



Parental bereavement leave: HR guide

Description

Introduction

From 6 April 2020 employees who lose a child under the age of eighteen or suffer from a stillbirth after twenty-four weeks of pregnancy are entitled to two weeks **parental bereavement leave**. There is no minimum length of service required.

Who is eligible for parental bereavement leave?

“Parental” 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 person’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.



How can parental bereavement leave be taken?

The leave can be taken at any time from up to fifty-six weeks of the child'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 child'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 week's notice will be required.



Statutory parental bereavement leave pay

To be eligible for **statutory parental bereavement pay** the employee must have had at least twenty-six weeks' continuous with their employer. The employee must also have weekly average earnings over the lower earnings threshold, currently Â£120 per week.

The rate of pay is the lower of a fixed cap, currently Â£184.03, or 90% of average weekly earnings.

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

If you need any advice on parental bereavement leave or have other employment law queries please do not hesitate to [contact](#) me on [020 3797 1264](tel:02037971264).

Do check mattgingell.com regularly for updated information.