





Parental Leave and Pay

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REVIEW DATE:	September 2027
CHAIR OF TRUSTEES:	
CEO:	

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Introduction

This policy has been adopted by the Directing Board of the Eynsham Partnership Academy (EPA) for use in its schools and the central team.

The model policy for academies in Oxfordshire was developed following consultation through the Oxfordshire HR Forum with the recognised trade unions and associations: ASCL, NAHT, NASUWT, NEU and Unison.

This policy applies to all employees working in schools and the central team.

The right for eligible employees to take Parental Bereavement Leave and Pay was introduced by the Government with effect from 6 April 2020 and applies to all eligible employees regardless of gender, sexual orientation and/or gender identity.

Advice and support on the application of this policy is available from the EPA HR Officer.

Definitions

The term 'head teacher' has been used throughout this document, however depending on the size and structure of the school this role may be delegated to other members of the senior leadership team or line managers as appropriate.

Consistency of treatment and fairness

The EPA is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation, i.e. Employment Rights Act 1996, Employment Relations Act 1999, Employment Act 2002, Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and Equalities Act 2010.

Particular care should be taken to ensure consistency of treatment and fairness across all of the schools in the trust.

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Parental bereavement leave and pay

Purpose and scope

1. This policy sets out the entitlements and arrangements for Parental Bereavement Leave and Pay.
2. Parental bereavement leave entitles eligible employees to take either one or two weeks' parental bereavement leave following the death of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy.
3. Statutory bereavement leave pay is available to those who are eligible.

How parental bereavement leave can be taken

4. You can take one or two weeks' leave within 56 weeks from the date of the child or baby's death. During this time, you can take:
 - Two weeks together
 - Two separate weeks of leave
 - One week of leave
5. Leave will be pro rata for part-time employees. A week will be the same number of days that you normally work in a week.
6. Parental bereavement leave is for each child, so if more than one child dies or is stillborn, you will be entitled to two weeks' leave for each child.

Entitlement to parental bereavement leave

7. To be eligible for parental bereavement leave, you must be the child or baby's parent or person with parental responsibility, this includes:
 - The child or baby's biological or adoptive parent
 - The parent or intended parent of a child born to a surrogate
 - The person, who lived with the child and had day to day responsibility for the child or baby's care, for at least 4 weeks before they died
 - The partner of the child's parent or carer, if they live with the child and the child's parent or carer in an enduring family relationship
8. Entitlement to parental bereavement leave starts from the first day of employment.

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Parental bereavement pay

9. To be eligible to receive statutory parental bereavement pay, you must have been employed by the Trust for at least 26 weeks up to the end of the week (ending with Saturday) immediately before the week in which the child or baby died.
10. You must also continue to be employed up to the day before the child's death.
11. During parental bereavement leave you will receive your normal weekly salary for the duration of your leave (i.e. either one or two weeks), or if this is less than statutory parental bereavement pay,¹ you will receive the statutory amount.
12. Parental bereavement pay is subject to tax, NI and, where appropriate, pension contributions.

Notice required

13. If you wish to take parental bereavement leave, you should inform the head teacher or your line manager, as soon as reasonably practicable. Due to the nature of this leave, you can make contact by phone, email or, if neither of these are possible, by text message.
14. To take leave within the first 8 weeks (56 days) following the child's death, you will need to give notice before you are due to start work on the first day that you wish your leave to begin, or as soon as reasonably practicable.
15. To take leave after the first 8 weeks (56 days) and up to 56 weeks following the child's death, you will need to give at least one week's notice before the start of the week you would like bereavement leave to begin.
16. Notice that you want to take leave should include the following information:
 - the date of the child's death or stillbirth
 - the date on which you want parental bereavement leave to begin
 - how much leave you are taking – either 1 or 2 weeks.
17. While you can give notice initially by phone, you should confirm this in writing as soon as practicable.
18. You do not need to provide proof of the death or stillbirth.

¹ Statutory parental bereavement pay is either £151.20 a week or 90% of your average weekly earnings (whichever is lower) - correct as of June 2020

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Cancelling leave

19. If you wish to cancel bereavement leave that has not already started, you must notify the school at the start of the first day of your leave if it is within the first 8 weeks.
20. If you wish to cancel leave after the first 8 weeks, you must give the school at least one week's notice before your leave was due to start.
21. You can provide more notice if you wish.
22. If you cancel your leave, you can rebook it by giving the appropriate notice.

Other leave entitlements

23. Parental bereavement leave does not replace your entitlement to other forms of statutory parental leave and can be used with other periods of leave.
24. Maternity and paternity leave - in the case of a stillbirth suffered after 24 weeks of pregnancy or if the child dies during maternity leave, the mother will remain entitled to her normal maternity leave and pay. Similarly, the partner will remain entitled to normal paternity leave.
25. Adoption leave - adopters will remain entitled to adoption leave and pay for 8 weeks after the end of the week in which the child dies.
26. Shared parental leave - if a child dies after an employee has given notice of their intention to take shared parental leave, they can take any period of shared parental leave that has already been booked. However, if they have not requested a period of shared parental leave, the employee cannot book shared parental leave after the child's death.
27. Emergency leave - employees have the right to unpaid time off to deal with an emergency involving a dependent.
28. If you are taking another type of statutory leave, e.g. maternity or paternity leave when the child's death or stillbirth happens, you can also take parental bereavement leave. Parental bereavement leave must start after the other leave has ended but it does not have to be taken immediately as long as it is within the 56-week period.

Support for employees taking parental bereavement leave

29. The Trust recognises that everyone deals with bereavement differently and we will seek to support you in the most appropriate way. Support could be short-term or for a longer period and could include, for example, identifying a colleague to offer support, providing a quiet space to use if needed, a phased return to work, flexible working, adjustments to your role or referral to occupational health.

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30. You have a right to return to your job on the same terms and conditions after taking parental bereavement leave.
31. Parental bereavement leave does not break your continuous service for the purposes of benefits entitlements such as sick pay, or for the purposes of redundancy calculations.

Other relevant policies

- Adoption scheme
- Emergency, discretionary and special leave
- Maternity scheme
- Parental leave
- Paternity scheme
- Shared parental leave

Review of this policy

This policy will be reviewed on a regular basis to ensure consistency, fairness and effectiveness, and to consider any changes in employment legislation.

Further sources of information

Government guidance on Parental Bereavement Leave

<https://www.gov.uk/parental-bereavement-pay-leave>

Child Bereavement UK provides support and information for families when a child dies

www.childbereavementuk.org 0800 02 888 40

Cruse Bereavement Care offer support to children, young people and adults when someone dies

www.cruse.org.uk 0808 808 1677

Samaritans www.samaritans.org 116 123

Employee Assistance Programme - support and confidential counselling is available to all EPA employees at www.healthassuredeap.co.uk the website provides confidential access to wellbeing fact sheets, videos, self-help programmes, interactive tools and educational resources to help with life's challenges.

To login to the portal the username is: **IMASS** and the password is: **Group**

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