Pathway Trust

Compassionate Leave Policy

Policy effective from	1 September 2026
Policy owner	Director of People
Policy applies to	Berrow Church Primary School Burnham-on-Sea Infant School Castle Batch Primary School Charfield Primary School Cherry Garden Primary School Downend School East Huntspill Primary School Lyde Green Primary School Mangotsfield School Marlwood School Pawlett Primary School Priory Community School Severn Beach Primary School St Andrew's Church Junior School St Anne's Church Primary School The Castle School The King Alfred School Tortworth Primary School West Huntspill Primary School Worle Community School Pathway Partnership Teams
Policy changes since last version	New policy

1. Introduction

1.1 The purpose of this policy is to ensure that there is a clear framework of how best to approach supporting employees during what could possibly be an extremely difficult and distressing time.

1.2 This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation. We may also vary application of this policy, including any time scales for action, as appropriate.

1.3 The trust is committed to ensuring any policy and procedure does not disadvantage any individual with protected characteristics in line with Equality Act 2010. All policies and procedures are checked to ensure they do not discriminate either directly or indirectly or present any barriers.

1.4 Employees who transfer to Pathway on their pre-existing terms and conditions of employment by way of a TUPE transfer may have enhanced contractual entitlements. Where this is the case, those enhanced contractual entitlements will continue to apply, unless superseded by subsequent arrangements.

1.5 Any employee who is suspected to have abused the provision for time off may be subject to disciplinary proceedings in line with the Pathway Staff Disciplinary Procedure.

2. Scope and purpose

2.1 The trust acknowledges the personal nature of bereavement and grief and is committed to supporting employees in practical and reasonable ways as bereavement impacts all individuals differently. The guidelines below are intended to show support and also the minimum paid leave an employee is entitled to in different circumstances.

2.2 The policy applies to all employees regardless of length of service. It does not apply to agency or casual workers or self-employed contractors. For these types of workers we will ensure that the appropriate steps are taken to work with the appropriate external agency or services they are provided from.

2.3 Throughout the policy the term ‘we’ refers to Pathway as the employer. The definition of ‘we’ in terms of contact may refer for example to the Headteacher/Director, line manager or the Pathway HR team.

3. Definitions

3.1 **Compassionate Leave** defines agreed paid time off for up to 5 days for employees who have dependents or significant others who are seriously unwell and/or are dying.

3.2 ACAS define an employee's dependants as:

- Their spouse, partner or civil partner.
- Their child.

- Child includes children the employee is the adoptive parent, legal guardian or carer for. If the child dies under the age of 18 or is stillborn the employee may be entitled to additional leave.
- Their parent.
- A person who lives in their household (not tenants, lodgers or employees).
- A person who would rely on them for help in the event of an accident, illness or injury, such as an elderly neighbour.
- A person who relies on them to make care arrangements.

3.3 **Significant others** would be defined as anyone else who would not necessarily be defined as a dependent, such as a close relative or friend.

3.4 **Bereavement Leave** is agreed paid time off for up to 5 days for employees that allows an employee time off to deal with their personal grief and any related practical arrangements, when a close relative dies.

3.5 **Statutory Parental Bereavement Leave** means all employees are entitled to 2 weeks leave if they have a child who is under the age of 18 die or their child is stillborn after 24 weeks of pregnancy. A Parent is defined as parents, with parental responsibility. This includes birth parents, adoptive parents, individuals who are fostering to adopt, legal guardians, most foster parents, (excluding short term and emergency foster care), intended parents under a surrogacy arrangement, looks after the child in your home other than a paid carer and have done so for at least 4 weeks and parents who suffer a stillbirth after 24 weeks or more into pregnancy. There is no minimum service requirement for eligibility to take this leave.

4. Compassionate Leave

4.1 Up to 5 days paid compassionate leave may be granted to help employees where they need to deal with necessary arrangements for or assist a close relative who is seriously or critically ill. This does not apply in the case of domestic emergencies, or where normal caring arrangements have been disrupted. We will consider compassionate leave for other traumatic events or difficult personal circumstances on an individual case by case basis.

4.2 Time off should be agreed between the employee and the Headteacher/Director or senior employee, and the frequency of contact should be agreed also. This could mean a phone call every few days, weekly or it may be more appropriate for emails or text messages depending on the circumstances.

4.3 Usually this type of leave can be planned in advance but the trust recognises that this is not always possible and therefore will accept requests on the same day the leave is required. This notice can be given verbally, the appropriate person who is granting the leave will then usually follow up with an email or letter to confirm what has been agreed; this is so the employee is assured about work and can then continue to focus on their personal circumstances instead.

4.4 It is at the discretion of the Headteacher/Director to extend the amount of paid compassionate leave an employee can have but other options available would be for the employee to request either paid or unpaid planned leave.

5. Bereavement leave

5.1 Up to 5 days paid bereavement leave may be granted to help employees cope with the death of a close relative, to deal with necessary arrangements and attend their funeral. Leave days do not have to be taken consecutively.

