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Bereavement leave: HR guide

Description

Introduction

Employees who lose a child under the age of eighteen or suffer from a miscarriage are entitled to two weeks **parental bereavement leave**. There is no minimum length of service required.

Employees whose partner or the mother of their child dies within the first year of the childâ??s life or adoption are entitled t0 fifty two weeks of **bereaved partnerâ??s paternity leave**. There is no minimum length of service required.

Who is eligible for parental bereavement leave?

â??Parentalâ?? has a wide meaning and includes: an adoptive parent, a prospective adopter, an intended parent under a surrogacy agreement or someone looking after the child in that personâ??s home for the last four weeks, such as foster parent or guardian, or a partner of any of these persons.

Parental bereavement leave does not affect maternity leave entitlement in the case of a stillbirth from twenty-four weeks of pregnancy or a death during maternity leave.

Parental and shared parental leave rights are generally maintained.

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How can parental bereavement leave be taken?

The leave can be taken at any time from up to fifty-six weeks of the childâ??s death. It can either be taken in one block of two weeks or two blocks of one week.

In order to exercise the right the employee needs to notify the employer of the date of the childâ??s death, when they wish the leave to start and whether the period of leave will be one or two weeks.

If the leave will be taken within fifty-six days of the death then no notice is required and the leave may start immediately.

If the leave will be taken more than fifty-six days after the death of the child then one weekâ??s notice will be required.



Statutory parental bereavement leave pay

The rate of pay is the lower of a fixed cap, currently Â£194.32 or 90% of average weekly earnings.

Bereaved Partnerâ??s paternity leave

There is a new day-one right for employees whose partner or the mother of their child dies within the first year of the childâ??s life or adoption. **Bereaved partnerâ??s paternity leave** is up to fifty-two weeks, although the leave is unpaid.

This guide is intended for guidance only and should not be relied upon for specific advice.

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If you need any advice on parental leave or have other employment law queries please do not hesitate to contact me on 020 3797 1264.

Do check mattgingell.com regularly for updated information.

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