered a bereavement but is unsure if they are entitled to parental bereavement leave, they should contact the HR Team for advice.

5. Notification

If an employee wants to take Parental Bereavement leave for the first 2 weeks following the death of their child, they do not need to provide any formal notice. CPCA would ask they let their line manager or HR know they intend to take that time off and when they intend to return to work. An informal notification will suffice during this period.

If the employee wants to take more time off following the initial two weeks after the death of their child, they must give their line manager or HR at least one week's notice of their intention to take this leave.

6. Length of leave

Following the 2 week Parental Bereavement leave, it is recommended that the manager or HR talk with the individual. If the employee intends to return to work at this point, the manager should discuss whether a phased return is needed. If the employee needs additional time off, this could either be considered as additional Compassionate Leave (Time Off Policy), or if the individual is too unwell to work, this would fall under the Attendance and Absence Management Policy. Please see Guidance for Line Managers later in this Policy.

Parental bereavement leave can be taken in blocks of one week, two consecutive weeks, or two separate weeks. It can also be taken at any time during the first 56 weeks after the child's death.

If an employee is on another type of parental leave (for example, maternity or paternity leave) when the child dies or stillbirth happens, the parental bereavement leave must start after the other period of parental leave has ended but does not have to be taken immediately after. This applies even if the leave is for the loss of another child.

7. Pay

During the 2 weeks of the Parental Bereavement leave all employees are eligible to be paid at their normal full rate of pay.

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8. Return to work

An employee has the right to return to the same job when returning to work from parental bereavement leave if the period of leave, when added to another period of statutory leave (typically maternity leave, paternity leave, adoption leave or shared parental leave) in relation to the same child, is 26 weeks or less.

If, however, the employee takes two or more consecutive periods of statutory leave (which could include additional paternity/adoption of more than four weeks), they will be entitled to return to the job in which they were employed before their absence. If that is not reasonably practicable for the company, then they are entitled to return to another job which is both suitable and appropriate in the circumstances.

The employee has the right to return:

- with your seniority, pension rights and similar rights
- on terms and conditions not less favourable than those which would have applied if they had not been absent.

9. Support

The Combined Authority understands that individuals who suffer the loss of a child will deal with this in their own way and it is therefore vital that the support we provide members of staff is appropriate and meets individual needs. Line managers/HR will discuss the preferred approach with the employee around matters such as frequency of contact, method of contact and how to access our Employee Assistance Programme and Occupational Health Services.

10. Guidance for all line managers

Parental bereavement leave is a new legal entitlement for the bereaved parents of a child (i.e. under the age of 18) who passes away on or after 6 April 2020 to be absent from work for up to two weeks. As a line manager, you need to understand when parental bereavement leave applies and how it fits in with our wider commitment to supporting grieving staff.

The legislation has been dubbed "Jack's Law", so you may hear HR, your fellow line managers and employees refer to parental bereavement leave in this way.

What leave a bereaved parent can take

A bereaved parent can take one or two weeks' parental bereavement leave for each child who has passed away. It operates in units of one week and is not available as individual days. The leave must be taken within 56 weeks of the date of the death of the child. Recognising the need to provide bereaved parents with support, we will continue to pay normal pay during parental bereavement leave. Whatever their length of service, an employee who has lost a child can take parental bereavement leave. Who counts as a parent here is very wide: entitlement includes not only birth parents, but also adoptive parents and the partner of the child's parent. In addition, it is available to parents who suffer a stillbirth after 24 weeks of pregnancy.

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 are unsure if an employee is entitled to parental bereavement leave, you should contact the HR department for clarification.

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Communicating with the bereaved parent

There is no requirement for the notice to be in writing; nor for the employee to provide any evidence of their child's death (such as a copy of a death certificate or a letter from the child's doctor).

This means that informal notification, such as a phone call or email, is sufficient to take parental bereavement leave.

It is the responsibility of the Line Manager to record the necessary information, and pass this onto HR.

You should not require a recently bereaved parent to confirm in writing that they are taking the leave, nor ever ask for evidence that their child has died. There is a form for you to record that an employee is taking parental bereavement leave, which has an explanation of the basic information that you need to gather from the employee when they are taking parental bereavement leave.