5.2 An employee should notify the appropriate person of their need to take leave as soon as possible or, at the latest, on the first day of absence. An employee's next of kin or family member can notify on their behalf.

5.3 Time off should be agreed between the employee and the Headteacher/Director, and the frequency of contact should be agreed also. This could mean a phone call every few days, weekly or it may be more appropriate for emails or text messages depending on the circumstances.

5.4 The trust understands that sometimes this type of leave cannot be planned so will accept requests on the same day the leave is required. This notice can be given verbally, the appropriate person who is granting the leave will then usually follow up with an email or letter to confirm what has been agreed; this is so the employee is assured about work and can then continue to focus on their personal circumstances instead.

5.5 Not all employees will need to take the full allowance, and some employees may need additional time, depending on their relationship with the person who has died and the circumstances of the death.

5.6 It is at the discretion of the Headteacher/Director to extend the amount of paid compassionate leave an employee can have but other options available would be for the employee to request either paid or unpaid planned leave.

6. Statutory Parental Bereavement Leave

6.1 Whilst the trust appreciates the statutory entitlement, in the unfortunate event that this type of leave is required then it will be completely at the discretion of the Headteacher/Director to extend the amount of paid leave over the minimum 2 weeks for a period of time that is appropriate in supporting the grieving parent.

6.2 Notification and keeping in touch processes will be the same as requesting any other Bereavement Leave.

6.3 Entitlement to maternity leave and pay is not affected if a child has died or been stillborn. Maternity leave can be taken in addition to parental bereavement leave.

7. Miscarriage leave

7.1 If an employee or their partner has a miscarriage in the first 24 weeks of pregnancy, the trust recognises many people will consider this a bereavement. In these circumstances, compassionate leave can be requested.

7.2 If the employee who experienced the miscarriage requires sick leave then up to 2 weeks sickness absence related to a miscarriage will be recorded as 'pregnancy related sickness'. This absence will be kept separate to other types of sickness and will not count these absences towards any review or trigger points set out in the Pathway absence management policy.

7.3 If the miscarriage were to happen whilst the employee or partner are at work then as the trust recognises that this could be a very distressing time then if required, assistance will be provided in contacting a partner or family member, or if in need of immediate medical help to contact the appropriate service.

7.4 If an employee needs to leave the premises they should report a sickness absence to their line manager. An employee does not have to report the exact reasons for their sickness absence if they do not feel comfortable to but we would encourage them to share when they feel able to, so that the appropriate support can be provided. Especially if the sickness episode means that an attendance trigger is reached.

7.5 In the tragic circumstance of stillbirth after you have reached 24 weeks of pregnancy, or if your baby is born alive but does not survive, maternity rights will apply. Please refer to the Pathway Maternity Policy.

8. Return to work

8.1 In certain circumstances a full return to work may not be possible for an employee following a bereavement. For example, when the employee's grief is likely to impact on their ability to perform their role, or where new child care arrangements have to be sourced or responsibility for the care of an elderly parent has transferred to the employee.

8.2 In such instances a phased return to work on a part-time or reduced hours basis will be considered and implemented where it can be accommodated. Alternative duties may also be considered as well as redevelopment on a temporary or even permanent basis.

8.3 Any such arrangement would need to be agreed in advance and would be reviewed appropriately to ensure the adjustments continue to be suitable. A phased return to work is normally agreed for 4 weeks, but can be extended further if required, up to 6 weeks.

9. Employee support

9.1 An employee with any concerns about the grieving process impacting on their work performance should discuss this in confidence with their Headteacher/Director, or appropriate person, this could include:

- Any reasonable adjustments that may be necessary are discussed and put in place.
- The employee is supported in their return to the full range of duties and responsibilities that they had prior to the bereavement.

- The employee's duties and responsibilities are adjusted (as necessary) with prior agreement.

9.2 Some people may not require counselling to cope effectively with their grief. However, for employees wishing to seek professional help in coming to terms with a death, they are encouraged to make contact with the trust's Employee Assistance Programme or GP Anytime through HealthShield.

9.3 Employees are also encouraged to download the South Gloucestershire Council THRIVE phone app This service is another confidential counselling service offered via a text messaging service.

10. Culture and diversity

10.1 Different cultures respond to death in significantly different ways, therefore the trust is aware that there may be times where an employee's religion, belief or culture requires them to observe a particular practice, or need to make special arrangements which would require them being off work at a particular time.

10.2 Employees should highlight this to their Headteacher/Director and discuss with them what additional support they may require that is not already covered in this policy.

11. Retention and data protection

11.1 When managing an employee's leave and pay under this policy, the school/trust processes personal data collected in accordance with its Data Protection Policy. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of managing the leave and pay. We will comply with the requirements of the **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018). Records will be kept in accordance with our Privacy Notice, our Retention and Destruction Policy and in line with the requirements of Data Protection Legislation.

12. Review of this policy

12.1 This policy is reviewed and amended annually by the trust. We will monitor the application and outcomes of this policy to ensure it is working effectively.