



*Championing better
work and working lives*

Bereavement Leave

Submission to the UK Commission on Bereavement

Chartered Institute for Personnel and Development (CIPD)

December 2021



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Background

The CIPD is the professional body for HR and people development. The not-for-profit organisation champions better work and working lives and has been setting the benchmark for excellence in people and organisation development for more than 100 years. It has 155,000 members across the world, provides thought leadership through independent research on the world of work, and offers professional training and accreditation for those working in HR and learning and development.

Public policy at the CIPD draws on our extensive research and thought leadership, practical advice and guidance, along with the experience and expertise of our diverse membership, to inform and shape debate, government policy and legislation for the benefit of employees and employers, to improve best practice in the workplace, to promote high standards of work and to represent the interests of our members at the highest level.

Our response

Theme 1: How could employers better support people who have been bereaved?

Employees that have experienced a close family bereavement will need time to come to terms with what has happened and will be highly unlikely to be able to perform well at work if they are forced to return too quickly.

We recommend that organisations are as generous as they are able to be when it comes to offering paid bereavement leave. As we discuss below in *Theme 2*, while many organisations provide paid bereavement leave to support employees at one of the most difficult times of their lives, this is far from universal, we therefore believe the Government should extend the statutory provision to employees that experience a close family bereavement, to give all employees time and space to grieve rather than worrying about paying their bills and financial worries.

It's also vital that organisations think of the support they can give to bereaved employees beyond any period of bereavement leave and pay. Grief is not linear and does not have predictable stages and for many people is likely to be ongoing. How employees are treated by their employer is likely to have a significant impact on how they handle the bereavement, and how they feel towards their organisation and their work, in general, going forward.

The CIPD has produced compassionate bereavement guidance for both organisations¹ and people managers² and we would encourage organisations to use these resources to help support a compassionate culture around bereavement at work. We detail some of the key points from the guidance, below.

Bereavement policy

It's a good idea for workplaces to have a policy that covers bereavement absence and pay, so managers and staff are aware of the support available and to ensure a consistent approach is taken. A policy can also help clarify where an employer is going beyond the legal minimum.

Acknowledge the bereavement

It's important to acknowledge the bereavement that the employee has experienced. They may or may not want to talk about the situation in detail but acknowledging that it has happened is important.

Discuss what they would like communicated

By law, an employee has the right to keep their bereavement private from work colleagues. It can be a good idea for the employer to ask their employee what, if anything, they would like their work colleagues to know about the bereavement and who would be the best person to communicate this.

Build supportive cultures

Train line managers to have open and sensitive conversations, and to explore what extra support would be helpful to affected employees. Different cultures respond to death in

¹ https://www.cipd.co.uk/Images/a-guide-to-bereavement-support-Feb2021_tcm18-81624.pdf

² https://www.cipd.co.uk/Images/guidance-for-line-managers-compassionate-bereavement-support_tcm18-81627.pdf

significantly different ways. Line managers should check whether the employee's religion or culture requires them to observe any particular practices or make special arrangements.

Flexibility is key

It might be particularly helpful to support bereaved employees through the provision of a phased return to work and flexible working provisions.

At the CIPD we are championing greater flexibility for all employees, and encouraging organisations, through our guidance, to create supportive cultures around flexible working. The CIPD's Flex From 1st campaign aims to make access to flexible working arrangements more equal.³ The campaign is encouraging employers to support flexible working for all and the right to request flexible working from day-one of employment. And we're calling for a change to the law to make flexible working requests a day-one right for all employees. At present, an employee can only request to work flexibly after 26 weeks of employment, with a limit of one request per 12-months. This needs to change.

The CIPD put a comprehensive and evidence-backed response⁴ to the Government's recent consultation on Making Flexible Working the Default, which closed on 1 December 2021.⁵ In our consultation survey, the majority (57%) of employers agree that the right to request flexible working should be a day-one right.

Signpost to supportive services, organisations and charities

Many businesses will have counselling, occupational health and employee assistance programmes available to support their employees, and they should highlight these to those experiencing bereavement. They should also signpost to relevant organisations and charities that can support bereaved working parents; this will be particularly important for smaller businesses with limited resources.

