

**From the Office of the Minister**  
Diane Dodds MLA



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**Our Ref: EXEC-0019-2020**

21 May 2020

Dear Caoimhe

### **Parental Bereavement Leave and Pay Consultation**

Earlier this year I indicated my intention to bring forward proposals for the introduction of Parental Bereavement Leave and Pay in NI, akin to the arrangements introduced in GB on 6 April 2020.

The draft consultation paper enclosed represents the next step in the process and I am seeking the views and approval of the Committee prior to commencing the public consultation.

#### **Background**

Parental bereavement leave and pay legislation in GB provides a statutory entitlement to two weeks parental bereavement leave following the death of a child. It also attaches, for workers with 26 weeks' service, a statutory paid element to the leave.

Child deaths affect approximately 450 employed parents each year in Northern Ireland. At present, there is no NI equivalent parental bereavement leave and pay statutory provision. Through this consultation, I aim to ensure that workers here can benefit from similar statutory provision following the loss of a child to that which is now afforded to workers in the rest of the United Kingdom.

#### **Content of policy proposal**

The public consultation will seek opinion on four main pillars: the definition of a 'bereaved parent'; defining how and when parental bereavement leave can be taken; identifying what level and length of notice period would be necessary; and establishing what evidence may be required to show that an employee is entitled to

leave and pay under the regulations. In addition, it will seek opinion on the level of, and entitlement to, statutory payment.

Most employment related statutory payments closely align across GB and NI. This provides consistency and simplifies payment processes and payroll systems across the UK as a whole. Parental Bereavement Pay in GB (for 2020) is paid at a statutory rate of £150.20 or 90% of weekly earnings (whichever is lower). The overriding aim at this stage is to align NI legislation and entitlements with GB and to endeavour to have the necessary consultation, primary and subordinate legislation completed and introduced within this Assembly mandate.

### **Legislative Requirements**

The introduction of statutory parental bereavement leave and pay will require the development of both primary and subordinate legislation.

As you will appreciate, introducing primary legislation through the Assembly is a lengthy process and usually takes two years. If we are to complete the passage of legislation in the current Assembly mandate, then progress needs to be swift. Given that officials can use the policy and legislation already developed in GB as a starting point, I am hopeful, upon gaining the necessary support, that a draft bill could be ready for Assembly introduction early in 2021. This would allow time for the bill to complete its passage and become law before the end of the current mandate. The statutory regulations required to give effect to the provisions in the primary legislation would require a further 2-3 months approximately.

### **Financial Implications**

Preliminary analysis shows that financial implications for the NI Executive are low. It is estimated that the annual cost for funding the statutory payment element of this policy would be approximately £100k, excluding administration costs. The benefits of introducing this policy far outweigh the financial cost to the public purse. A full financial implication analysis will also be conducted at legislative drafting stage.

### **Equality and Rural Impact Assessments**

The policy has been screened for any adverse Equality and Rural impacts. None have been identified. If, through the consultation process, any potential equality or rural adverse impacts are identified, appropriate mitigations will be put in place.

### **Timing**

The consultation will last 8 weeks.

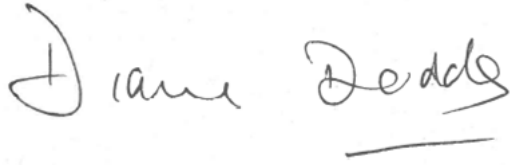
### **Next steps**

Executive approval to commence the public consultation was received on 21 May. I am now seeking the Committee's views and approval to proceed.

Officials in my department are available to brief the Committee on this policy proposal, should that be deemed necessary.

Should Committee approval be forthcoming, I will inform the Assembly prior to commencing consultation.

Yours sincerely,

A handwritten signature in black ink that reads "Diane Dodds". The signature is written in a cursive style. Below the signature, there is a horizontal line that is slightly shorter than the width of the signature.

**DIANE DODDS MLA**  
**Minister for the Economy**

# PARENTAL BEREAVEMENT LEAVE AND PAY

Public Consultation

May 2020



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## Foreword

Parental bereavement and the death of a child is a truly traumatic experience. For the majority of employees in Northern Ireland who experience such a tragic loss, the support that they receive from employers is compassionate and understanding.

