



Colchester
City Council

Parental Bereavement Leave Policy

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Check for updates

Parental bereavement leave policy

1. Introduction

- 1.1 We recognise that, while dealing with any bereavement is difficult, the death of a child is among the most devastating events that an employee can ever face.
- 1.2 This policy reiterates our commitment to supporting employees through their grief by ensuring that bereaved parents can take parental bereavement leave.
- 1.3 This policy applies to employees who have suffered the loss of a child (ie under the age of 18) on or after 6 April 2020. The policy also applies to parents who suffer a stillbirth after 24 weeks of pregnancy.

2. Who can take parental bereavement leave?

- 2.1 Whatever your length of service, you can take parental bereavement leave if you are the:
 - parent of a child who has passed away; or
 - partner of the child's parent, where you live in an enduring family relationship with the child who has passed away and their parent; or
 - "parent in fact" of a child who has passed away, which means that, for a continuous period of at least four weeks before the child died, you have been living with the child and had "day-to-day responsibility" for the child (but you have not been paid to look after the child);
 - "intended parent" of a child who has passed away, ie a parent using a surrogate;
 - "natural parent" of a child who has passed away who is named in a court order, ie where a court orders some contact for an adopted child's birth parent; or
 - adopter of a child who has passed away.
- 2.2 In practice, this means that most employees with parental responsibility for a child who passes away on or after 6 April 2020 can take parental bereavement leave.
- 2.3 If you have suffered a bereavement but are unsure if you are entitled to parental bereavement leave, you should contact your HR Business Partner for clarification.

3. What leave a bereaved parent can take

- 3.1 For each child who has passed away, a bereaved parent can take two weeks' parental bereavement leave. This is either as in a single block of two weeks, or two separate blocks of one week at different times (see paragraph 4).
- 3.2 Parental bereavement leave is not available as individual days.

4. Timing of parental bereavement leave

- 4.1 If you are a bereaved parent, you can take the leave as:
- a single block of two weeks; or
 - two separate blocks of one week at different times.

The leave must be taken within 56 weeks of the date of the death of your child.

- 4.2 This lengthy period recognises that, as a bereaved parent, you may need some flexibility as to when you take the leave. For example, you may:
- wish to take leave around the first anniversary of your child's death or at another particular time that is special, such as your child's birthday; or
 - already be on another type of leave, such as maternity leave or sickness absence.

5. Notice to take parental bereavement leave

- 5.1 Informal notification, such as a phone call or email, is sufficient to take parental bereavement leave.
- 5.2 If you intend to take parental bereavement leave within the first 56 days after your child's death, you can take the leave straightaway. You do not have to provide a period of notice.

This means that you can begin parental bereavement leave by letting your line manager know no later than when you are due to start work or, if that is not feasible, as soon as is reasonably practicable.

- 5.3 If you intend to take parental bereavement leave more than 56 days after your child's death, you must give your line manager at least one week's notice of your intention to take parental bereavement leave and apply via the special leave form.

6. Cancellation of parental bereavement leave

- 6.1 If you have asked to begin parental bereavement leave within the first 56 days of the date of your child's death, you can cancel your parental bereavement leave, as long as you let your line manager know before you would have been due to start work.
- 6.2 If you have asked to begin parental bereavement leave more than 56 days after your child's death, you can cancel your parental bereavement leave, as long as you let your line manager know at least one week in advance.
- 6.3 You cannot cancel any week of parental bereavement leave that has already begun.

7. Pay during parental bereavement leave

- 7.1 Recognising the need to provide bereaved parents with support, we will continue to pay normal pay during parental bereavement leave.

8. Rights during parental bereavement leave

- 8.1 During parental bereavement leave, all terms and conditions of your contract will continue.
- 8.2 This means that all benefits will remain in place. For example, holiday entitlement will continue to accrue. Pension contributions will continue to be paid.

9. Returning to work following parental bereavement leave

- 9.1 You have the right to resume working in the same job when returning to work from parental bereavement leave if the period of leave, when added to any other period of statutory leave (typically maternity, paternity, parental, adoption or shared parental leave) in relation to the same child, is 26 weeks or less.
- 9.2 You are entitled to return to another job that is suitable and appropriate for you, rather than the same job, if:
- 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 you to the same job.

10. Data protection

- 10.1 When dealing with parental bereavement leave, line managers and HR will process any personal data collected in accordance with the Council's Data Protection Policy.
- 10.2 In particular, line managers and HR will record only the personal information required to deal with a request for bereavement leave and keep this information only for as long as necessary to deal with the request and provide the necessary support.

11. Employee Assistance Programme

- 11.1 If you require support and counselling following your bereavement, you have access to a 24-hour telephone counselling service on freephone 0800 015 7284.

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Appendix and Document Information

Appendix

The following policies and forms should also be read alongside this document:

Policies	Forms
Special Leave Policy	Special leave form
Data protection policy	
Maternity Leave and Pay Scheme	
Paternity Leave Policy	
Parental Leave Policy	
Adoption Leave Policy	
Shared Parental Leave Policy	
Crisis Support Policy	
Sections on COLIN with more information include:	
Employee Assistance Programme	
Occupational Health	
Stress and Good Mental Health – including more about the Council's Mental Health First Aiders and who they are	
Live Well Work Well (Wellbeing)	

The policies and forms are shown on COLIN:

- [A-Z](#) – this link will take you to the "all in one place" page which has a short summary of the HR subject, what you need to do first, useful documents and links, and related items.
- Go to the Leave section of MyHR to get a copy of the special leave form.
- [Staff Handbook](#).

This policy reflects the statutory rights which came into force on 6 April 2020 in the [Parental Bereavement Leave and Pay Regulations 2020](#).

The new legal right to 2 weeks' paid bereavement leave is also known as '[Jack's Law](#)'.

Document Information

Title :	Parental bereavement leave policy
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EQIA :	See HR EQIAs on the Council's website
Review Frequency :	Every three years or if change occurs

For more information or advice about this policy please contact the HR Service Centre on 01206 282112 or email hrservicecentre@colchester.gov.uk.

This policy applies to you if you are working under the Terms and Conditions of Colchester City Council.