You should take an exceptionally sensitive and flexible approach when it comes to obtaining an employee's notice to take parental bereavement leave. When the time is right, you should follow up any contact that you have had with the employee with a letter confirming that they are taking parental bereavement leave.

You can use this letter as an opportunity to highlight the support that we provide to the employee.

Other points to note:

Statutory parental bereavement pay

The Combined Authority will pay normal pay during this 2 week period, which exceeds the statutory requirements. However, we are required to gather certain information, which is outlined on the forms we ask you to complete.

Employees taking parental bereavement leave must notify their manager. This can be done informally, for instance by phone/Teams/email

Parental bereavement leave: record of employee's notice to take leave

For the attention of line managers/HR professionals

This form is for a line manager/HR to record that an employee has provided notice that they are taking parental bereavement leave.

This form contains the information that you need to gather from the employee for them to take parental bereavement leave. You should not, under any circumstances, give the employee this form to complete themselves.

In completing this, you can confirm that the employee meets one of the conditions of entitlement below to claim statutory parental bereavement pay.

- They were the parent of the child.
- They are the partner of the child's parent. They lived in an enduring family relationship with the child and their parent.

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- They were the "parent in fact" of the child, and was, for a continuous period of at least four weeks before the child passed away, living with the child and had "day-to-day responsibility" for the child, but was not paid to care for the child.

Name of employee:

Date of child's death:

Date on which the employee is beginning parental bereavement leave:

Does the employee wish to take one or two weeks' parental bereavement leave?

One week/Two weeks (delete as appropriate)

To be signed and dated by a line manager or an HR professional:

Signed & Dated:

- *Who should complete this form?*

This form should be completed by a line manager or a HR professional.

Informal notification, such as a phone call or email, is sufficient to take parental bereavement leave. Please ensure that you obtain the necessary information from the employee in a sensitive manner.

- *When to complete this form?*

Complete this form when an employee is taking one or two weeks' parental bereavement leave.

Where more than one of an employee's children loses their life (for example in an accident involving multiple fatalities), the employee is entitled to two weeks' parental bereavement leave for each child - in these circumstances, please complete a form for each child who has passed away. There is no minimum service requirement, meaning that parental bereavement leave is available to employees from day one of their employment with us.

- *Evidence to take parental bereavement leave*

The employee does not have to provide any evidence of their child's death. You should not, under any circumstances, require the employee to provide you with evidence that their child has passed away.

Letter/Email – informing employee about parental bereavement pay & rights

Dear EMPLOYEE NAME,

We are sorry for your loss. We recognise the need to provide bereaved parents with as much support as possible, and we will continue to pay normal pay during your bereavement leave.

Rights during parental bereavement leave

During your leave, all the terms and conditions of your contract will continue.

This means that all benefits will remain in place. For example, holiday entitlement continues to accrue. Pension contributions will continue to be paid.

Returning to work after parental bereavement leave (this section may not be relevant in every case)

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When you return to work after some time on parental bereavement leave, you generally have the right to return to the same job.

However, a slightly different rule applies if you return from time on bereavement leave that follows on immediately from some maternity, adoption, paternity leave or shared parental leave (taken in relation to the child who has passed away), and your total time on leave is more than 26 weeks.

In these circumstances, you have the right to return to the same job, unless this is not reasonably practical - in which case you have the right to return to a suitable and appropriate job on the same terms and conditions.

This rule also applies if your leave includes more than four weeks of ordinary parental leave (taken in relation to any child), regardless of the total length of the leave.

If you are taking parental bereavement leave, but are unsure where you stand on your return, please contact the HR department for clarification.

Other support

The Combined Authority understands how difficult this time period can be and will support the employee as much as possible.

If you wish to access Counselling sessions, please speak to your manager or HR.

If you need additional time off at the end of the 2 weeks, please

If there is further support that you need, please speak to your manager or HR as soon as possible. For example, this may include working flexibly, or adjusting your working hours for a specific time period.

Kind Regards,
MANAGER/HR MANAGER NAME.

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GOVERNANCE PARENTAL BEREAVEMENT POLICY

References:

Family Leave Policy

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Document Lead and Author	HR Team
Dissemination	
What other documents should be read in conjunction with	Document listed in this guidance
Who will review the document	HR Team

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(job title)	
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