However, a very small number of employees who experience such tragedy also face the additional burden of an unsupportive employer failing to display even a basic level of compassion and support that most of us would simply take for granted.

Upon taking office, I was truly saddened to discover that in Northern Ireland we do not have a statutory provision that can help bereaved parents when they find themselves having to cope with such a difficult loss whilst struggling to secure even the most basic of rights from their employer.

I therefore asked my officials, as a priority, to develop employment legislation for Northern Ireland employees that will at least match the parental bereavement legislation which came into effect across the rest of the United Kingdom on 6 April 2020.

In the interests of securing these rights for employees in Northern Ireland as soon as possible, I have also asked my officials to focus this consultation exercise in order to allow Northern Ireland Parental Bereavement (Leave and Pay) legislation to progress with the minimum of delay.

Subject to Assembly approval, I envisage that parental bereavement provisions in Northern Ireland will mirror those in the rest of the United Kingdom. In particular, I anticipate that the new legislation will create a legal requirement for employers to grant a period of a minimum of 2 weeks of Parental Bereavement Leave, with pay (if eligible) at a statutory rate funded by Government.

It is my belief that the impact of parental bereavement, whilst uniquely personal, is also a shared experience no matter where an employee lives or works. However, for this consultation we want to fully understand the needs of bereaved parents and their employers in Northern Ireland so that the regulations that we do bring forward work for us and address our needs.



*Diane Dodds MLA, Minister for the Economy*

I feel that it is important to draw your attention to the UK Government Parental Bereavement Leave and Pay Consultation and response paper. A great deal of time and work has been invested in this important matter by Parliamentarians, advocate groups and by parents who have experienced the loss of a child. The passage of the legislation at Westminster enjoyed near unanimous cross party and stakeholder support. Many of the most salient issues surrounding Parental Bereavement have been examined, considered and debated in detail and this work will help to inform and provide insight for our own consultation.

Finally, whilst my Department develops appropriate legislation, as Minister, I would encourage all employers to ensure that they treat their employees with fairness and compassion when faced with personal tragedy.

I look forward to hearing your views.

Diane Dodds MLA

May 2020



## **General Information**

### **Purpose of this consultation**

This consultation seeks to inform the public about the government's intention to introduce Parental Bereavement Leave and Pay entitlements into Northern Ireland Employment Law akin to the entitlements that came into force in Great Britain on 6 April 2020. We are seeking views from stakeholders on these provisions and wish to open a discussion as to how best we can mirror the legislation in GB while being cognisant of our specific needs in Northern Ireland. Any suggestions that differ from the provision in GB will be taken on board for consideration whether in the immediate term where practicable or as part of a longer term strategic review of a range of employment rights issues in Northern Ireland.

Issued: xx May 2020

Respond by: xx July 2020

### **Enquiries to:**

Parental Bereavement Leave and Pay

Employment Relations Policy and Legislation 1

Department for the Economy

Adelaide House

39-49 Adelaide Street

Belfast, BT2 8FD

Email: [erpl1@economy-ni.gov.uk](mailto:erpl1@economy-ni.gov.uk)

Web: [www.economy-ni.gov.uk](http://www.economy-ni.gov.uk)

In the current circumstances, we would encourage contact by e-mail where possible.

This consultation is relevant to: working parents and their employers; groups representing employers and employees; groups involved in bereavement care; and legal, HR and payroll professionals.

## How to Respond

When responding please state whether you are responding as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents by selecting the appropriate interest group on the consultation form, and, where applicable, how the views of members were obtained.

Your response will be most useful if it is framed in direct response to the questions asked, though further comments and evidence are also welcome. You can reply to this consultation online at: [https...insert link](https://www.economy-ni.gov.uk/consultation)

The consultation response form is available electronically on the consultation page: [https... insert link....](https://www.economy-ni.gov.uk/consultation) until the closing date.

The form may be submitted online, by email or by letter to:

**Email:** [erpl1@economy-ni.gov.uk](mailto:erpl1@economy-ni.gov.uk)

**Postal Address:** Parental Bereavement Leave and Pay Consultation

Employment Relations Policy and Legislation 1

Department for the Economy

Adelaide House

39-49 Adelaide Street

Belfast, BT2 8FD

**Additional copies:** You may make copies of this document without permission. No hard copies of this document are available.

