Bereavement and Compassionate Leave Policy



**South Oxfordshire District Council**

**and**

**Vale of White Horse District Council**

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# Change Record­­

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# Introduction

## Purpose

Our **Bereavement and Compassionate Leave policy** outlines the bereavement provision for employees.

## Scope

This Policy applies to all permanent and temporary employees of the councils, excluding Contractors/Agency Workers, who are the employees of third parties.

The councils reserve the right to revise, withdraw or replace policies at any time and to introduce new policies from time to time to reflect the changing needs of the organisations.

This policy document supersedes any previously existing or alternative policies, agreements or arrangements relating to Bereavement and Compassionate Leave at the councils.

## Contractual status

This policy does not form part of your contract of employment. The councils are entitled to introduce minor and non-fundamental changes to this policy by notifying you of these changes in writing. The councils will consult all employees on any major changes to the policy.

## Relevant legislation

Health and Safety at Work etc Act 1974
Employment Rights Act 1996
Equality Act 2010
Data Protection Act 2018
General Data Protection Regulation (2016/679 EU)
Parental Bereavement (Leave and Pay) Act 2018
Parental Bereavement Leave Regulations 2020 (SI 2020/249)
Statutory Parental Bereavement Pay (General) Regulations 2020 (SI 2020/233)

## Alternative formats

Please do not hesitate to contact a member of the Strategic HR Team if you would like this policy in an alternative format. Email: hradminandpayroll@southandvale.gov.uk or Telephone: 01235 422196.

# Policy

## Introduction

We recognise that dealing with a bereavement can be among the biggest challenges of an employee's life. This policy sets out our commitment to support our employees through their grief by providing bereavement leave, keeping in touch with staff while they are off work and supporting employees on their return to work.

We acknowledge that every bereavement is different and grief impacts everyone in different ways. This policy is intended to cater for a wide range of circumstances and the differing impacts that a bereavement can have, while also recognising the needs of the business.

This policy takes account of the introduction of parental bereavement leave, which is available to the parents of a child who dies on or after 6 April 2020.

## Bereavement leave (for a close relative)

Bereavement leave is discretionary paid leave that may be granted by your service manager in consultation with Strategic HR. Up to ten days may be given for bereavement (pro rata for part-time employees).

If you face the death or terminal illness of an immediate relative, you should inform your manager as soon as is practicable and indicate how long you expect your absence from work to last. You should inform them in advance of your return to work although you would not necessarily be expected to provide regular updates during your absence. The immediate priority will be for you confirm your time off work.

Whether bereavement leave is approved would depend on your relationship with the person who is deceased or ill, the amount of time spent on making funeral arrangements or caring for a terminally ill relative, and the time spent travelling to attend a funeral or hospital. It may be that the time off is split between bereavement leave, annual leave, annualised hours and / or unpaid absence.

For the purposes of this policy, an "immediate relative" is defined as a:

* spouse or civil partner;
* partner (including same-sex partner);
* parent (including stepparent);
* child under the age of 18, including still-birth after 24 weeks of pregnancy
* adult child (i.e. who is aged 18 or over)
* sibling (including stepsibling);
* grandparent
* grandchild
* partner of a child's parent, where you live in an enduring family relationship with the child and their parent
* The policy applies to employees who suffer the loss of a child under the age of 18 on or after 6 April 2020. This includes parents who suffer a stillbirth after 24 weeks of pregnancy.

## Bereavement leave (general)

We recognise that you may be grieving following the death of an individual who is not an immediate family member, but with whom you nevertheless have a close relationship, for example an aunt, an uncle, a cousin, or a close friend.

If this is the case, you can request up to 10 days’ paid bereavement leave and it will be up to Strategic HR and your Service Manager to decide whether or not to grant bereavement leave and, if so, how much bereavement leave to grant. The decision will depend on the circumstances, considering issues such as:

* the closeness of your relationship with the deceased
* your obligations towards the deceased (for example, if you are responsible for arranging the deceased's funeral)
* travel required (for example, if you need to travel a significant distance to be with relatives)
* any bereavement requirements in relation to religion, such as an extended period of mourning (with the onus on you to tell your line manager about these requirements).

