

# Leave Policy

Version number	Date approved (including production/revision committee)	Reason for	Author	Proposed next review date
V2.0	Feb 2024 ExCo	Government legislation	Head of HR	Feb 2027 and as required
V1.1	Dec 2023 ExCo	3 year review	Head of HR	December 2026 and as required
V1.0	Dec 2020 ExCo	New Policy For 3 year review	Head of HR	December 2023 and as required
<b>Related policies</b>				
<ul style="list-style-type: none"><li>• Disciplinary policy</li><li>• Grievance policy</li><li>• Maternity policy</li></ul>				
<b>External Reference</b>				
<ul style="list-style-type: none"><li>• Working Time Regulations 1998</li><li>• Carer's Leave Regulations 2024</li><li>• Carer's Leave Act 2023</li><li>• Parental Leave (EU Directive) Regulations 2013 (SI 2013/283)</li><li>• Employment Rights Act 1996</li><li>• Parental Bereavement Leave Regulations 2020</li></ul>				

## LEAVE POLICY

### 1. PRINCIPLES

- 1.1 The taking of all leave is subject to the exigencies of the service, with the exception of emergency situations.
- 1.2 All leave must be approved by the employee's line manager in advance, except in emergency situations.
- 1.3 Annual leave must be taken for events such as moving house, broken boiler, carrying out duties relating to being a Special Constable or a member of the Reserve Forces. Please see Appendix 1.
- 1.4 Any time taken by ICMP employees to undertake public duties will be unpaid. Employees will be allowed to use their annual leave if they wish.
- 1.5 All leave years will be January to December annually. New staff to ICMP will be entitled to leave proportionate to the completed calendar months of service during the year.
- 1.6 Employees are not normally allowed to carry over annual leave to the next year, unless authorised by a member of ExCo in exceptional circumstances.
- 1.7 Under no circumstances will any other leave entitlements be carried over to the following year.
- 1.8 If an employee has booked leave and are unable to take the leave because of exigencies of the service, this must be agreed in advance with their line manager. Leave will not be reimbursed without this prior approval.
- 1.9 Where this policy refers to 'spouse', 'partner', 'co-habitee', 'parent' or other family relationship this is regardless of gender and includes same-sex partners, parents and spouses.
- 1.10 Evidence to be provided on request and employee to submit the relevant completed forms to HR.
- 1.11 Sabbaticals will be unpaid but all contractual benefits and accrual of statutory annual leave will continue. Employees will be eligible for a pro-rated bonus award or incentive payment based on your individual performance and service completed during the performance year.

- 1.12 Employee's continuous service date will remain unchanged during any period of leave.

## 2. ANNUAL LEAVE PROCEDURE

- 2.1 Leave of two plus days should be requested at least one month in advance of it being taken unless exceptional circumstances are such that notice is unable to be given. For holidays of one day only, 2 week's notice is required.
- 2.2 Holidays of more than 10 consecutive working days may not normally be taken. Requests for holidays of longer duration should be submitted in writing to your Line Manager. Each request will be considered on its own merits and written approval or refusal will be made.
- 2.3 Holidays will be allocated on a first come first served basis. This is to ensure adequate staffing levels and operational efficiency are maintained through the year. Because of this, you are requested not to make any firm holiday plans until your request has been approved. The Company will not be liable to you for any losses sustained by you as a result of booked holiday having to be cancelled as a result of previous consent not having been obtained.
- 2.4 Leave entitlement on termination of employment:

Staff should be encouraged to use up their leave entitlement before leaving. If for service delivery reasons staff have been prevented from taking their full entitlement the manager should arrange for a payment in lieu of holiday to be paid with final salary. Where staff have used more than their accrued entitlement on leaving, the manager should inform the employee that an equivalent amount in pay will be deducted from the final salary payment. The manager should also inform Human Resources of the employee's annual leave status on the date of leaving on the Termination Report form.

- 2.5 All annual leave is requested and approved on line through the HR Self-Service.

Basic annual leave entitlement: 25 working days and three days in addition during the Christmas to New Year period when the company is closed. This is excluding Bank Holidays. Part-timers will receive the allocation on a pro rata basis.