## **Confidentiality and data protection**

We will summarise all responses received and place this summary on the Department for the Economy website. This will include a list of the organisations that responded but will not include people's personal names, addresses or other contact details.

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure under access to information legislation (primarily the Data Protection Act 2018/the General Data Protection Regulation 2018; Freedom of Information Act 2000; and the Environmental Information Regulations 2004).

For this reason you should identify in your response any information which you do not wish to be disclosed and explain why this is the case. Please note that an automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

If we receive a request for disclosure of this information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

For further information about how we process your personal data, please see our Privacy Notice available at Annex A.

## **Consultation Process**

If you have any complaints about the consultation process (as opposed to comments about the issues which are the subject of the consultation) please address them to: Kellie Spratt at [kellie.spratt@economy-ni.gov.uk](mailto:kellie.spratt@economy-ni.gov.uk) or to the Departmental Complaints Officer at [DfEmail@economy-ni.gov.uk](mailto:DfEmail@economy-ni.gov.uk). Details of the Department's Complaint Process can be found at:

<https://www.economy-ni.gov.uk/sites/default/files/publications/economy/Customer-Service-Complaints-Procedure.pdf>

## **Impact Assessments**

Equality, Regulatory and Rural impact assessments have been conducted for this policy proposal. Currently we do not anticipate the policy to result in any adverse impacts on any of the Section 75 groups or for those who live rurally. However, if any potential issues are raised as part of this consultation process we will review our impact assessments at that stage and amend if required.

Our initial regulatory impact assessment will be reviewed at legislation drafting stage where we can assess in more detail the regulatory impact of the policy proposal.

Links to the Equality, Regulatory, and Rural Impact Assessment documents are provided below:

**Links to be inserted following Ministerial approval and publication of impact assessments on DfE website**

## **Introduction**

The GB proposals for Parental Bereavement Leave and Pay and the UK Government response were laid out in the following documents:

- [Consultation on Parental Bereavement Leave and Pay](#)
- [Parental Bereavement Leave and Pay Consultation Government Response](#)

These documents explore and explain the key policy decisions taken following the public consultation process in Great Britain. They are insightful and informative for us as we develop similar legislation for Northern Ireland and we would recommend that you consider them as you develop your response to this consultation.

**Links to the GB Legislation can be found below:**

- [Parental Bereavement \(Leave and Pay\) Act 2018](#)
- [The Parental Bereavement Leave Regulations 2020](#)
- [The Statutory Parental Bereavement Pay \(General\) Regulations 2020](#)

## **The Current Position in Northern Ireland**

At the moment in Northern Ireland there is no specific entitlement to Parental Bereavement leave or pay for employed parents following the loss of a child. In such circumstances, most employers offer their employees some form of compassionate paid leave, either on a discretionary basis through an internal policy, or by means of a contractual entitlement.

Presently, bereaved employed parents who do not have the compassionate support outlined above may be eligible for statutory leave provision under the Employment Rights (Northern Ireland) Order 1996. This provision however only confers a right to a “... reasonable amount of time off during the employee's working hours... in order to take action which is necessary in consequence of the death of a dependant.” Under this provision, a “reasonable” amount of time is not defined.

Unfortunately, grief, sadness and coping with loss is not a focus for this provision. It instead focuses more upon the inevitable practicalities of dealing with the death of a dependent, such as organising a funeral and registering a death.

### **Overview**

Coping with grief in the workplace following the loss of a child is a particularly personal issue and bereaved parents deal with personal grief in different ways. Most working parents who find themselves having to deal with such a tragedy will receive decent and compassionate support and care from their employer.

Just as in wider society, the majority of employers are acutely sensitive to the particular impact that child bereavement can have on parents. Many employers are also likely to be fortunate enough not to experience at first hand such loss within their workplace, due to the relatively small number of Northern Ireland employees that experience the loss of a young child each year.

Conversely and unfortunately, a very small number of employers are not sensitive, caring or compassionate when their employees experience personal tragedy.