In the unfortunate event that an employee loses more than one immediate relative in a leave year additional bereavement leave may be granted and approved by the Head of Service in consultation with the People and Culture Manager.

## Other types of leave

Where you may have exhausted the bereavement leave offered or are not entitled to bereavement leave under this policy, you can still apply for annual leave in the usual way.

If you are not entitled to bereavement leave under this policy, you may be able to take unpaid time off, please see the councils’ Leave Policy for further information.

## Support during bereavement

In the unfortunate event that you have suffered a bereavement and cannot attend work, you should inform your line manager what has happened by telephone as soon as reasonably possible. This will allow the councils and your manager to support you.

Your line manager will discuss with you what you would like colleagues to be told about the situation and you will need to make your manager aware of any urgent tasks that other staff can pick up or meetings that need to be cancelled or rearranged.

Following the initial contact, you and your line manager should keep in touch. The level of contact is a matter for agreement between the two of you.

The councils also provide an Employee Assistance Programme (EAP), where individuals who are experiencing work or personal problems can get support. This could be the employee who has suffered a bereavement, but also other individuals within the organisation who are affected, including line managers or colleagues who are distressed (for example, if the situation brings back memories of a bereavement of their own). You can contact the EAP provider directly.

In addition, the councils have a number of mental health first-aiders. The role of mental health first-aiders is to be a first point of contact for employees who are experiencing a mental health issue or emotional distress. You can also approach a mental health first-aider if you have any concerns about a colleague's mental wellbeing.

## Death in service – financial support for your next of kin

If you die in service and are a member of the Local Government Pension Scheme (LGPS), a lump sum of three times your assumed pensionable pay at your date of death is paid, no matter how long you have been a member of the LGPS, provided you are under age 75 at the date of death. Please visit the [LGPS website](https://www.lgpsmember.org/arm/already-member-prot.php) for further information.

In addition to the above, the councils will provide your nominated next of kin with a one-off bereavement payment of £2,000 in order to provide some immediate financial assistance. This payment may be used to cover the costs of funeral arrangements or help with every-day bills. There are no restrictions as to how the bereavement payment may be used and is intended to provide support to the next of kin.

## External support

External sources of help and support for bereaved employees include:

* [Cruse Bereavement Care](https://www.cruse.org.uk/) / [Cruse Bereavement Care Scotland](http://www.crusescotland.org.uk/), which offers support to bereaved people, for example via a telephone helpline;
* [Child Bereavement UK](https://www.childbereavementuk.org/), which offers support to families when a child passes away, for example via a telephone helpline;
* [Age UK](https://www.ageuk.org.uk/), which has a website that includes [guidance and support](https://www.ageuk.org.uk/information-advice/health-wellbeing/relationships-family/bereavement/) on coping with bereavement;
* [WAY Widowed and Young](https://www.xperthr.co.uk/policies-and-documents/policy-on-supporting-bereaved-employees/164655/), which specialises in supporting people aged 50 or under whose partner has passed away; and
* [Marie Curie](https://www.mariecurie.org.uk/), which supports families living with a terminal illness.

## Returning to work

Once you are back at work, you can discuss with your line manager what further support we can provide.

We recognise that a bereaved employee may not be able to return immediately to their full duties or way of working. We understand the value of temporarily adjusting a bereaved employee's duties or phasing the employee back to work when it is appropriate to do so.

The council will consider reasonable requests to make temporary changes to working arrangements, such as allowing you to work reduced hours or working from home on certain days, as an example. Ideally the temporary changes would last for a duration of 4 to 6 weeks, however this may be extended following a discussion with your line manager and the Strategic HR Team

Depending on the nature of the temporary changes, your line manager and the Strategic HR Team may agree the temporary adjustments informally with you.

We recognise that some bereavements will result in employees being permanently unable to return to their full duties or way of working. For example, an employee with children whose partner passes away, may have increased childcare responsibilities. Permanent changes that could be requested include moving to part-time working or working from home on certain days.

Line managers and the Strategic HR Team will consider requests for permanent changes, which may involve you making a formal request for flexible working in line with the councils’ flexible working policy.