- 2.6 For information relating to sick pay and annual leave, please refer to the Sickness Absence Policy.
- 2.7 Wherever possible, an employee should determine in advance of taking maternity leave, and inform their manager, whether they wishes to use annual leave to increase paid leave entitlement at the beginning or end of their maternity leave. If an employee will be absent on maternity leave over the end of the leave year they should wherever possible take holiday before maternity leave begins.

Annual leave continues to accrue during maternity leave.

- 2.8 If an employee works part time, then their entitlement is calculated as follows: the total number of days holiday a full timer gets *including* public holidays (i.e. 25 days + 3 + 8 BH = 36). This total amount is then calculated into the pro rata entitlement for part-timers (i.e. for a 0.5 – 50% of 36 days = 18 days). If a part-timer's normal working day is a bank holiday, they *must* take a day's leave on that date, otherwise they can choose when to take it. This must be recorded on their online annual leave entitlement.
- 2.9 Any request for an unpaid sabbatical will be treated seriously and given due consideration.
- 2.10 Any sabbaticals granted are at the discretion of the Company and will normally be considered at ExCo level.
- 2.11 Any dispute will be dealt with through the grievance policy.

### 3. PATERNITY LEAVE PROCEDURE

- 3.1 Ten days leave is available to staff who are married, in a civil partnership or whose partner (regardless of gender) is having a baby.
- 3.2 Employees will need to satisfy the following conditions in order to qualify for paternity leave: They must:
  - 3.2.1 Have or expect to have responsibility for the child's upbringing
  - 3.2.2 Be the biological parent of the child or the parent's spouse, civil partner or partner.
  - 3.2.3 Have worked continuously for ICMP for 26 weeks leading into the fifteenth week before the baby is due.

- 3.3 Eligible employees will be entitled to choose to take either one week or two consecutive week's paternity leave (not odd days).
- 3.4 Dates for paternity to be agreed with the line manager.
- 3.5 Leave can start on any day of the week on or following the child's birth but must be completed within 56 days of the actual date of birth of the child or if the child is born early, within the period from the actual date of birth up to 56 days after the expected week of birth.
- 3.6 Only one period of leave will be available to employees irrespective of whether more than one child is born as a result of the same pregnancy.
- 3.7 If a miscarriage or stillbirth occurs any time from the 25<sup>th</sup> week of pregnancy, the paternity leave entitlement remains the same as received if it had been a live birth.
- 3.8 Payment is made at the Statutory Paternity Pay rate.
- 3.9 You are entitled to return to the same job following two weeks' paternity leave.

#### **4. SABBATICAL LEAVE**

- 4.1 A sabbatical is a short break in an employee's career where they can focus on personal interests. An employee may request a sabbatical of no less than eight weeks and no more than 26 weeks.
- 4.2 ICMP is committed to retaining skills, knowledge and experience where possible. ICMP also recognises there are times when employees may wish to take a short break to focus on personal interests such as:
  - bringing up children
  - caring for relatives or friends
  - travelling
  - undertaking educational courses
  - undertaking unpaid voluntary or charity work
  - research projects and scholarly activity.

4.3 The above reasons are not exhaustive and requests for other reasons may also be considered. Breaks will not be granted in order to "try out" employment with another organisation.

4.4 An employee normally requires two years' continuous service at the start of the year in which the sabbatical is requested. Where a request is from someone with less than one years' service and relates to a caring responsibility (eg to care for a sick relative) or for time off in relation to an arranged marriage, the line manager should contact HR for guidance. 4 week sabbaticals are available to staff under the Long Service Recognition.

4.5 Employees should:

- request any sabbatical in sufficient time prior to the requested start date
- return to work at the specified time following the sabbatical
- accept the decision where it is not possible to accommodate the request.

4.6 Line managers should:

- ensure that sabbatical requests are given careful consideration and accommodated where possible
- ensure the granting of a sabbatical will not adversely affect the smooth running of the business
- provide employees with a written explanation of the reasons for any declined requests.

