

## **Parental Bereavement Leave Policy**

The Parental Bereavement Leave Regulations 2020, introduce statutory parental bereavement leave and pay for parents in respect of children who die on or after 6<sup>th</sup> April 2020.

The primary beneficiaries of statutory parental leave are employees who are the parents of a deceased child under the age of 18 years. This includes adoptive parents, foster parents and guardians and intended parents under a surrogacy agreement as well as more informal groups such as close relatives or family friends who have taken responsibility for the child's care in the absence of parents for a continuous period or at least 4 weeks before the death.

### **1. Eligibility for Leave**

Parental bereavement leave is a "day one" employment right, meaning that employees do not require a minimum period of service for the leave.

Eligibility extends to cover individuals with caring responsibility for a deceased child who has died providing that the individual has, for a continuous period of at least four weeks before the child dies, been living with the child and has day-to-day responsibility for the child.

Parents who suffer a stillbirth 24 weeks or more into the pregnancy are also entitled to parental bereavement leave.

### **2. Taking Parental Bereavement leave (PBL)**

PBL may be taken at any time within 56 weeks of the death of the child.

The statutory entitlement is to two weeks leave. This leave must be taken in blocks of one week and is not available as individual days.

Parents may take leave in a single block of 2 weeks or in two separate blocks of one week each. The weeks need not be consecutive.

Where more than one child dies, the employee is entitled to two weeks' parental bereavement leave in respect of each child.

Where a bereaved employee is already on maternity leave then they can add the parental bereavement leave to the end of their maternity leave (<https://www.aber.ac.uk/en/media/departmental/humanresources/aberpoliciesprocedure/s/Maternity-Leave-Policy---English.pdf>). The PBL must then be taken in a single consecutive period.

In the case where the employee notifies the University of their intention to begin parental bereavement leave on the same day as notice is given and the employee is already at work that day, the PBL will begin on the day after that day. (See also Special Leave Policy <https://www.aber.ac.uk/en/hr/policy-and-procedure/special-leave/>)

### **3. Notification**

To take parental bereavement leave, an employee must confirm to the HR Department or the line manager that they will take this leave and provide the following information:

- The date of the child's death

- Their relationship to the deceased child that entitles them to statutory parental bereavement leave
- The date they are beginning their parental bereavement leave
- If they intend to take one or two weeks' parental bereavement leave

**N.B. The HR Department or line manager will then complete the PBL Form for the employee.**

#### **4. Length of Notice requirements**

If the employee is taking leave within 56 days of the child's death then they are able to take the leave straightaway without having to give a period of notice.

To cancel this week's parental bereavement leave, the employee must give notice by no later than the time on the first day of that week at which the employee would have been due to start work.

If the employee is taking leave more than 56 days after the child's death then at least one weeks' notice of their intention to take parental bereavement leave is required.

To cancel this week's parental bereavement leave, the employee must give notice to the employer at least one week before the start of that week.

An employee may not cancel any week of parental bereavement leave which has already commenced.

#### **5. Statutory Parental Bereavement Pay**

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

- At least 26 weeks' continuous employment with their employer ending with the week before the week in which their child dies and still be employed by that employer on the day on which their child dies; and
- Normal 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

However, the University Executive has determined that all employees can take 10 days' leave at full pay irrespective of their length of service.

#### **6. Right to Return after PBL**

If you are returning to work after one or two weeks' PBL leave you have the right to return to the job that you held immediately before your leave began, on the same terms and conditions of employment.

If it is not reasonably practicable for you to return to the same job, you must be offered other suitable work if it is available.

#### **7. Policy review**

Human Resources will co-ordinate a review of this policy in order to maintain compliance with legislation and good practice. The review will be undertaken in liaison with the recognised trade unions and any proposed amendments will be submitted to the appropriate relevant committee for approval if required.