

Parental Bereavement Procedure

1. Introduction

Parental Bereavement Leave is time off to deal with the death of a child, if they die under the age of 18 or a stillbirth after 24 weeks of pregnancy and was introduced on 6th April 2020. An employee may be eligible for Parental Bereavement leave, pay or both.

2. Parental Bereavement Leave

In order to qualify for Parental Bereavement Leave, you must be classed as an employee and be the:

- a) Biological Parent
- b) Adoptive parent, if the child was living with you
- c) Person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- d) Intended parent – due to become the legal parent through surrogacy
- e) Partner of the child's parent, if the child lived with you and the child's parent in an enduring family relationship.

There is no minimum length of service required to be eligible for Parental Bereavement Leave.

Parental Bereavement Leave can be up to 2 weeks and can be taken in the 56 weeks following a child's death. This can be taken as either 2 weeks together, 2 separate weeks of leave or just 1 week.

If more than one child dies, you will be entitled to 2 weeks' Statutory Bereavement Leave for each child.

If you are taking any other form of Statutory Leave when the child dies, or stillbirth happens the Parental Bereavement Leave must start after the other leave finishes but does not have to be taken immediately.

You may also be entitled to Statutory Parental Bereavement pay.

3. Parental Bereavement Pay

To qualify for Parental Bereavement Pay you must be:

- a) an employee or worker at the time of the child's death or is stillborn after 24 weeks of pregnancy
- b) employed for at least 26 weeks week, on the Saturday before the child's death
- c) earn above the National Insurance Lower Earnings Limit

Statutory Parental Bereavement Pay will be paid at the current rate or 90% of your average weekly earnings, whichever is lower, and can be paid for a period of 2 weeks'.

4. Payment of Statutory Parental Bereavement Pay

Statutory Parental Bereavement Pay will only be payable if the you have given the appropriate notice as detailed below and will be paid in the same way as you are usually paid less any deductions for income tax and National Insurance Contributions.

5. Notice of Intention to take Parental Bereavement Leave

You will be required to inform the Town Clerk of your intention to take Parental Bereavement Leave prior to commencing leave. How much notice that is required will depend on when the leave is taken:

0-8 weeks after the child's death or stillbirth – you must give notice before you would start work on the first day of the week for the week or weeks you want to take off.

9-56 weeks after the child's birth or stillbirth – you must give at least one week's notice before the start of the week or weeks you want to take off work.

Your notice does not have to be in writing but must include:

- a) The date of the child's death or stillbirth
- b) When you want your Parental Bereavement Leave to begin
- c) How much leave you are taking – 1 or 2 weeks.

If you want to claim for Statutory Parental Bereavement Pay this must be done in writing within 28 days of starting leave and must include:

- a) Your name
- b) The start and end dates of the leave you want to claim for
- c) The date of the child's death or stillbirth

You will also need to give a declaration to confirm that you are eligible because of your relationship with the child or baby.

6. Cancelling Parental Bereavement Leave or Pay

You can change your mind and cancel Parental Bereavement Leave or Statutory Parental Bereavement Pay as long as this is done before the period was due to start.

If your leave was due to start within 8 weeks of the child's death or stillbirth you must notify the Town Clerk no later than the time you would normally start work on the first day of planned leave.

If your pay was due to start within 8 weeks of the child's death or stillbirth you must notify the Town Clerk on the first day of the week you want to cancel.

If your leave or pay was due to start 9 weeks or later after the child's death or stillbirth, you must notify the Town Clerk you want to cancel one week before your pay was due to start.

Any cancelled leave or pay can be taken later by giving the correct notice again.

7. Rights during Parental Bereavement Leave

Whilst on Parental Bereavement Leave, you will continue to benefit from all your normal terms and conditions of employment apart from your salary.

You will be bound by any obligations arising from your terms and conditions of employment.

8. Further Information

For further information regarding Parental Bereavement Leave or Statutory Parental Bereavement Pay contact the Town Clerk