4.7 A request should be made in good time before the leave would start. Employees should write to their line manager including details on:

- Your job title
- Start date
- Preferred sabbatical leave start date
- Reason for request
- How the company will be affected by the absence
- How you think those potential problems may be overcome

4.8 A request can be declined where:

4.8.1 the individual is not meeting Company standards in any of the following:

- Performance
- Conduct

- Attendance

4.8.2 granting a sabbatical would seriously impact the efficient running of a branch or department eg too many people are on holiday in the particular period or the business is aware of a particular project or peak in activity that will be happening

4.8.3 the employee works in a specialist role which makes arranging temporary cover difficult or costly.

4.9 Employees will normally return to the role they were undertaking immediately prior to the sabbatical. In some circumstances it will not be possible for the employee to return to the same role because either:

- their position has become redundant
- their duties have changed as a result of business re-organisation.

Where this happens the employee will be included in any consultation, ideally at the time the request is granted or as soon as reasonably practical. In the event the employee is not contactable during the sabbatical eg if they are travelling, the Company will consult with them at the earliest opportunity on their return.

## **5. FUNERAL LEAVE PROCEDURE**

5.1 Staff are granted one days paid leave to attend the funeral of a spouse, partner, co-habitee, child, parent, brother, sister. At the discretion of management, or their nominee, leave may be granted to attend the funeral of other near relatives.

5.2 A member of ExCo, or their nominee, can also grant additional paid leave (normally limited to 4 days) to individuals called upon to make funeral arrangements or having other responsibilities arising from the death.

## **6. EMERGENCY FAMILY LEAVE PROCEDURE**

6.1 ICMP recognises that when certain unexpected or sudden emergencies involving a dependant occur, employees may need to take time off work to deal with such situations and to make any necessary longer-term arrangements. ICMP will therefore ensure that employees have the right to take a reasonable period of time off work (paid or unpaid dependent on the circumstances) to deal with such emergencies to ensure that they can devote sufficient time to resolving any problems that have arisen.

6.2 The right to leave applies where an employee encounters an unexpected or sudden problem involving a dependant (see 6.4) and needs reasonable time off to deal with the situation and make any necessary longer-term arrangements.

- 6.3 A dependant is defined as the partner, spouse, or civil partner, child, grandchild, parent or someone who lives with the employee as part of their family that is dependent on the employee for financial support or caring arrangements (this does not include tenants or boarders living in the family home, or someone who lives in the household as an employee e.g. nanny, housekeeper) or a person who reasonably relies on the employee for care.
- 6.4 The circumstances in which time off will be granted are:
- 6.4.1 If a dependant falls ill or has been involved in an accident or assaulted, including where the victim is hurt or distressed rather than injured physically.
  - 6.4.2 When a partner, spouse, or civil partner is having a baby.
  - 6.4.3 To make longer-term care arrangements for a dependant who is ill or injured.
  - 6.4.4 To deal with an unexpected disruption or breakdown in care arrangements for a dependant; for example, when the childminder fails to turn up or the nursery has an unplanned closure. This does not include when schools have INSET/closure days as these are notified in advance.
  - 6.4.5 To deal with an incident involving the employee's child during school hours; for example, if the child has been involved in a fight or is being suspended from school.
  - 6.4.6 In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.
- 6.5 The right is intended to cover genuine emergencies and there is not a set limit to the amount of time off which can be taken, except that it must be reasonable to the situation. In most cases, the amount of leave will be one or two days at the most, but this will depend on individual circumstances.
- 6.6 As this policy applies to emergency situations, which by definition, cannot be foreseen, there is no limit on the number of times an employee can be absent from work where a genuine emergency occurs, however continual emergencies may be unpaid.

- 6.7 Employees are required to inform their line manager as soon as possible about their absence, the reason for it and how long they expect to be away from work.
- 6.8 ICMP recognises that there may be times when an employee returns to work before it was possible to contact their manager, but they must inform their manager the reason for the absence on return to work using the appropriate ICMP request form.
- 6.9 Employees will not be unreasonably refused time off, victimised or dismissed for using this policy.
- 6.10 In the event of a dispute concerning the right to time off or the amount granted, employees should raise the matter through the normal grievance procedures.
- 6.11 Any deliberate abuse of this policy will be treated as a disciplinary matter.

