

North Lanarkshire Council Report

Finance and Resources Committee

Does this report require to be approved? Yes No

Ref FW/LC

Date 26/02/25

Update to Special Leave Policy – Bereavement Leave

From Fiona Whittaker, Chief Officer (People Resources)

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Executive Summary

In recent years, the average time between death and a funeral within the UK is two to three weeks with some taking longer depending on the circumstances. Whilst North Lanarkshire Council has always provided time off for those who are dealing with the death of a close relative, the period provided was based on the expectation that the funeral would take place within 3 to 7 days of the death. Given the noticeable change in the timings of funerals, it has become necessary to review our current bereavement leave provisions to ensure they continue to provide employees with the time they need to deal with the funeral and any other business associated with the death.

It should be noted that paid bereavement leave is not a legal requirement, however most organisations offer some form of paid leave to support employees during this difficult time. North Lanarkshire Council has always allowed paid time off for these purposes and the current provisions are detailed within the Special Leave Policy and F7 Leave of Absence for Teachers and Associated Professionals Policy. The links to the current policies are provided at the end of this report.

This report outlines the current leave provisions available to employees who are dealing with the bereavement of a close relative and provides relevant data obtained from iTrent, that was considered when determining whether the current provisions were adequate or further enhancements were required.

The report concludes with the proposal to increase bereavement leave for all employees dealing with the death of a close relative to two working weeks with the option of adding a further two working weeks paid leave if required. In addition, if an employee is absent from work due to sickness, as the result of a bereavement of a close relative, the first two weeks of the absence will not count towards a trigger. It should be noted that changes to the F7 Leave of Absence for Teachers and Associated Professionals Policy have already been formally agreed but will not be implemented until 1 April 2025.

Recommendations

It is recommended that the Finance and Resources Committee:

- (1) Consider the contents of this report.

- (2) Agree to the proposed enhancement to bereavement leave for employees as outlined within this report.
- (3) Acknowledge that the increased provisions will take effect from 1 April 2025 to allow for the changes to be approved through the formal committees.

The Plan for North Lanarkshire

Priority	Improve North Lanarkshire's resource base
Ambition statement	(23) Build a workforce for the future capable of delivering on our priorities and shared ambition
Programme of Work	Resilient People

1. Background

- 1.1 Bereavement Leave is currently available to all employees of the Council and the provisions available are detailed within the Special Leave Policy and F7 Leave of Absence for Teacher's and Associated Professionals Policy.
- 1.2 In both policies, a close relationship generally covers the following and includes step relationships:
 - Parent(s)
 - Sibling(s)
 - Children
 - Spouse or Partner
 - Spouse or Partners Parent(s) or Child/children
 - Grandparent(s)
 - Grandchildren
- 1.3 Other relatives may be deemed as a close relationship; therefore, this list is not exhaustive, and each case should be considered on its own merit, but in general terms most close relationships are covered by the above list.
- 1.4 For Single Status employees, bereavement leave for a close relation has for many years consisted of 1 day to attend the funeral, 2 compassionate days and 2 days to conduct any business associated with the funeral or death and this continues to be the case. For those covered by the F7 Leave of Absence for Teachers and Associated Professionals Policy, an additional 2 day's compassionate leave is available, allowing for 7 days absence in total.
- 1.5 In recent times, it has not always been possible to arrange for a funeral to take place within the space of one week, and it is reasonable to assume that an employee would not feel emotionally able to return to the workplace before the funeral takes place. In such situations, a manager has been referred to Section 22 of the Special Leave Policy (Single Status employees) or Section 19 of the F7 Leave of Absence for Teachers and Associated Professionals Policy which allows for a further period of 10 working days (or two of a person's working weeks) either paid or unpaid to be granted to allow the person a further period of leave. Whilst both these sections are meant to be used for leave that is required outwith the scope of the policies, it is a means of authorising additional bereavement leave for those who require it.

- 1.6 Furthermore, in recognition that most people are unable to return to work immediately following the death of a close relation, a review of the Supporting Attendance Policy (Single Status employees) and Managing Attendance Policy for Teachers and Associated Professionals resulted in the first two weeks of any sickness absence due to bereavement of a close relative not counting towards a formal trigger within the policy.
- 1.7 That said, if the absence continues it is important to invoke the appropriate absence policy to ensure that the employee is receiving the support that they need from their manager but also to encourage a return to work.
- 1.8 In effect, whilst a week is the official paid time off given to employees following the bereavement of a close relation, we are currently providing additional paid time if required to a maximum of one week, giving two weeks in total. However not everyone needs or requires this additional time, but it is important that a manager has the ability and authority to increase this type of leave if required.
- 1.9 Other bereavement leave provisions are available for those who are attending a funeral of a relative or friend etc and legally parental bereavement leave is available to those who have lost a child. However, as this report is concentrating on the provisions available to those who have lost a close relation, these other provisions will not form part of the report.
- 1.10 Finally, it should be noted that the trade unions have been involved in discussions around the entitlement to paid time off for bereavement leave and have highlighted that bereavement leave provisions for close relations should be enhanced. Accordingly, it should be noted that the trade unions have agreed to the proposals outlined within this report.

