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| New Logo 2 | Barnardo’s |
| Corporate Policy |
| **Parental Bereavement Leave & Pay Policy & Procedure** |
| **Sponsor:** | Adam Pemberton  |
| **Owner:** | People Strategy & Projects |
| **Date Approved:** | 7 July 2023 |
| **Date for Review:** | 31 October 2024 |
| **Distribution:** | Not confidential – Internal and external use |
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| 1. **Purpose**
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| This policy and procedure aims to:* set out Barnardo’s commitment to supporting bereaved employees who lose a child (irrespective of age, or experience a stillbirth from 24 weeks of pregnancy); and
* ensure that Barnardo’s complies with the requirements of the legislation to provide parental bereavement leave.
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| 1. **Scope**
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| The policy applies to all employees in Barnardo’s who have suffered the loss of a child irrespective of age, or a stillbirth after 24 weeks of pregnancy, on or after 6 April 2020. Employees will be eligible if they are the parent of the child who has passed away, or the partner of the child's parent. In general, employees can take this type of leave if they have parental responsibility for the child (see full definition of ‘parent’ below). |
| 1. **Definitions and Key Concepts**
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| * **Parent –** For the purpose of this policy, parent also includes:
* adoptive parent;
* the parent’s partner if they have been living with the child and the child’s parent;
* a parent ‘fostering to adopt’ the child or who has been fostering the child long term;
* an intended parent (i.e. a parent using a surrogate);
* a "Parent in fact" i.e an employee who for a continuous period of at least four weeks, lived with the child and had "day-to-day responsibility" for the child;
* other primary carers who are responsible for the day to day care of the child e.g. legal/special guardians, kinship carers.
* **Parental Bereavement Leave (PBL**) - a day one statutory right available to all employed parents to take two weeks’ leave following the death of a child.
* **Barnardo’s Parental Bereavement Pay (BPBP)** - two weeks’ paid leave at an employee’s normal rate of pay, available to all employed bereaved parents
* **Partner** – includes spouse, civil partner, or someone, whether of a different sex or the same sex, who lives with the employee in an enduring family relationship (but who is not their child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew).
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| 1. **Roles and Responsibilities**
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| **Employees** are responsible for notifying their line manager of their intention to take Parental Bereavement Leave in accordance with Section 5; and completing and returning the Notification of Entitlement to Parental Bereavement Pay Form.**Line Managers** are responsible for taking a sensitive, supportive and flexible approach to notifications of parental bereavement leave; ensuring any periods of leave are notified to the Local People Team.**Local People Teams** are responsible for advising employees and line managers on this policy, confirming in writing any periods of parental bereavement leave and pay to the employee and for ensuring that parental bereavement leave is correctly recorded on Oracle. **People Strategy & Projects Team** is responsible for ensuring this policy complies with current statutory obligations; and keeping up-to-date with any legal changes and updating this policy, and other associated documents or processes accordingly |
| 1. **Policy**
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| **5.1. Parental Bereavement leave** Regardless of length of service, all employees have the right to take up a maximum of two weeks’ parental bereavement leave. This can be taken as individual days, in blocks of one week or two consecutive weeks but must be taken within 56 weeks of the date of the child’s death. If an employee loses more than one child, the employee is entitled to two weeks' parental bereavement leave in respect of each child.**5.2. Notification of Parental Bereavement leave** Employees intending to take parental bereavement leave within the first 56 days of the child’s death, should contact their line manager, no later than their normal start time; or if that is not feasible, as soon as possible thereafter. If the line manager is unavailable, employees can contact their Local People Team. Employees intending to take parental bereavement leave more than 56 days after the child’s death should give their line manager at least one week's notice of their intention to take parental bereavement leave.To take parental bereavement leave, employees must provide the following:* the date of the child's death;
* the date on which parental bereavement leave is to begin;
* whether they wish to take one or two weeks' parental bereavement leave.

**5.3. Cancellation of Parental Bereavement leave**Employees can cancelparental bereavement leaveand take it at a different time as follows:* if parental bereavement leave is planned within 56 days of the bereavement, by informing their line manager before the first day that leave is due to start, or
* if parental bereavement leave is planned more than 56 days after the bereavement, by informing their line manager at least one week before leave is due to start.

Parental bereavement leave cannot be cancelled or amended if it has already begun.**5.4. Barnardo’s Parental Bereavement Pay (BPBP)** Barnardo’s recognises the need to provide bereaved parents with as much support as possible. Normal pay will therefore continue to be paid during the parental bereavement leave period.**5.5. Other leave provisions/sources of support** Employees can extend Parental Bereavement Leave by requesting Bereavement Leave (see Additional Leave Policy), annual leave or by taking a period of unpaid leave, which must be authorised in the usual way by the line manager. In addition, employees may also wish to consider requesting flexible working - see Flexible Working Policy. **Maternity Leave**Taking parental bereavement leave will not affect entitlement to maternity leave and pay, which is available to employees if pregnancy sadly ends in stillbirth or miscarriage after 24 weeks (see Maternity leave Policy).**Support Leave**Taking parental bereavement leave will not affect an employee’s entitlement to support leave if their partner’s child is stillborn or miscarried after 24 weeks of pregnancy, or born alive at any point of the pregnancy.Barnardo’s offers various sources of support to its employees (See ‘Sources of Support’ on Inside.Barnardo’s) including an Employee Assistance Programme (EAP).**5.6. Main parental bereavement leave rights** Whilst on parental bereavement leave employees are: * protected from any detriment or unfair dismissal as a result of taking parental bereavement leave;
* entitled to same terms and conditions during parental bereavement leave;

**5.7 Returning to work after parental bereavement leave**Employees returning to work after parental bereavement leave generally have the right to return to the same job.If however the employee is returning from bereavement leave that follows on immediately from some maternity, adoption, fostering, or shared parental leave (taken in relation to the child who has passed away), and the total time on leave is more than 26 weeks, employees have the right to return to the same job, unless this is not reasonably practical - in which case you have the right to return to a suitable and appropriate job on the same terms and conditions. If necessary, employees should contact their local people team if any further clarification is needed.**5.8. Data Protection** When dealing with parental bereavement leave, line managers and Local People Teams will process and hold personal data in accordance with its Privacy Notice. |
| 1. **Associated Legislation, Guidance, References and Documents**
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| * Parental Bereavement Leave Regulations 2020
* Notification of Entitlement to Parental Bereavement Pay Form
* Additional Leave (paid & unpaid) Policy
* Flexible Working Policy & Procedure
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| 1. **Risk Assessment**
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| The policy presents a low risk rating and therefore will be reviewed at least every three years. Statutory changes and any legal or organisational developments may prompt more frequent reviews. |
| 1. **Compliance and Oversight**
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| In addition to the compliance and oversight arrangements set out under Roles and Responsibilities, the following applies:* The Policy Owner will ensure that management information demonstrating adherence to and compliance with this Policy is produced and provided to relevant parties as required;
* Feedback from UNISON and Barnardo’s Forums;
* The Corporate Audit and Inspection Unit (CAIU) will periodically and independently review adherence to and compliance with this Policy and associated procedures and processes across the Charity in line with their approved audit and inspection plans.
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| 1. **Document History**
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| **Version** | **Date** | **Author** | **Status** | **Approval (by / when)** | **Comments** |
| 1 | 06.04.20 | People Strategy & Projects Team | Agreed |  | New Policy |
| 2 | 07.07.23 | People Strategy & Projects Team | Agreed |  | Policy updated to reflect revised review date in accordance with planned schedule agreed by CLT |