## 7. TIME FOR PUBLIC DUTIES PROCEDURE

- 7.1 Section 50 of the Employment Rights Act 1996 requires employers to permit employees who hold certain public positions reasonable time off to perform the duties associated with them. The provisions contained within this policy apply to all employees who hold a position such as a:
- 7.1.1 Justice of the Peace
  - 7.1.2 Member of a local authority
  - 7.1.3 Member of a police authority
  - 7.1.4 Member of any statutory tribunal
  - 7.1.5 Member of a relevant health body
  - 7.1.6 Member of the managing or governing body of an educational establishment
  - 7.1.7 Member of the governing body of a further or higher education corporation
  - 7.1.8 Member of the General Teaching Councils for England and Wales
  - 7.1.9 Member of the Environment Agency
  - 7.1.10 Member of the prison independent monitoring boards
- 7.2 Duties will include the attendance at meetings of the body or any of its committees or sub-committees and the performance of duties approved by the body that need to be done in discharging its functions, or those of any of its committees or sub-committees. Employees undertaking public duties should formally notify Human Resources that they are carrying them out.

- 7.3 The amount of time which an employee should be permitted to take off to perform these public duties, is defined as that which is reasonable in all the circumstances, having particular regard to:
- 7.3.1 How much time off is required overall to perform the duties and how much time off is required to perform the particular duty in question;
  - 7.3.2 How much time off the employee has already been permitted for this purpose or for other public duties; and
  - 7.3.3 The circumstances of the employer's business and the effect of the employee's absence upon it.
- 7.4 Any employee requesting time off for public duties must notify their line manager in writing providing as much notice as possible. If a request for time off for public duties is refused, the line manager will clearly detail the reason for the refusal.
- 7.5 ICMP recognises that The Reserve Forces Act 1996 provides reservists with the right to time off if they are to be mobilised for full-time service and The Reserve Forces (Safeguard of Employment) Act 1985 provides protection of employment for those liable to be mobilised and reinstatement for those returning from mobilised service.
- 7.6 Jury Service – if you are selected for jury service, you will be paid your normal salary for the period of jury service. You need to submit a copy of your jury service to Human Resources. Jury service can be delayed if the absence will have a serious effect on the business.

## **8. LEAVE TO CARE FOR SICK DEPENDANTS PROCEDURE**

- 8.1 The provisions of this scheme will apply to staff that need to care for sick dependants including the following relationships:
- 8.1.1 Of spouse, civil partner, co-habitee or partner;
  - 8.1.2 of person standing in that relation to the member of staff or to whom the member of staff stands in that relation;
  - 8.1.3 of a person to whom the employee is next of kin or nominated next of kin;
  - 8.1.4 of parent, brother, sister and child;

- 8.1.5 of grandparent or grandchild.
- 8.1.6 Other well-established and close relationships may be recognised.

A dependant relationship must exist and it be recognised that sickness may create a dependency where it has not previously existed.

- 8.2 In addition the scheme will apply:
  - 8.2.1 Where it is necessary for an employee to accompany a sick dependant to the dependant's GP, dentist, clinic or hospital.
  - 8.2.2 Where the normal care arrangements of a dependant identified in 8.1.1 – 8.1.6 break down due to the illness of the person providing these arrangements (e.g. where a childminder looking after the employee's child falls sick) and where this requires the employee to care for the dependant.
- 8.3 Managers are authorised, on application, to grant paid leave of absence to staff qualifying under the scheme up to three days in any 12 month period. A further two days can be granted but will be unpaid. Annual leave is permitted to be taken as an alternative.
- 8.4 The scheme will apply to all employees regardless of length of service or hours worked but part-time staff will not be entitled to claim under paragraph 8.2 above where the appointment can be arranged in advance for a time outside their working hours.
- 8.5 It is the purpose of this scheme to ease the burden of staff that needs to care for sick dependants and reduce the need to take annual leave for such purposes. This scheme does not wholly replace the use of annual leave to care for sick dependants. Where staff have excess annual leave at the end of the leave year this will be reduced up to a maximum of 5 days by the number of days paid to care for sick dependants granted in the leave year.
- 8.6 Applications for 'Leave to Care for Sick Dependents' from the employee should be made in advance whenever it is practicable to do so. If advance notice is unable to

be given, then the employee must phone in as soon as possible to notify their manager of the reasons for absence. The employee must complete an application form or write a letter to their manager detailing the relationship of the sick dependant; the reason for the request; the expected period of absence; the degree of care being provided; and any other information in support of the request.