The Parental Bereavement Leave and Pay legislation that was introduced in the rest of the United Kingdom on 6 April 2020 encompasses all employers,

including those employers who, until now, have failed, been unwilling or unable to provide compassionate paid bereavement leave for their employees.

Our proposed Parental Bereavement Leave and Pay legislation for Northern Ireland is likely to mirror the legislation in the rest of the UK, underpinning the already compassionate and caring provision that the majority of Northern Ireland employers already provide, or would wish to provide, in the event of parental bereavement and the loss of a child.

More importantly, it will provide a minimum level of support for bereaved parents following the loss of a child and will offer a degree of protection for all that previously has been missing.

Equally important will be the drafting of a legal framework which will ensure that employees and employers alike share a clear understanding of the legislative provisions and obligations under Parental Bereavement Leave and Pay legislation.

This is why it is important that our legislation clearly identifies important matters such as:

- the definition of a 'bereaved parent';
- defining how and when Parental Bereavement Pay and Leave can be taken;
- identifying what level and length of notice period would be necessary; and
- establishing what evidence may be required to show that an employee is entitled to leave and pay under the regulations.

To this end, our consultation will focus upon what we believe to be these four essential pillars of Parental Bereavement Leave and Pay legislation and the questions in the following pages will explore your thoughts on these matters.

In line with GB provision, the Minister for the Economy has committed to ensuring that all bereaved parents who experience the loss of a child will be able to take some time away from work to grieve and will, in most cases, be entitled to a statutory provision for payment during that time. The statutory payment made in GB in 2020 is £150.20 or 90% of weekly earnings, whichever is lower. This consultation will also seek your views on that statutory payment.

## **Definition of ‘bereaved parent’**

Establishing a definition of a ‘bereaved parent’ is central to the Parental Bereavement Leave and Pay policy. It will provide clarity for employers when determining eligibility and will help to avoid complications and the risk of challenge when faced with requests and making decisions.

Following the GB consultation about Parental Bereavement Leave and Pay, it was determined by the UK Government that the definition of a ‘bereaved parent’ should be centred on the notion of a ‘primary carer whose relationship with the child is parental in nature’.

This broader definition of a bereaved parent extends the scope of GB Parental Bereavement Leave and Pay beyond legally recognised parents. It ensures that people such as legal guardians and others who have a legally recognised ‘parental’ relationship with a child will also be eligible.

Moving beyond legally recognised relationships, the GB provisions have also encompassed groups such as kinship carers. Entitlement has been conferred on these groups by reference to the nature of a person’s caring responsibility for the child, with the guiding principle being that it should be parental in nature.

As part of our consultation, we are keen to understand all of the parental relationships, in addition to those detailed below, which should be included in the Northern Ireland Parental Bereavement Leave and Pay legislation;

- Legal parents, biological parents (except where a child has been adopted) and adoptive parents (including those who have obtained parental orders in the context of a surrogacy arrangement);
- Others, who are not the child’s legal parents but who have a long-term relationship with a child which is parental in nature and who have provided day to day care in place of the child’s legal parents.



## Definition of 'Bereaved parent'

**1a)** Who do you think should be included within the definition of 'bereaved parent'?

**1b)** Please provide reasons for your answer

### **How and when 2 weeks of Parental Bereavement Leave and Pay can be taken**

It is important to strike the right balance between allowing as much flexibility as possible for bereaved parents with varying needs to grieve, and the need for employers to have a degree of certainty over when and how their employees can take Parental Bereavement Leave and Pay.

GB Parental Bereavement Leave and Pay legislation provides eligible bereaved parents with 2 weeks statutory paid leave, and allows bereaved parents to decide to take the 2 weeks consecutively or non-consecutively over a period of 56 weeks from the death of a child.

We wish to understand if similar provisions would be right for Northern Ireland or if there are alternative provisions that would be more suitable for bereaved parents and employers here.

