

# Parental Bereavement Leave Policy

**Starfish 9 Ltd Parental Bereavement Leave Policy  
2022-Issue 3**

(Last Review Jan 2022 - Next Planned Review Jan 2023)

# Parental Bereavement Leave

## What this policy covers

This policy applies to employees. However, Statutory Parental Bereavement Pay may be available to both employees and workers.

This policy outlines your statutory right to Parental Bereavement Leave and the qualifying conditions for Statutory Parental Bereavement Pay and the procedure that you need to follow when requesting Parental Bereavement Leave. It also provides information relating to your contractual rights and your right to return to work following Parental Bereavement Leave.

The following sections provide only a general guide; further guidance and clarification must be sought from Management.

## Your entitlements and responsibilities

You can take up to two weeks' Parental Bereavement Leave in the 56 weeks following the death of a child aged under 18 of which you are a parent or partner of a parent.

Leave may be taken as a single unit of two weeks, or as two units of one week each.

### Qualifying conditions for Parental Bereavement Leave

In order to qualify for Parental Bereavement Leave you must:

- Be a "parent" of the child or be the partner of such a person. "Parent" is defined widely and includes adoptive parents and kinship carers.
- Confirm the requested leave is parental bereavement leave.

If you are eligible you are entitled to take up to two weeks' paid parental bereavement leave.

Parental bereavement leave must be taken in units of either one whole week or two consecutive whole weeks. Leave may start on any day of the week, on or following the child's death, but must be completed within 56 weeks of the date of death of the child.

### Statutory Parental Bereavement Leave Pay

Statutory Parental Bereavement Leave Pay is paid at a statutory rate, or 90% of weekly earnings, whichever is the lower amount.

In order to qualify for Statutory Parental Bereavement Leave Pay you must:

- Have worked continuously for the company for 26 weeks up to the end of the week prior to the child's death (the "relevant week")
- Have average weekly earnings equal to or above the lower earnings limit for national insurance purposes over the eight week period leading up to the end of the relevant week.

### **Contractual benefits during your Parental Bereavement Leave**

You are entitled to your normal terms and conditions of employment, with the exception of pay, whilst on Parental Bereavement Leave.

### **Right to return to work following Parental Bereavement Leave**

You are normally entitled to return to the same job following your Parental Bereavement Leave.

If your Parental Bereavement Leave immediately follows a period of Additional Maternity Leave, Shared Parental Leave or Parental Leave of more than four consecutive weeks you are also entitled to return to your original job at the end of the Parental Bereavement Leave. However, if this is not reasonably practicable, you will be offered a similar role on no less favourable terms and conditions.

### **Contact during Parental Bereavement Leave**

The Company may make reasonable contact with you during your Parental Bereavement Leave.

## **Procedure**

### **Requesting Parental Bereavement Leave**

The Company understands that, due to the nature of the circumstances giving rise to Parental Bereavement Leave, it will not always be possible to give the Company advance notice of any leave, but you should let the Company know as soon as you can.

You must give the Company notice of your intention to take Parental Bereavement Leave, stating:

- The date of the child's death
- The date on which the leave is to begin
- Whether you intend to take one or two weeks' leave

You do not have to do this in writing, but you will need to give the Company sufficient information for us to understand that your time off falls under the Parental Bereavement Leave provision.

If notice to take Parental Bereavement Leave is being given within the first 56 days after your child's death, this should be given before your scheduled start time on the first day of absence or, if this is not reasonably practicable, notice should be given as soon as reasonably practicable.

If you wish to take Parental Bereavement Leave later than 56 days after your child's death, you must give at least one week's notice.

### Taking Parental Bereavement Leave

Leave may start on any day of the week on or following the child's death. Your leave must be completed within 56 weeks of the date of death of the child.

### Claiming Parental Bereavement Leave Pay

Although you do not need to give notice in writing to request Parental Bereavement Leave, if you wish to claim Parental Bereavement Leave Pay (subject to the qualifying conditions), you must provide the Company with the following information in writing:

- The date of your child's death;
- A declaration that you meet the qualifying conditions (i.e. that you are the parent of the child).

### Returning to work after your Parental Bereavement Leave

You are normally entitled to return to work following Parental Bereavement Leave to the same position you held before commencing your leave. Your terms of employment will continue to be the same as they would have been had you not been on Parental Bereavement Leave.

If your Parental Bereavement Leave has been combined with a period of Additional Maternity Leave or Shared Parental Leave totalling more than 26 weeks or a period of Parental Leave of more than four consecutive weeks, and it is not reasonably practicable for you to return to the job you held before commencing leave, the Company will offer you a suitable and appropriate alternative position.

### Other Bereavement

The death or loss of a loved one is always difficult to come to terms with, so the Company recognises that a period of mourning and adjustment will be required.

However, bereavement leave will be solely at the discretion of a Company Director thus, time off will be given but payment for such absence is not guaranteed, with each case being individually assessed at the time of the bereavement.

### Breach of this policy

If you take a period of Bereavement Leave fraudulently, you may be subject to disciplinary action up to and including dismissal.

**Name:** John Jessimer

**Signed:** 

**Position:** Managing Director

**Date:** 7 January 2022