- 8.7 If an employee attends hospital regularly with the sick dependant because of an illness that needs continual regular check-ups (i.e. epilepsy; kidney and heart problems), an ExCo member can provide approval for a set number of days (i.e. up to 5 days) over a six-month period. This should be subject to review from time to time.

If there is an improvement and check-ups are no longer necessary for the sick dependant, then the employee should inform the manager about it, so that the remainder of the days can be cancelled.

- 8.8 In cases of long term and terminal illness, where the employee is considered the sole supporter, extensions of leave may be granted. The employee should provide a genuine reason as to why there is a need for more days of absence, which the Head of Human Resources has to approve. Extensions of leave will not be granted just because the 5 days entitlement has ran out.
- 8.9 If the illness is likely to last for a long period, then it is advisable for the employee to let the manager know what alternative care arrangements, if any, are being sought.
- 8.10 Alternative arrangements to extend leave may be considered depending on the circumstances (from discussions between the employee and the manager), for the employee to use up outstanding leave or to use the combination of annual and unpaid leave.

## 9. PARENTAL LEAVE

### 9.1 Eligibility

Employees eligible to take ordinary parental leave are all those (mothers and fathers) to which all of these criteria apply:

- Have been employed by ICMP for more than a year;
- Are named on the child's birth or adoption certificate;
- Have or expect to have parental responsibility for the child;
- Their child is under 18 years old.

## 9.2 Ordinary Parental Leave

Eligible employees may take 18 weeks' unpaid leave in total for each child up until the child's 18th birthday.

This is subject to the following provisions:

- Leave must be taken in blocks or multiples of one week (except for parents of children with disabilities who may take leave in blocks or multiples of one day. For the purposes of ordinary parental leave, a child with a disability is one for whom disability living allowance has been awarded.)
- In all cases a maximum of 4 weeks' ordinary parental leave in a year can be taken in respect of an individual child.
- 21 days' notice must be given of the start date.

ICMP can postpone the leave for up to 6 months where the business would be particularly disrupted if leave were taken at the time requested, except when the employee gives notice to take parental leave immediately after the time the child is born or is placed with the family for adoption.

## 9.3 Return to work

At the end of ordinary parental leave an employee is guaranteed the right to return to the same job as before, provided that the leave was for a period of 4 weeks or less.

# 10. CARERS LEAVE

## 10.1 Eligibility

Carer's leave will only apply to employees so that they may provide or arrange care for a dependant with a long-term care need.

A “long-term care need” is defined as an illness or injury (either physical or mental) that requires or is likely to require care for more than three months, a disability under the Equality Act 2010, or issues related to old age.

The definition of “dependant” includes a spouse, civil partner, child, parent, a person who lives in the same household as the employee (other than by reason of them being their employee, tenant, lodger or boarder), or of a person who reasonably relies on the employee for care.

#### 10.2 Entitlement

The entitlement to one week’s leave is the maximum any employee could be entitled to, irrespective of how many dependants an employee has.

Managers are authorised, on application, to grant paid leave of absence to staff qualifying under the scheme up to five days (pro rata for fractional staff) in any 12 month period. The leave must take a minimum of half a working day at a time; a working day meaning the employee’s usual working pattern. There is no requirement for the leave to be used on consecutive days.

Further days can be granted but will be unpaid. Annual leave is permitted to be taken as an alternative.

#### 10.3 Notice

Employees will be required to give notice which is either twice the length of time being requested, or three days, whichever is the longest. The request must be made through PeopleHR and be authorised by your manager.

ICMP may discuss with the employee about postponing the carer’s leave within one month of the requested leave if the operation of the business will be unduly disrupted. This will be discussed with you prior to any decision and revised dates offered.

### **11. PARENTAL BEREAVEMENT LEAVE**

You and your partner may be able to take time off work if your child dies, or if you have a stillbirth after 24 weeks of pregnancy.