## **Flexibility around consecutive/non-consecutive weeks**

**2a)** Which of the following options for leave-taking would be most appropriate?

- I. Leave to be taken either as one week only or two consecutive weeks
- II. Two weeks discontinuously, e.g. a week, then a further week taken at a later date
- III. Two weeks, which can be taken in units of a day, recognising that only whole weeks of leave with an employer would attract the statutory payment from that employer
- IV. An alternative arrangement (please describe)

**2b)** Please set out your reasons for your response

**2c)** Please set out potential difficulties you consider may exist with any of the options

## **The window in which to take 2 weeks of leave and statutory pay**

**3a)** What do you think is the optimal length for the window?

- I. 8 weeks
- II. 26 weeks
- III. 56 weeks
- IV. Other – please specify

**3b)** Please set out your reasons for your response

## **Notice required to take Parental Bereavement Leave and Pay**

The GB legislation recognises that most bereaved parents will, understandably, need immediate time away from work. It also recognises that some parents may need or wish to take time off later on or to take a combination of 'immediate' and 'later' leave, depending upon personal circumstances and individual needs.

The provision is also sensitive to the fact that death can be sudden or unpredictable and that bereavement is highly personal and subjective and it may not always be practicable for an employee to notify their employer of their intention to take Parental Bereavement Leave and Pay in the initial period following their loss.

However, the GB consultation also recognised the need to balance flexibility for employees with the needs of employers who may require a certain amount of certainty about an employee's intention to be absent in order to allow for adequate planning and cover.

Accordingly, provision has been made for a notice requirement of at least one week if an employee wishes to take Parental Bereavement Leave and Pay after the first 8 weeks of bereavement.

The notice period for taking Parental Bereavement Leave and Pay is detailed below:-

### **Notice Period**

An employee has 56 weeks during which to take Parental Bereavement Leave. This starts from the date of the child's death.

The 56 weeks is split into 2 periods:

- from the date of the child's death or stillbirth to 8 weeks later; and
- between 9 and 56 weeks after the date of the child's death or stillbirth.

The 2 weeks' leave may be taken in one block or as 2 separate blocks of one week.

The period of notice required depends on when an employee is taking Parental Bereavement Leave.

### **0 to 8 weeks after the child's death or stillbirth**

An employee must give notice before the time they would normally start work on the first day of the period they want to take off work or, in the case where it is not reasonably practicable for the employee to give such notice, then notice should be given as soon as it is reasonably practicable.

### **9 to 56 weeks after the child's death or stillbirth**

An employee must give at least one week's notice before the start of the week or weeks they want to take off work.

We wish to understand if similar provisions would be right for Northern Ireland or if there are alternative provisions that would be more suitable for bereaved parents and employers here.

## **Notice required to take parental bereavement leave and pay**

**4a)** Do you agree that parents should be required to provide notice to their employer?

I. If leave is taken very soon after the death of a child?

**Yes**

**No**

II. If leave is taken at a later period?

**Yes**

**No**

**4b)** Please provide reasons for your answer.

**5a)** What is a reasonable notice period:

- I. If leave is taken very soon after the death of a child?
- II. If leave is taken at a later period?

**5b)** Please provide reasons for your answer.

**6a)** How should this notice be given:

- I. If leave is taken very soon after the death of a child?
- II. If leave is taken at a later period?

**6b)** Please provide reasons for your answer.

## Evidence required for Parental Bereavement Leave and Pay

The GB consultation sought views on what evidential requirement would be needed for an employee wishing to take Parental Bereavement Leave and Pay. The vast majority of respondents answered that evidence should mirror existing family leave entitlements. For some family leave entitlements, an employee must provide a written declaration of entitlement and in others, an employee is only required to provide evidence of entitlement if their employer asks for it.

We wish to understand what, if any, evidential requirement for entitlement to Parental Bereavement Leave and Pay would be right for Northern Ireland.

<b>Evidence required for parental bereavement leave and pay</b>
<b>7a)</b> Should evidence requirements for this provision mirror those of existing family leave, i.e. that evidence is not required unless requested by the employer?
<b>Yes</b>
<b>No</b>
<b>7b)</b> Please explain your reasons.

## Parental bereavement statutory provision for payment

Employment related statutory payments closely align across GB and NI. This provides consistency and simplifies payment processes and payroll systems across the UK as a whole. It would be difficult, time consuming and costly to introduce variations in the rate of statutory pay in NI compared with the rest of the UK.

