

Compassionate Leave Policy

Introduction

Purpose

The purpose of compassionate leave is to help employees to come to terms with the death of a loved one.

This policy does not apply in cases of domestic emergency.

The organisation has a separate policy to cover an employee's statutory right to take time off for dependants.

Definitions

Immediate family member: In this policy, immediate family is defined as the employee's spouse, civil partner, child or parent.

Dependant: In this policy, dependant is defined as the employee's spouse, civil partner, child or parent.

Bereavement

Each circumstance will be assessed individually and viewed sympathetically. The manager will consider matters on a case-by-case basis.

In the event of the death of an immediate family member, the employee will be granted up to [five] days' paid compassionate leave.

[In the case of death of another close relative, for example an aunt, uncle, cousin or parent-in-law, or a friend, the employee will be granted up to [three] days' paid compassionate leave.]

The employee should inform his/her manager of the need to take compassionate leave as soon as reasonably practicable.

If the employee wishes to take further leave, he/she should request annual leave in the usual way.

Other circumstances where compassionate leave is available

Compassionate leave is available to take care of a dependant or to come to terms with a critical illness of a dependant.

Employees in these circumstances will be granted up to two days' paid compassionate leave in any 12 months.

The employee should inform his/her manager of the need to take compassionate leave as soon as reasonably practicable.

If the employee wishes to take further leave, he/she should request annual leave in the usual way.

There is no statutory right to paid time off for compassionate or bereavement leave. However, there is a statutory right to unpaid time off work.

Under this provision, an employee is entitled to take unpaid time off work:

to provide assistance when a dependant falls ill, gives birth or is injured or assaulted;

to make arrangements for the provision of care for a dependant who is ill or injured;

in consequence of the death of a dependant;

where there has been an unexpected disruption to, or termination of, the arrangements for the care of a dependant;

to deal with an emergency relating to a child of the employee that occurs unexpectedly at the child's school or other place.

A dependant is defined as the spouse, civil partner, child or parent of the employee and any person who is dependent on the employee.

The statutory right under s.57A of the Employment Rights Act 1996 is restricted to limited circumstances.

The General Data Protection Regulation (GDPR), which is in force from 25 May 2018, requires employers to process personal data lawfully, fairly and transparently.

Notes

In addition to the situations listed in s.57A of the Employment Rights Act 1996, employers may wish to consider other circumstances.

Dependant's Leave Policy

The organisation operates the following policy in relation to emergency situations involving dependants.

Circumstances in which right to time off for dependants applies

All employees (irrespective of length of service, and whether they are part time or full time) are entitled to take time off for dependants.

to provide assistance when a dependant falls ill, gives birth or is injured or assaulted;

to make arrangements for the provision of care for an ill or injured dependant;

in consequence of the death of a dependant;

because of the unexpected disruption or termination of arrangements for the care of a dependant; and

to deal with an incident that involves their child and occurs unexpectedly while the child is at school/other place.

A dependant is:

a spouse;

a civil partner;

a child;

a parent;

a person who lives with the employee other than as his/her employee, tenant, lodger or boarder;

any other person who would reasonably rely on the employee for assistance if he/she fell ill or was injured;

in relation to the disruption or termination of care for a dependant, any other person who reasonably relies on the employee for assistance.

Procedure

An employee who needs to take time off for dependants should contact his/her line manager at the earliest opportunity.

the reason for the absence; and

how long he/she expects to be absent from work.

If the employee's line manager is unavailable, he/she must speak to an equivalent or more senior manager.

If the employee is unable to contact the manager before taking time off for dependants, he/she should contact the manager as soon as possible.