2. Report

- 2.1 There is no legal entitlement to paid time off for bereavement except for eligible parental bereavement pay when a child dies (2 week's pay). However, most organisations within Scotland, including other local authorities, offer a week's full pay which can often be extended to two weeks paid or unpaid depending on the circumstances.
- 2.2 As outlined earlier in the report, entitlement to paid time off following the death of a close relation has been a longstanding arrangement available to all employees of the Council. Although the time off is prescribed in detail within the policy, on most occasions managers will make arrangements with employees to ensure that they have adequate time off to deal with funeral arrangements and any other pressing issues following the death.
- 2.3 Complications arise when employees require additional time due to the timelapse between the death and the funeral and this is where in recent times, managers have been encouraged to use 'other' special leave available to all employees of the Council within the relevant special leave policies, however this is limited to a maximum of 2 weeks paid or unpaid and generally we have not authorised beyond one week.
- 2.4 Additionally, in recognition that employees often need time to grieve after the death of a close relation, the first two weeks of a sickness absence related to the bereavement of a close relation, does not count towards a formal trigger although sick pay would be applied at the appropriate rate.

- 2.5 During the leave year 1 April 2023 to 31 March 2024, there were 3070 occasions of bereavement leave recorded, totalling 4278 days. This equates to an average of 1.4 days per employee for each occasion of bereavement leave taken under the special leave policy.
- 2.6 In the same absence year noted at 2.5 there were 968 sickness absences recorded as 'bereavement reaction' with a total of 10,535 days lost. This gives an average of approximately 11 days lost per absence. On reviewing the data, the days lost per absence ranged from 1 day to 23 days, and although there were some cases where the absence was beyond this range, it was determined that the average days lost was around 4 weeks and therefore this would be the optimum period of paid special leave that our provisions should allow for.
- 2.7 On asking other local authorities through a benchmarking exercise about their bereavement special leave provisions, out of nine who responded, two give more than 5 days paid leave and South Ayrshire advised that they do not specify leave but reasonable time off with pay is granted on the death of a close relative. For the two Councils who gave additional time, this did not extend beyond 10 paid days.
- 2.8 In conclusion and taking into consideration the information detailed within this report, it is proposed to increase paid leave for employees who are dealing with the death of a close relative to 2 working weeks for all employees. Managers will also be able to use the provision detailed under 'other leave' within the Special Leave Policy that will allow them to grant a further 2 working weeks paid if necessary.
- 2.9 It is intended that the increased provisions will be implemented with effect from 1 April 2025, however in the meantime, employees will continue to be supported as necessary when dealing with the death of a close relative.
- 2.10 Once the proposed change to the Special Leave Policy has been approved by Committee and Council, appropriate communications will be issued to ensure all managers are aware of the increased provisions.

3. Measures of success

- 3.1 North Lanarkshire Council is viewed as an employer of choice and provides employees with a good work-life balance that takes cognisance of significant life events such as bereavement.
- 3.2 Employees feel valued knowing that the Council offers employees the support they need through the provisions outlined within the Councils' Special Leave Policy and F7 Leave of Absence for Teachers and Associated Professionals Policy.
- 3.3 The Council continues to retain and attract staff to the organisation that are vital to its success.

4. Supporting documentation

Appendix 1 – Proposed update to Special Leave Policy

Special Leave Policy can be accessed [here](#)

F7 Leave of Absence for Teachers and Associated Professionals can be accessed [here](#)

Fiona Whittaker

Fiona Whittaker
Chief Officer (People Resources)

5. Impacts

5.1 Public Sector Equality Duty and Fairer Scotland Duty

Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty?

Yes No

If Yes, please provide a brief summary of the impact?

If Yes, has an assessment been carried out and published on the council's website? <https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments>

Yes No

5.2 Financial impact

Does the report contain any financial impacts?

Yes No

If Yes, have all relevant financial impacts been discussed and agreed with Finance?

Yes No

If Yes, please provide a brief summary of the impact?

5.3 HR policy impact

Does the report contain any HR policy or procedure impacts?

Yes No

If Yes, have all relevant HR impacts been discussed and agreed with People Resources?

Yes No

If Yes, please provide a brief summary of the impact?

As funerals are taking longer than a week to organise, employees are reporting absence from work due to sickness to cover the timelapse. To prevent employees having to report sick, the increased provisions should provide enough time to deal with the funeral and any associated business whilst preventing unnecessary sickness absence.

5.4 Legal impact

Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)?

Yes No

If Yes, have all relevant legal impacts been discussed and agreed with Legal and Democratic?

Yes No

If Yes, please provide a brief summary of the impact?

