

Subject: PARENTAL BEREAVEMENT POLICY AND PROCEDURE

Meeting and Date: General Purposes Committee – 21 March 2022

Report of: Nadeem Aziz, Head of Paid Service

Classification: UNRESTRICTED

Purpose of the report: To consider approval of a Parental Bereavement Policy and Procedure

Recommendation: That the Committee approves and adopts the above policy with immediate effect

1. Summary

1.1 This report seeks member approval for the adoption of a Parental Bereavement Policy and Procedure, applicable to all DDC employees.

2. Introduction and Background

2.1 As of 6 April 2020, working parents who lose a child under the age of 18 or have a baby stillborn after 24 weeks of pregnancy have the right to take two weeks' paid bereavement leave. Before this new right was enacted, employers were not legally required to provide grieving parents with any paid leave. Employees only had the right to unpaid time off work to deal with an emergency, which would have included the death of a dependent.

2.2 The parental bereavement leave legislation created two distinct rights:

- Entitlement to two weeks of Parental Bereavement Leave (PBL) - a "day one" right applicable from the beginning of employment.
- A right to payment during PBL, subject to length of service requirements - this is called Statutory Parental Bereavement Pay (SPBP).

2.3 The current rate for Statutory Parental Bereavement Pay is £151.97 a week or 90% of average weekly earnings, whichever is lower (the same rate as Statutory Maternity and Paternity Pay). The service requirement is at least 26 weeks, and it is subject to a lower average earnings limit (£120 per week gross pay)

3. The Council's Proposal

3.1 To acknowledge the deeply difficult nature of this situation, the Council are committed to identifying additional steps to support employees, which are above that of the statutory requirements. In particular:

- To enhance the statutory payment to full pay for 1-2 weeks as Parental Bereavement Leave (as opposed to Statutory Pay)
- The removal of any eligibility criteria in terms of length of service or lower earnings limit.
- Provision of signposting, and referral where necessary to avenues of support.

3.2 The draft policy outlines these entitlements in detail and contains links to specific avenues of support, in addition to the Councils normal support services.

4. **Resource Implications**

- 4.1 Staff will continue to be paid their normal pay rate if PBL is required, of which the Statutory PBL rate can be claimed by the council. There will be a resource impact on the section due to the absence of an officer, but it is anticipated that this would be managed within the teams and not require an additional backfilling.

5. **Identification of Options**

- 5.1 Option 1 - The committee agree the implementation of the Parental Bereavement Policy and Procedure.
- 5.2 Option 2 – The committee decline the enhanced pay elements of the Policy and apply statutory provisions only
- 5.3 Option 3 - The committee decline the Parental Bereavement Policy and Procedure and instead ask the Head of Paid Service to consider other policy options.

5. **Evaluation of the Options**

- 5.1 For the reasons set out in this report, option 1, the approval of the Parental and Bereavement Leave policy is the recommended option.

6. **Corporate Implications**

- 6.1 Comment from the Head of Finance and Investment: The Head of Finance & Investment has been consulted on this report and has no further comments to add.
- 6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 6.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/section/149>
- 6.4 Comment from Climate Change Officer: The Climate Change Officer has been consulted on this report and has no further comments to add.

7. **Annexes**

- 7.1 Draft Parental and Bereavement Policy and Procedure

Officer contact: Louise May, Head of Governance & HR