Theme 2: What are the financial support needs in the workplace of people who have been bereaved?

Research from the CIPD⁶ found that just over half (54%) of employees said that they were aware of their employer having a policy or support in place for employees experiencing bereavement while many were not.

The introduction of Jack's Law in April 2021 was an important step forward in recognising the need for parental bereavement leave and pay. We want to see this extended to all employees, who experience a bereavement of a close family member. Bereavement can have a significant impact on a person and their work, and it is vital that employees are supported with appropriate time off at what is already an extremely difficult time - bereaved employees are highly unlikely to be able to perform well at work if they are forced to return too quickly.

³ <https://www.cipd.co.uk/news-views/campaigns/flex-from-first>

⁴

https://www.cipd.co.uk/Images/CIPD%20submission%20to%20BEIS%20Make%20Flexible%20Working%20the%20Default%201%2012%2021_tcm18-103756.pdf

⁵ <https://www.gov.uk/government/consultations/making-flexible-working-the-default>

⁶ Data was collected as part of the CIPD's Employee Outlook survey and is based on responses from 1080 working adults. The survey was conducted online by YouGov in June 2020. Figures have been weighted and are representative of all UK working adults (aged 18+).

While many organisations provide paid bereavement leave to support employees at one of the most difficult times of their lives, this is far from universal. We, therefore, believe the Government should extend the statutory provision to employees that experience a close family bereavement, to give all employees time and space to grieve rather than worrying about paying their bills and financial worries.

When we launched our [employer guidance](#) in February 2021, the CIPD in partnership with Lucy Herd and other organisations, called on the Government to extend parental bereavement leave and pay to employees experiencing the bereavement of a close family member. We continue to build support for this across different parties in parliament and we very much welcome Patricia Gibson's Ten Minute Rule Bill on bereavement leave and pay.⁷

In the New Year, we are planning a drop-in event in Parliament with Patricia Gibson, Lucy Herd and Lord Knight so that MPs and Lords can show their support for the extension of bereavement leave and pay, and share on social media and other channels.

Theme 3: What has been the impact of the pandemic on different groups of people who have faced bereavement? What innovations in practice could provide lessons for the future?

Sadly, in the UK to date, more than a hundred thousand people have died as a result of Covid-19. This makes it more important than ever for organisations to properly support those experiencing loss and grief, both in the immediate aftermath and in the longer term.

At a societal level, we know that Covid-19 itself is sadly impacting on certain groups more heavily than others, in relation to factors such as age, sex, ethnicity⁸, socio-economic background and those that have a disability/pre-existing health condition. Serious attention needs to be paid to this when it comes to the safety of workers and enabling other people to safely return to the physical workspace now and in the longer term.⁹

The ongoing impact of the pandemic means that employees will have lost family members, partners and friends. Some employees might also have experienced the loss of co-workers. Much of this loss will be unexpected and shocking. Due to the infectious nature of the virus, many people will have been unable to have a final conversation with loved ones before death, either in hospitals or care homes or at funerals, where attendance has been severely restricted.

Depending on when the bereavement has happened, grieving employees might also be having to deal with a number of Covid-19- related issues in their life, such as having been furloughed, being made redundant, returning to the office, or working excessive hours due to front-line/essential work. All of this could exacerbate employees' grief symptoms, which may heighten the need for psychological and emotional support such as counselling and therapy to help them come to terms with what they have experienced.

⁷ <https://bills.parliament.uk/bills/3016>

⁸ <https://www.cipd.co.uk/knowledge/fundamentals/relations/diversity/covid-19-guide-to-support-ethnic-minority-employees>

⁹ <https://www.cipd.co.uk/knowledge/fundamentals/emp-law/employees/coronavirus-managing-workplace-safety>



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The pandemic is also having an impact on resources, with traditional face-to-face bereavement support unavailable in lockdown and for a considerable period.

It is also worth emphasising that there have been a lot of non-Covid-19 deaths that have happened because of the crisis and are likely to have been equally traumatic. No matter the cause, it's vital that employers work to provide employees with the support that they need, both in the short and long term.

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