<p>5.5</p>	<p>Data protection impact Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to dataprotection@northlan.gov.uk Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>5.6</p>	<p>Technology / Digital impact Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact? Where the impact identifies a requirement for significant technology change, has an assessment been carried out (or is scheduled to be carried out) by the Enterprise Architecture Governance Group (EAGG)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>5.7</p>	<p>Environmental / Carbon impact Does the report / project / practice contain information that has an impact on any environmental or carbon matters? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p>5.8</p>	<p>Communications impact Does the report contain any information that has an impact on the council's communications activities? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p>5.9</p>	<p>Risk impact Is there a risk impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?</p>
<p>5.10</p>	<p>Armed Forces Covenant Duty Does the report require to take due regard of the Armed Forces Covenant Duty (i.e. does it relate to healthcare, housing, or education services for in-Service or ex-Service personnel, or their families, or widow(er)s)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the provision which has been made to ensure there has been appropriate consideration of the particular needs of the Armed Forces community to make sure that they do not face disadvantage compared to other citizens in the provision of public services.</p>

5.11 Children's rights and wellbeing impact

Does the report contain any information regarding any council activity, service delivery, policy, or plan that has an impact on children and young people up to the age of 18, or on a specific group of these?

Yes No

If Yes, please provide a brief summary of the impact and the provision that has been made to ensure there has been appropriate consideration of the relevant Articles from the United Nations Convention on the Rights of the Child (UNCRC).

If Yes, has a Children's Rights and Wellbeing Impact Assessment (CRWIA) been carried out?

Yes No

Appendix One

Proposed Update to Special Leave Policy

Section	Current Wording	Proposed Wording
5.1	<p>Close Relationships</p> <ul style="list-style-type: none"> • 1 day to attend the funeral • 2 compassionate days <p>However, the amount of leave granted will depend on the individual circumstances of each case, such as the closeness of the relationship. Close relationships would generally include:</p> <p>Parent(s) Sibling(s) Child/ren Spouse or partner Spouse or partner's parent(s) or child/ren Grandparents or grandchildren</p> <p>These relationships would also include step relationships.</p> <p>Additional leave of up to 2 days will be granted to conduct business in connection with the funeral if undertaking this responsibility. This leave will normally only be granted to employees who are the designated next of kin of the deceased person.</p> <p>Bereavement leave for part time/job share/flexible working employees will be authorised as the equivalent of up to one of their normal working weeks. In all circumstances, paid leave will be up to a maximum of contracted daily hours.</p>	<p>Close Relationships</p> <ul style="list-style-type: none"> • 2 working weeks <p>However, the amount of leave granted will depend on the individual circumstances of each case, such as the closeness of the relationship. Close relationships would generally include:</p> <p>Parent(s) Sibling(s) Child/ren Spouse or partner Spouse or partner's parent(s) or child/ren Grandparents or grandchildren</p> <p>These relationships would also include step relationships.</p> <p>Where there is a delay in the funeral taking place or there are complications around the death and business associated with this, an additional 2 weeks paid leave can be considered by using Section 22 of this policy. It should be noted that this extended leave will normally only be granted to employees who are the designated next of kin of the deceased person.</p> <p>Bereavement leave for part time/job share/flexible working employees will be authorised as the equivalent of up to two weeks of their normal working weeks. In all circumstances, paid leave will be up to a maximum of contracted daily hours.</p>
22.	<p>There may be occasions when special leave is appropriate but may not be covered by the Special Leave provisions. In these exceptional circumstances, the relevant Chief Officer has the discretion to authorise special leave, either paid or unpaid, up to a maximum of 10 working days in total (or up to the equivalent of two of the employee's normal working weeks), for situations not already covered by this policy.</p> <p>Applications for special leave which exceed 10 working days, either paid or</p>	<p>There may be occasions when special leave is appropriate but may not be covered by the Special Leave provisions. In these exceptional circumstances, the relevant Chief Officer has the discretion to authorise special leave, either paid or unpaid, up to a maximum of 10 working days in total (or up to the equivalent of two of the employee's normal working weeks), for situations not already covered by this policy.</p> <p>Applications for special leave which exceed 10 working days, either paid or unpaid, and</p>

	<p>unpaid, and which are not covered in the above provisions, must be authorised by the Chief Officer. It is requested that, prior to the approval of a request for more than 10 days leave, that the merits of the request be discussed with the Chief Officer People Resources to ensure that no unintentional precedent is established.</p>	<p>which are not covered in the above provisions, must be authorised by the Chief Officer. It is requested that, prior to the approval of a request for more than 10 days leave, that the merits of the request be discussed with the Chief Officer People Resources to ensure that no unintentional precedent is established.</p> <p>The exception to the above is where there is a requirement to extend the period of paid leave available to those who are dealing with the death of a close relative. A manager, following discussion with the employee, can extend bereavement leave for a maximum of two working weeks paid using this section of the policy. However, this leave would normally only be granted to the next of kin and should be granted based on the circumstances of the case.</p>
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