Parental Bereavement Pay in GB (for 2020) is paid at a statutory rate of £150.20 or 90% of weekly earnings (whichever is lower).

To be eligible to receive the statutory payment in GB you must have served at least 26 weeks, known as a qualification period, with your employer.

### Statutory Provision for Payment

**8)** Please outline your thoughts concerning the:

- **statutory provision;**
- **requirement for a qualification period; and**
- **calculation of payment for parental bereavement pay in Northern Ireland.**

**Please insert comments:**

## **Strategic vision for Employment Law in NI**

Whilst this consultation is primarily about aligning NI legislation with that in GB (for Parental Bereavement Leave and Pay) we would still like to use this opportunity to garner suggestions for potential improvement in NI employment law.

### **Any other issues for consideration not included in the questions above**

**9)** Please take this opportunity to inform us of any other issues we should consider when making the Parental Bereavement Leave and Pay legislation.

**Please insert comments:**

**Information provided in this section will also help to form part of our long term strategic goal of assessing a range of employment issues in NI.**



## Consultation questions

### Personal information

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**P1 Your name**

---

**P2 Your email address**

---

**P3 Are you:**

- An individual
  - An employer
  - Representing a trade union
  - Representing an industry or employer association
  - Other (please specify)
- 

**P4 If you are an individual, are you:**

- Employed
  - Self-employed
  - Unemployed
  - Retired
  - Not looking for work
  - Other
- 

**P5 If you are in employment, what type of organisation do you work for?**

- Private sector organisation
  - Public sector
  - Charity/voluntary sector
  - Other
- 

**P6 If you are in employment, how many people work for your organisation?**

- Micro-business (0-9 employees)
- Small business (10-49 employees)
- Medium-sized business (50-249 employees)
- Large business (250+ employees)

## Consultation questions

### Personal information

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**P7 If you are an employer, how would you classify your organisation?**

- Private sector
  - Public sector
  - Charity/voluntary sector
  - Other (please specify)
- 

**P8 If you are an employer, how many employees work for your organisation?**

- Micro-business (0-9 employees)
  - Small business (10-49 employees)
  - Medium-sized business (50-249 employees)
  - Large business (250+ employees)
-

## Consultation Questions

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### Definition of 'Bereaved parent'

**1a) Who do you think should be included within the definition of 'bereaved parent'?**

**1b) Please provide reasons for your answer**

### Flexibility around consecutive/non-consecutive weeks

**2a) Which of the following options for leave-taking would be most appropriate?**

- I. Leave to be taken either as one week only or two consecutive weeks**
- II. Two weeks discontinuously, e.g. a week, then a further week taken at a later date**
- III. Two weeks, which can be taken in units of a day, recognising that only whole weeks of leave with an employer would attract the statutory payment from that employer**
- IV. An alternative arrangement (please describe)**

**2b) Please set out your reasons for your response**

**2c) Please set out potential difficulties you consider may exist with any of the options**

## **The window in which to take 2 weeks of leave and statutory pay**

**3a) What do you think is the optimal length for the window?**

- I. 8 weeks**
- II. 26 weeks**
- III. 56 weeks**
- IV. Other – please specify**

**3b) Please set out your reasons for your response**

## **Notice required to take parental bereavement leave and pay**

**4a) Do you agree that parents should be required to provide notice to their employer?**

- I. If leave is taken very soon after the death of a child?**
  - Yes**
  - No**
- II. If leave is taken at a later period?**
  - Yes**
  - No**

**4b) Please provide reasons for your answer**

**5a) What is a reasonable notice period:**

- I. If leave is taken very soon after the death of a child?**
- II. If leave is taken at a later period?**

**5b) Please provide reasons for your answer**

**6a) How should this notice be given:**

- III. If leave is taken very soon after the death of a child?**
- IV. If leave is taken at a later period?**

**6b) Please provide reasons for your answer**

## **Evidence required for parental bereavement leave and pay**

**7a) Should evidence requirements for this provision mirror those of existing family leave, i.e. that evidence is not required unless requested by the employer?**