Parental bereavement leave is time off following:

- the death of a child
- a child who is stillborn after 24 weeks' pregnancy

- an abortion after 24 weeks – in very limited circumstances an abortion can take place after 24 weeks if the mother's life is at risk or the child would be born with a severe disability

This right applies to 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

If more than one child dies, the employee is entitled to 2 weeks' statutory parental bereavement leave for each child.

## 11.1 Eligibility

### 11.1.1 You may be eligible if at the time of the child's death or stillbirth, you were:

- the child or baby's parent - either biological, adoptive or parent of a child born to a surrogate
- the partner of the child or baby's parent

Biological parents of the child or baby will not be eligible for Parental Bereavement Leave and Statutory Parental Bereavement Pay after an adoption or parental order was made, unless there was a contact order in place.

### 11.1.2 If you or your partner had day to day responsibility for the child

You may be eligible if both of the following apply:

- the child or baby was living with you at your home for 4 continuous weeks, ending with the date of death
- you or your partner had day to day responsibility for the child or baby's care during that time

### 11.1.3 If you or your partner were being paid to look after the child or baby, you do not qualify for leave or pay unless you were:

- a foster parent being paid a fee or allowance by a local authority
- reimbursed for expenses related to caring for the child or baby
- getting payments under the terms of a will or trust for the child or baby's care

#### 11.1.4 If you or your partner were an adoptive parent

You are eligible for pay or leave:

- after the [adoption order](#) was granted
- before the adoption order was made, if the child was placed with you and the placement was not disrupted (for example, being temporarily placed elsewhere) or stopped

#### 11.1.5 If you or your partner were an adoptive parent of a child from outside the United Kingdom

If you or your partner were adopting a child from outside the United Kingdom and the adoption order had not yet been made, you may still be eligible. Both of the following must apply:

- the child was living with you after entering the United Kingdom
- you have the 'official notification' confirming you were allowed to adopt

#### 11.1.6 If you or your partner had a baby with the help of a surrogate parent

You are eligible for pay or leave:

- after a parental order was made
- before a parental order was made if you had applied or intended to apply for a parental order within 6 months of the child's birth and expected it to be granted

If a miscarriage happens in the first 24 weeks of pregnancy, there's no entitlement to statutory maternity, paternity or parental bereavement leave. However, for female employees who suffers a miscarriage within the first 24 weeks of pregnancy, you will be able to take up to 5 days paid leave in one block. You will need to notify the employer on the day this leave will be taken.

### 11.2 Parental Bereavement Leave

To get Parental Bereavement Leave, you must also:

- be classed as [an employee](#) - it does not matter how long you've worked for your employer
- give your employer [notice for Parental Bereavement Leave](#)

### 11.3 Leave

You can take 2 weeks' leave from the first day of your employment for each child who has died or was stillborn [if you're eligible](#).

You can take 2 weeks leave in one block or as 2 separate blocks of one week. A week is the same number of days that you normally work in a week.

The 56 weeks are split into 2 periods:

- from the date of the child's death or stillbirth to 8 weeks after
- 9 to 56 weeks after the date of the child's death or stillbirth

You must give your employer notice before you take Parental Bereavement Leave. How much notice depends on when you're taking the leave.

11.4 10 to 8 weeks after the child's death or stillbirth

You must give your employer notice before you would normally start work on the first day of the week or weeks you want to take off work.

11.5 29 to 56 weeks after the child's death or stillbirth

You must give your employer at least one week's notice before the start of the week or weeks you want to take off work.

11.6 Giving your employer notice

You must tell your employer:

- the date of the child's death or stillbirth
- when you want your parental bereavement leave to begin
- how much leave you are taking - either 1 or 2 weeks

You can speak to your employer by phone, leave a voicemail, send a text message or an email. You do not need to give them notice in writing (for example through a form or letter).

You do not need to give proof of death or stillbirth.

The leave:

- can start on or after the date of the death or stillbirth
- must finish within 56 weeks of the date of the death or stillbirth

11.7 Taking leave with other types of statutory leave

If you're taking another type of statutory leave (for example, maternity leave or paternity leave) when the child dies or stillbirth happens, your Parental Bereavement Leave must start after the other leave has ended but does not have to be taken immediately after. This includes if the statutory leave is for another child.

