

Bereavement/Compassionate Leave Policy

1. Purpose

Shetland UHI wishes to ensure consistency in the application, use and approval of Compassionate leave requests. The purpose of this note is to provide guidance that enables us to ensure consistency of approach in the areas of Bereavement and Compassionate Leave. Shetland UHI recognises that, from time to time, staff may require a period of leave that does not fit with annual leave or sickness absence, or within a family leave scenario (maternity or paternity leave for example).

Shetland UHI's Vision:

Shetland UHI will be an inspirational hub of innovation and learning designed to meet the needs of the people of Shetland, nationally and internationally.

Shetland UHI's Values:

We will achieve our Vision by:

- Working together - Fostering activity and interaction across the organisation and between staff and students.
- Working for Shetland - Addressing skills needs, supporting innovation and applied research for the Shetland economy as the university for Shetland, with the University for the Highlands and Islands (UHI).
- Working sustainably - Embedding sustainability in the curriculum and in our practice.
- Working to become resilient - Encouraging staff development and aspiration, exploring and achieving new income streams.
- Working with partners - Developing relationships with employers, schools, communities, SIC and relevant national and international institutions.

2. Scope

This policy applies to employees of Shetland UHI but will be superseded by any national agreements in relation to Compassionate Leave in the future, which are not fully defined at this time.

3. Payment for Bereavement Leave

In terms of bereavement leave, all employees are entitled to paid leave of up to 5 days (pro rata for part-time staff), with a minimum of two days leave following the death of:

- The spouse/partner with whom the employee lives.
- A father, mother, brother, sister.
- A stepfather, stepmother, stepbrother, stepsister, stepchild.
- An adult child (i.e. who is aged 18 or over, meaning that the employee is not eligible for parental bereavement leave).
- A father-in-law, mother-in-law, son-in-law or daughter-in-law.
- A grandparent.
- A grandchild.

In addition to the above, up to 5 days of bereavement leave may be paid in other circumstances following the death of a more distant relative where the employee lived with the person; and/or, had significant caring responsibilities for that person; and/or, is an executor of the will, and/or, is tasked with making funeral arrangements.

In cases where the employee must make a difficult or lengthy journey (off island), an additional 2 days of paid leave may be granted, on top of the 5 days.

Finally, one day's leave with pay to attend the funeral of a more distant relative / friend / or work colleague is granted. Additionally, and at the discretion of the Head of Section, this may be extended to 5 days in recognition of the grief an employee may experience upon the loss of someone you had a close relationship with.

Where a period of compassionate leave is linked to bereavement and an employee requires additional time of absence, payment for this will be at the absolute discretion of the senior management team. Where this is linked to caring for a seriously ill dependant or close family member, payment for this will be at the absolute discretion of the senior management team.

4. The death of a child and Parental Bereavement Leave

There is a legal entitlement for bereaved parents to be absent from work for up to two weeks where their child passes away on or after 6 April 2020.

Whatever your length of service, you can take parental bereavement leave if you have lost a child (i.e. under the age of 18) and 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 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 passed away, they have been living with the child and had "day-to-day responsibility" for the child (but who is not being paid to look after the child).

In practice, this means that most employees with parental responsibility for a child who passes away can take parental bereavement leave.

Parental bereavement leave is available in several other scenarios, including for adoptive parents whose child has passed away and where a parent suffers a stillbirth after 24 weeks of pregnancy.

You can take statutory parental bereavement leave/pay in addition to any maternity or paternity leave/pay you qualify for, and you may qualify for it even if you do not qualify for Statutory Maternity Pay or Statutory Paternity Pay

If you have suffered a bereavement but are unsure if you are entitled to parental bereavement leave, you should contact your line manager for clarification.

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.

A bereaved parent can take parental bereavement leave at any time from the date of the death of the child until 56 weeks after of the date of the death of the child.

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.

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.

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

5. Illness of a Partner, Close Relative or Dependent

Compassionate leave with pay may be granted to help staff cope with the illness of a partner, close relative or dependant. Compassionate leave can be allowed in order to deal with the initial emergency but not for providing longer term nursing care. If leave is required to attend someone who is seriously ill either at home or in hospital, supporting medical evidence (if obtainable) should be produced as soon as practicable.

An initial emergency is one where the employee is contacted during working time and is required to attend to the immediate care needs of their partner/close relative/dependant because of illness. The employee may be granted compassionate leave for the time it takes to deal with the call, inform their manager, attend to the immediate care needs of their partner/close relative/dependant and then make arrangements for their continued care. Should the employee be required to stay at home for the rest of the day to care for their partner/close relative/dependant this falls under Time Off for Dependants (section 6). The same applies where an employee cannot attend work due to the illness of their partner/close relative/dependant.

The maximum time granted is 1 day, however it is normally expected that it would take less time to make these arrangements as all employees are expected to have contingency plans in place for these situations.

6. Partner, Close Relative or Dependant in Hospital

Although there may be exceptional cases, compassionate leave with pay is not normally intended to cover cases where a partner, close relative or dependant is in hospital. Special consideration should however be given to an application where, for example:

- (a) A young child is admitted to hospital, parental presence is called for and assistance is required with other family members.
- (b) In cases involving critical or terminal illness.

- (c) An escort is specifically required to bring the patient to/from hospital. In this case the normal time off allowed would be the actual time required to travel to, attend and return from the hospital. Escorting a dependant to a GP, dentist or optician appointment is not covered by this clause.

7. Care of a Partner, Close Relative or Dependant on Discharge from Hospital

Compassionate leave with pay may be granted to allow staff to look after a partner, close relative or dependant to allow after-care immediately following discharge from hospital. This should be to allow staff to make arrangements for longer term after-care.

8. Longer Term Arrangements

Where more time is needed, or where paid leave is exhausted, or it is necessary to make a commitment to a dependant for a longer time period, the following can be considered:

Such arrangements should normally be considered when the time off requirement is for more than five days.

- a) Temporary Amendment to Working Patterns You can request a change in either your pattern of weekly hours or a reduction in hours worked. Any reduced hours working would be for a specific period of time with the requirement to revert to your original contract at the end of an agreed period, unless a permanent change is agreed with your line manager.
- b) Annual Leave With the agreement of your line manager, annual leave may be taken in less than half shift blocks if you need to time away from work through the working day.

9. Conclusion

It is important that all employees and managers know what to do when there is request for bereavement/compassionate leave.

10. Linked Policies

- Dependent's Leave Policy
- Carer's Leave Policy

11. Relevant Legislation

- Employment Rights Act 1996 as amended
- Employment Rights Act 2004
- Data Protection Act 1998 as amended;
- Health and Safety at Work etc. Act 1974;

- Management of Health and Safety at Work Regulations 1999;
- Equality Act 2010

Reviewed	By	Approved
March 2024	HR and OD Lead (new policy)	
	SMT	
	LNCC	15/04/2024
	HR&R	07/02/2024