

SCHOOLS HR POLICY PROCEDURE HANDBOOK

Maintained Schools

Parental Bereavement Leave (Occupational) Policy & Procedure

This Policy/Procedure has been based on and agreed by the following professional associations and Trade Unions representing Teachers, Headteachers and Support Staff:

- National Education Union
- National Association of Schoolmasters Union of Women Teachers
- National Association of Headteachers
- Association of School and College Leaders
- Unison
- GMB
- It has been further consulted through our Trust Forum group

Adopted by the Board of TrustEd Schools' Partnership

Signed _____
Chair of Trust Board

Dated _____

Signed _____
Chief Education Officer (CEO)

Dated _____

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Parental Bereavement Leave

1. Introduction

- 1.1 We recognise that the loss of a child is one of the most devastating events that an employee may face and this policy sets out the support that will be provided to employees in such circumstances.
- 1.2 This policy sets out the rights of employees, in Shropshire Council maintained schools, to Statutory Parental Bereavement Leave (PBL) and Statutory Parental Bereavement Pay (SPBP).
- 1.3 Where an employee has suffered another type of bereavement, the [special leave](#) policy will highlight the support that is available.

2. Roles and Responsibilities

Where an employee suffers the loss of a child, they are requested to notify their Headteacher/Line Manager of their individual circumstances as soon as is reasonably practicable to do so. The Headteacher/Line Manager can then discuss the options for parental bereavement leave and notify Employment Services (or their payroll provider) of the absence, to ensure accurate payment of salary.

3. The Right to Parental Bereavement Leave

- 3.1 The right to parental bereavement leave is a statutory right introduced by The Parental Bereavement (Leave and Pay) Act 2018. The Parental Bereavement Regulations 2020 introduce parental bereavement leave and the Statutory Parental Bereavement Pay (General) Regulations 2020 introduce parental bereavement pay.
- 3.2 An employee's right to take parental bereavement leave applies to all employed parents if they lose a child under the age of 18 or suffer a stillbirth 24 weeks or more into a pregnancy, on or after 6 April 2020.
- 3.3 The right to parental bereavement leave is for two weeks leave for all employed parents, irrespective of how long they have worked for the school.

4. Definition of a Parent

A parent includes the following:

- The mother of the child
- The father of the child (as named on the birth certificate)
- A person who has parental responsibility within the meaning of section 3 of the Children Act 1989
- Adoptive parents

- Intended parents (e.g. a parent using a surrogate)
- A child's parent in fact, within the meaning of section 4 of the Parental Bereavement Leave Regulations 2020
- A partner of the child's parent, where there is an 'enduring family relationship' with the child who has passed away and their parent.

If you have suffered a bereavement but are unsure if you are entitled to parental bereavement leave, you should contact your Headteacher/Line Manager or HR for clarification.

5. Taking Parental Bereavement Leave

5.1 Each parent is entitled to take two weeks (pro-rata for part time staff) parental bereavement leave during the first 56 weeks after their child's death. The minimum period of parental bereavement leave which may be taken by a parent is one week.

5.2 Parental bereavement leave can be taken as either a single block of two weeks, or as two separate blocks of one week at different times, within the period of 56 weeks beginning with the date of the child's death.

For example, a parent may wish to take one week of parental bereavement leave immediately after the death of their child and another separate week at a time in the future, such as the first anniversary of their child's death.

5.3 If an employee loses more than one child, they will be entitled to take a separate period of leave for each child.

For example, if an employee has two children and they both pass away, he/she would be entitled to two weeks parental bereavement leave in respect of each child, which would equate to four weeks parental bereavement leave in total.

5.4 Where an employee takes parental bereavement leave and before this is due to end, the employee begins another period of statutory leave, the parental bereavement leave will end immediately and any remaining entitlement to parental bereavement leave may be taken at the end of the other period of statutory leave, which must be taken in a single consecutive period.

For example, if the employee began parental bereavement leave on 13th April 2020, then was due to start paternity leave on 20th April 2020 for one week, the employee's parental bereavement leave would end on 19th April 2020 and the remaining entitlement could be taken immediately after the paternity leave on 27th April 2020.

5.5 An employee who takes parental bereavement leave, is, during that period entitled to the benefits of all the terms and conditions of employment which would have applied if the employee had not been absent.

