



## **Bereavement Leave Policy**

This policy sets out the guidelines for the management of leave due to bereavement. This policy is endorsed by the trustees and will be reviewed regularly to ensure that it remains appropriate to the needs of JustUs.

As staff are self-employed JustUs is not legally obligated to pay bereavement leave. However, as an act of benevolence the trustees have agreed that all self-employed staff, excluding contractors will receive bereavement leave payments proportionate to a Full Time Equivalent (FTE) worker.

The Charity's aim is to provide a remuneration package and working environment that is attractive, and that exceeds that of other organisations in the sector. This is in recognition of the uniqueness of staff roles, to ensure continued motivation of staff and for staff retention. The trustees of JustUs are committed to ensuring a proper balance between paying staff and others fairly to attract and retain the best people for the job whilst ensuring careful management of charity funds. However, should JustUs' bank account balance fall below £15,000 at any time then bereavement leave payments will be rescinded.

Although the nature of self-employment means that staff are responsible for their own working hours JustUs expects staff members to give due notice where possible of any time off so that other staff members can cover their workload if need be.

The bereavement leave entitlement period will start from the date the worker has signed their contract and will end one full year later. Bereavement leave payments will be paid monthly.

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

### **Paid bereavement leave**

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

JustUs acknowledges that bereavement impacts all individuals differently and the guidelines below are intended to show the minimum paid leave a worker is entitled to in different circumstances.

JustUs acknowledges that not all workers 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.

### **If a dependant dies**

Five working days paid leave will be granted in the event of the death of a dependant.

A dependant could be a:

- spouse, partner, or civil partner \*

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- child\*\*
- parent
- stepparent
- sibling
- person who lives in the worker's household (not tenants, lodgers, or employees)
- person who would rely on the worker for help in the event of an accident, illness, or injury, such as an elderly neighbour
- person who relies on the worker to make care arrangements

\*Partner includes someone the worker is cohabiting with but is not the worker's spouse or civil partner.

\*\*Child includes children the worker is the adoptive parent, legal guardian, or carer for. If the child dies under the age of 18 or is stillborn the worker may be entitled to additional leave.

### **If a non-dependant dies**

In these circumstances, five days unpaid leave may be granted on the death of someone who is not a child or dependant. These circumstances would include (but are not limited to) situations where the worker is responsible for funeral arrangements or must travel abroad to attend the funeral.

### **Parental bereavement leave**

Workers are entitled to 2 weeks Statutory Parental Bereavement Leave if their child:

- dies under the age of 18
- is stillborn after 24 weeks of pregnancy

Workers can claim this leave if they are the:

- birth parent
- natural parent (the person who gave birth to the child who has since been adopted, but has a court order to allow them to continue having access to the child)
- adoptive parent if the child was living with them
- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'intended parent' – due to become the legal parent through surrogacy
- partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

Parental Bereavement Leave can be used within 56 weeks of the date of the death or stillbirth. It can be taken as either:

- 2 consecutive weeks
- 2 separate weeks
- 1 week only

To take Parental Bereavement Leave, a worker should inform a trustee:

- when they want their Parental Bereavement Leave to start
- whether they want to take 1 or 2 weeks' leave

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- the date of their child's death

### **Miscarriage leave**

If a worker or their partner has a miscarriage in the first 24 weeks of pregnancy, JustUs recognises many people will consider this a bereavement. In these circumstances, JustUs provides five days leave. This time off will be paid.

### **Return to work**

In certain circumstances a full return to work may not be possible for a worker following a bereavement. For example, when the worker'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 JustUs will 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 a trustee. It would be subject to an agreed maximum number of days and would be managed in line with JustUs' flexible working or part-time working arrangements.

### **Culture and diversity**

JustUs recognises that different cultures respond to death in significantly different ways.

Trustees will check whether the worker's religion, belief or culture requires them to observe any practices or make special arrangements which would require them being off work at a particular time. Workers should not assume that the trustee is aware of any such requirements and should draw this to the trustee's attention as soon as possible.

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

### Example Calculation

The calculation for bereavement leave is made using the comparator of an FTE worker working 40 hours per week, and for the purposes of this policy will be based on the average hours worked per working day in the previous month.

An FTE employee is entitled to £172.48 a week (£4.312 per hour) paid bereavement leave.

So, as an example using an invoice for 60 hours over a previous monthly period of 20 working days:

60 hours divided by 20 = an average of 3 hours per day, or 15 hours per week.

15 hours x £4.312 per hour = £64.68. This would be the amount of bereavement pay a worker would receive for a period of five days absence using the previous months' invoice of 60 hours.

This policy will be reviewed annually.

Adopted August 2022.