**Yes**

**No**

**7b) Please explain your reasons**

## **Parental bereavement statutory provision for payment**

**8) Please outline your thoughts concerning the:**

- **statutory provision;**
- **requirement for a qualification period; and**
- **calculation of payment for parental bereavement pay in Northern Ireland.**

**Please insert comments:**

## **Strategic vision for Employment Regulation in NI**

**9) Please take this opportunity to inform us of any other issues we should consider when making the Parental Bereavement Leave and Pay legislation.**

**Please insert comments:**

**Information provided in this section will also help to form part of our long term strategic goal of assessing a range of employment issues in NI.**

**EMPLOYMENT RELATIONS POLICY & LEGISLATION CONSUTLATION  
RESPONSE PRIVACY NOTICE  
DEPARTMENT FOR THE ECONOMY**

The Department for the Economy, is committed to protecting your privacy when you use our services. This privacy notice explains how the Employment Relations Policy and Legislation branch 1 uses information about you and the ways in which we will protect your privacy when you are an individual who has responded to a public consultation.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of the Employment Relations Policy and Legislation branch 1 collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below:

Employment Relations Policy & Legislation 1  
4<sup>th</sup> floor, Adelaide House, 39-49 Adelaide Street, Belfast, BT2 8FD  
Email: [erpl1@economy-ni.gov.uk](mailto:erpl1@economy-ni.gov.uk)

### **What information we need**

The Department for the Economy is the data controller of the personal data you provide to us. The information we need to collect as part of the public consultation process includes: name, email address, employment status, type of organisation your work in, size of organisation you work in and related information to the specific consultation.

As part of the consultation response you will be asked if you are responding as an individual or on behalf of an organisation. This includes trade unions, but we will not ask you if you are a member of a trade union.

### **Why we collect personal information**

We collect information about you as part of our statutory governmental responsibility to consult publicly on any new policy or strategy. We will only collect and hold the minimum amount of personal data necessary in order to provide and manage this service.

### **Use of cookies**

Website usage information is collected using cookies. You can read more about how we use cookies on our [Cookies page](#).

### **How we obtain personal data**

The source of our personal data will come from respondents to the public consultation who give their personal data voluntarily as part of the response process.

## **Disclosure of personal information**

Our draft consultation document details how we will handle your personal data. In this instance, we will not disclose personal data without consent.

## **How we use information about you**

All the personal data we use is processed by our staff in the Northern Ireland Civil Service.

## **How long we keep it**

We are required to keep details about you (name, address,) for a period of 5 years in line with the Department for the Economy Retention and Disposal Schedule after which time it will be destroyed securely.

## **Access to your information**

The Department tries to be as open as possible in terms of giving people access to their personal data. You can find out if we hold any information by making a 'subject access request' under the Data Protection Act 2018. If we do hold information about you, we will, where possible:

- Give you a description of it;
- Tell you why we are holding it;
- Tell you who it could be disclosed to; and
- Let you have a copy of the information in an intelligible form.

To make a request for any personal information we may hold, you should put the request in writing addressing it to: [DPO@economy-ni.gov.uk](mailto:DPO@economy-ni.gov.uk)

## **Your rights**

The Employment Relations Policy and Legislation branch 1 tries to be as open as it can be in terms of giving people access to their personal information. Individuals can find out if we hold any personal information by making a 'subject access request' under the Data Protection Act 1998. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.



To make a request to the Employment Relations Policy and Legislation branch 1 for any personal information we may hold, you need to put the request in writing addressing it to our Data Protection Officer, Bernard McCaughan at the address provided below.

[DPO@economy-ni.gov.uk](mailto:DPO@economy-ni.gov.uk)

## **Complaints**

If at any point you believe the information we process on you is incorrect, you can ask to have this information corrected or deleted. If you wish to raise a complaint about how we have handled your data, you can contact our Data Protection Officer at the address above who will investigate the matter.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner at the following address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## **Changes to this privacy notice**

We keep our privacy notice under regular review. This privacy notice was last updated on 1<sup>st</sup> May 2020.

## **How to contact us**

If you want to request information about our privacy policy you can email or write to:

Data Protection Officer  
Department for the Economy  
Netherleigh  
Massey Avenue  
Belfast  
BT4 2JP