If your Parental Bereavement Leave is interrupted by the start of another type of statutory leave, you can take your remaining entitlement to Parental Bereavement Leave after that other leave has ended.

Your remaining Parental Bereavement Leave must still be taken within 56 weeks of the date of death or stillbirth.

11.8 Statutory Parental Bereavement Pay

You'll be able to get either £172.48 a week or 90% of your average weekly earnings (whichever is lower) [if you're eligible](#).

To get Statutory Parental Bereavement Pay, you must have been [continuously employed by your employer](#) for at least 26 weeks up to the end of the 'relevant week'. The 'relevant week' is the week (ending with a Saturday) immediately before the week of the death or stillbirth.

You must also:

- continue to be employed up to the day the child dies or is stillborn
- earn on average £123 a week before tax (gross) over an 8 week period
- give your employer the [correct notice and information](#) for Statutory Parental Bereavement Pay

You must ask for Statutory Parental Bereavement Pay within 28 days, starting from the first day of the week you're claiming the payment for.

Each time you claim, you must give your employer the following information in writing (for example a letter, email or form):

- your name
- the dates of the period you want to claim Statutory Parental Bereavement Pay
- the date of the child's death or stillbirth

You'll also need to give a 'declaration' to your employer to confirm you're [eligible because of your relationship to the child or baby](#). You only need to complete this once when you first ask for pay.

#### 11.9 Completing the declaration

You can:

- [complete the declaration form online](#) - this takes 5 minutes ([What is your relationship to the child? - Claim Statutory Parental Bereavement Pay \(SPBP3\) - GOV.UK \(tax.service.gov.uk\)](#))
- declare in writing you're eligible because of your [relationship to the child or baby](#)

Once you've completed your declaration, you'll need to send it to your employer. They'll check your information and your eligibility.

#### 11.10 Cancelling your leave or pay

You can change your mind and cancel your Parental Bereavement Leave or Statutory Parental Bereavement Pay if you have given your employer more than the [required notice](#) for either taking leave or claiming pay.

To cancel your Parental Bereavement Leave or Statutory Parental Bereavement Pay, you'll need to tell your employer. When you need to tell them depends on when your leave or pay is due to start.

If your leave/pay is due to start within 8 weeks of the death or stillbirth, you must let your employer know about the cancellation no later than the time you would normally start work on the first day of planned leave.

If your leave/pay is due to start 9 weeks or later after the death or stillbirth, you must let your employer know no later than one week before the start of the planned leave.

If you cancel your leave, you can rebook it if you give your employer the correct notice.

## APPENDIX 1 – INCIDENCES WHERE ANNUAL LEAVE MUST BE TAKEN

<ul style="list-style-type: none"> <li>Travel to funeral if in another country</li> </ul>	<ul style="list-style-type: none"> <li>Water leak</li> </ul>	<ul style="list-style-type: none"> <li>Boiler breakdown</li> </ul>
<ul style="list-style-type: none"> <li>Nursery open day</li> </ul>	<ul style="list-style-type: none"> <li>School interview/appointment</li> </ul>	<ul style="list-style-type: none"> <li>Burglary</li> </ul>
<ul style="list-style-type: none"> <li>Citizenship ceremony</li> </ul>	<ul style="list-style-type: none"> <li>Childcare during holidays, INSET days or planned closure</li> </ul>	<ul style="list-style-type: none"> <li>member of the Reserve Forces</li> </ul>
<ul style="list-style-type: none"> <li>Attending court on a personal matter</li> </ul>	<ul style="list-style-type: none"> <li>Interview</li> </ul>	<ul style="list-style-type: none"> <li>Passport appointment</li> </ul>
<ul style="list-style-type: none"> <li>Family member having a baby (not partner)</li> </ul>	<ul style="list-style-type: none"> <li>Non ICMP Graduation ceremony</li> </ul>	<ul style="list-style-type: none"> <li>Boiler service / Engineer call out</li> </ul>
<ul style="list-style-type: none"> <li>Holy communion</li> </ul>	<ul style="list-style-type: none"> <li>Emergency disaster in home country</li> </ul>	<ul style="list-style-type: none"> <li>Special Constable</li> </ul>

This list is not exhaustive.