

# Bereavement Policy

**This policy is for ILF Scotland staff only**

ILF Scotland acknowledges the personal nature of bereavement and grief and is committed to supporting employees in practical and reasonable ways.

## **Paid Leave**

Bereavement Leave is paid leave that allows an employee time off to deal with their personal distress and related practical arrangements, primarily, but not limited to, when a member of their family dies.

ILF Scotland acknowledges that bereavement impacts all individuals differently and the guidelines below are intended to show the minimum paid leave an employee is entitled to in different circumstances.

ILF Scotland acknowledges that not all employees will need to take the full allowance, and some employees will need additional time, depending on their relationship with the person who has died and the circumstances of the death.

Entitlement to paid Bereavement Leave is a day one right to all employees regardless as to their length of service. It is not available to self-employed staff and workers.

Employees will be entitled to Bereavement Leave upon the death of a loved one or relative which includes spouse or civil partner, partner (including someone with whom the employee cohabits but is not their spouse or civil partner), parent (including stepparent), adult child, sibling (including stepsibling), grandparent, grandchild and also in the event of miscarriage.

### **What is it?**

Bereaved employees will have the right to take up to 20 working days' (pro-rated) paid time off during the year following the death of the immediate loved one or relative. The weeks can be taken in two blocks of two weeks taken at different times or in a single block of four weeks. ILF Scotland will not refuse, postpone or amend the dates chosen by the employee but the leave must be taken within 56 weeks starting with the day of the death of the loved one or relative. The leave can start on any day of the week.

If the employee loses more than one loved one or relative, they are entitled to a period of Bereavement Leave for each loved one or relative lost.

In the event of the death of an immediate relative, 20 working days' (pro-rated) paid leave will be granted. An immediate relative includes a spouse, civil partner or partner\* (including same sex partners), parent, stepparent, sibling or a person with whom the employee is in a relationship of domestic dependency.

\*Partner includes someone with whom the employee is co-habiting but is not the employee's spouse or civil partner.

Three days' leave will be allowed on the death of a mother-in-law, father-in-law, son-in-law or daughter-in-law.

Two days of leave will be allowed on the death of an uncle, aunt or other extended family member to facilitate attendance at the funeral.

In exceptional circumstances, one to five days' leave may be granted on the death of someone outside the immediate family. These circumstances would include (but are not limited to) situations where the employee is responsible for funeral arrangements or has to travel abroad to attend the funeral.

An employee should notify their Line Manager of their need to take leave as soon as possible or, at latest, on the first day of absence. Line Managers' have the right to exercise discretion in exceptional circumstances as outlined above. You should keep your Line Manager informed of your intentions at all times.

### **Parental Bereavement Leave: Loss of a Child (Jack's Law)**

Employed parents who have lost a child under 18 are entitled to take Parental Bereavement Leave. This law does not apply to [workers or those who are self-employed](#).

It is a day one right at ILF Scotland, available to all employed parents and their partner, no matter how long they have been working for ILF Scotland.

This is also applicable to parents (and their partner) who suffer a stillbirth after the 24<sup>th</sup> week of pregnancy. Rights to take Maternity Leave and pay will not be affected by taking Parental Bereavement Leave.

You will be eligible to take Parental Bereavement Leave if you or your partner:

- (a) are the child's parent or foster parent
- (b) have had the child placed with you for adoption (whether by a UK adoption agency or from overseas)
- (c) are their intended parent under a surrogacy arrangement
- (d) are the natural parent of a child who has since been adopted by someone else, and there is a court order allowing you or your partner to have contact with the child
- (e) look after the child in your own home, other than as a paid carer, and have done so for at least four weeks (known as a parent "in fact")

### **What is it?**

Each parent will have the right to take up to 20 working days (pro-rated) paid time off during the year following the death of their child. The weeks can be taken in two blocks of 10 working days taken at different times or in a single block of 20 working days.

ILF Scotland will not refuse, postpone or amend the dates chosen by the employee but the leave must be taken within 56 weeks starting with the day of the death of the child. The leave can start on any day of the week.

If the employee loses more than one child, they are entitled to a period of Bereavement Leave for each child.

### **Will it be paid?**

All parent employees will be entitled to paid leave.

## **What Notice Should You Give?**

During the first seven weeks, you need only inform ILF Scotland before you start work on your first day of absence, or if this isn't possible, as soon as you can. From weeks eight to 56, you will need to give at least a week's notice. The leave can be cancelled or rearranged with the same degree of notice.

## **Annual Leave**

In the event of a bereavement or parental bereavement, an employee may be able to take Unpaid Leave or Annual Leave at short notice to supplement their Bereavement Leave, subject to the needs of the organisation. Requests should be directed to the employee's Line Manager. An employee who suffers a family bereavement while on Annual Leave can convert their Annual Leave into Bereavement Leave and take their Annual Leave at a future date, although we may ask for evidence of the bereavement in those circumstances.

## **Unpaid Leave**

Unpaid Leave on compassionate grounds up to a maximum of 10 days may be granted after bereavement or parental bereavement, subject to the needs of the organisation. An employee must consult with their Line Manager before starting Unpaid Leave.

## **Return to Work**

In certain circumstances a full return to work may not be possible for an employee following the death of an immediate relative – for example, when the employee's grief is likely to impact on their ability to perform

their role, or where new childcare arrangements have to be sourced or responsibility for the care of an elderly parent has transferred to the employee.

In such instances ILF Scotland may allow a phased return to work on a part-time or reduced hours' basis where practicable. Alternative duties may also be considered. Any such arrangement would need to be agreed in advance by the Line Manager, would be subject to an agreed maximum number of days and would be managed in line with ILF Scotland's Flexible Working Policy.

## **Employee Support**

ILF Scotland acknowledges that Bereavement and Parental Bereavement Leave is intended to support employees in the immediate period around the death of a relative. However, the process of grief, the natural reaction and adjustment to loss and change may take a significant time and will be personal to each individual.

An employee with any concerns about the grieving process impacting on their work performance should discuss this in confidence with either their Line Manager or the HR team. This is to ensure that any reasonable adjustments that may be necessary are discussed and put in place and that the employee is supported in their return to the full range of duties and responsibilities that they had prior to the bereavement or their duties and responsibilities are adjusted (as necessary) with the prior agreement of their Line Manager.

ILF Scotland recognises that the majority of people do not require counselling to cope effectively with their grief. However, for employees

wishing to avail themselves of professional help in coming to terms with a significant loss, the organisation will cover the cost of counselling sessions with an independent counselling practice accessed directly through the employee assistance programme.

## **Health and Safety**

Bereavement can have an impact on concentration, sleep, and decision-making. The health and safety assessment of the workplace will include consideration of the impact of bereavement on employees, their duties and responsibilities, and the context in which they are working.

Any employee who is concerned about their ability to conduct their duties safely in the weeks following a bereavement must discuss this with their Line Manager.

ILF Scotland reserves the right to request an employee to attend an occupational health appointment before resuming full duties.

## **Culture and Diversity**

ILF Scotland recognises that different cultures respond to death in significantly different ways.

Line Managers will check whether the employee's religion or culture requires them to observe any particular practices or make special arrangements which would necessitate them being off work at a particular time. Employees should not assume that their Line Manager is aware of any such requirements and should draw this to their Line Manager's attention as soon as possible.

Line Managers who are unsure of how to respond to a bereaved employee from a different culture should ask the bereaved employee or someone else from their cultural group about what is appropriate.



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