6. Notification requirements

6.1 If an employee wishes to take parental bereavement leave within 56 days of the child's death, they are able to take the leave immediately. Employees should advise the Headteacher/Line Manager no later than when they would be due to start work on the first day of the leave or as soon as is reasonably practicable to do so. This should include whether the employee wishes to take one week, or two weeks' parental bereavement leave. Informal notification such as a phone call or email is sufficient to take parental bereavement leave.

6.2 If an employee wishes to take parental bereavement leave after more than 56 days following the child's death, the employee will need to give at least one week's notice to their Headteacher/Line Manager.

6.3 If an employee has asked to begin parental bereavement leave within the first 56 days of their child's death, they can cancel this parental bereavement leave as long as they let their Headteacher/Line Manager know before they would have been due to start work.

6.4 If an employee has asked to begin parental bereavement leave more than 56 days after their child's death, they can cancel this parental bereavement leave, as long as one week's notice is given to their Headteacher/Line Manager.

6.5 Employees may not cancel any week of parental bereavement leave which has already commenced.

6.6 Headteachers/Line Managers must record parental bereavement leave on Business World via the same process as they would for unplanned special leave. Please refer to the guidance on [Leap into Learning](#).

7. Parental Bereavement Leave & Pay

All employees in maintained schools will be entitled to two weeks parental bereavement leave at full pay. This will be offset against the statutory parental bereavement leave pay, for all employees that are eligible.

8. Contact and support

8.1 Following the initial contact between an employee and their Headteacher/Line Manager, there should be further contact to keep in touch. The level of contact is

to be agreed between the employee and their Headteacher/Line Manager, to include if and when the employee will return to work following the period of bereavement.

8.2 Schools are reminded that they can signpost staff to NOSS for independent counselling and Sheri Wright from the Educational Psychologist Service who provides counselling to teachers.

8.3 There are several bereavement charities that employees can contact including Child Bereavement UK and The Lullaby Trust.

<https://www.childbereavementuk.org/>

<https://www.lullabytrust.org.uk/bereavement-support/>

9. Return to Work

9.1 At the end of an isolated period of parental bereavement leave employees are entitled to return to the same job in which they were employed before the period of absence.

For example, if an employee took 2 weeks parental bereavement leave immediately following the death of their child, they are entitled to return to the same job at the end of the two weeks.

9.2 An employee will be entitled to return to work from parental bereavement leave in the same job, if the period of leave when added to any other period of statutory leave (e.g. maternity leave, paternity leave, adoption leave or shared parental leave), in relation to the same child, is 26 weeks or less. Where the period of leave taken is more than 26 weeks, when added to most other periods of statutory leave taken in relation to the same child and it is not reasonably practicable to return to the same job, the employee will be entitled to return to another job that is suitable and appropriate in the circumstances.

9.3 Where an employee has taken parental bereavement leave immediately following the death of a child, Headteachers/Line Managers and employees should agree a level of contact and discussion should include the return to work process when this is appropriate in the circumstances.

9.4 Shropshire Council maintained school's recognise that not all employees will be able to return to their full duties following a period of parental bereavement leave. When an employee is ready to return to work, they should discuss with the Headteacher/line manager what further support can be provided, for example short-term flexible working in line with the [flexible working policy](#).

9.5 If an employee feels they are not able to return to work following a period of parental bereavement leave, this should be raised with their line manager who will discuss how the employee can be supported going forward.

10. Supporting Policies and Procedures

10.1 If an employee is taking sickness absence due to a bereavement, this will be managed in line with the [managing attendance policy](#).

10.2 If an employee is currently on another form of statutory parental leave (e.g. maternity, paternity, shared parental, adoption) and their child passes away, parental bereavement leave can be taken immediately after, if this is within 56 weeks of the child's death.

For example, if an employee suffers a stillbirth 24 weeks or more into a pregnancy, this will trigger her maternity leave. When the employee's maternity leave ends, they will be entitled to take the two weeks parental bereavement leave following this, provided that this is within 56 weeks of the stillbirth of the child.

10.3 Where a child who is 18 and over passes away, employees will be supported in line with the [special leave policy](#).

10.4 Special leave will not apply in addition to parental bereavement leave.

10.5 Flexible working may be considered on an employee's return to work at the discretion of their Headteacher/Line Manager. Please refer to [the policy](#) for further details.

11. Monitoring and Review

The Governing Body will monitor the outcomes and impact of this policy/procedure on an annual/bi-annual basis in conjunction with school representatives.

This procedure will be reviewed no later than 2 years by Human Resources in consultation with Trade Unions.