Time off for bereavement

If someone needs time off because a person close to them has died, it’s important their employer approaches the matter sensitively. For example:

- giving the person the time they need to deal with the bereavement
- considering the person’s physical and emotional wellbeing, including once they’ve returned to work

A sensitive approach can help keep a good working relationship between the employer and their employee. It can also help keep the workplace productive.

Time off for bereavement is also known as ‘bereavement leave’ or ‘compassionate leave’.

3. Bereavement leave and the law

Anyone classed as an employee has the right to time off for a ‘dependant’. This time off is for dealing with unexpected issues and emergencies involving the dependant, including leave to arrange or attend a funeral.

How much leave can be taken

The law does not say how much time can be taken off for a dependant. It simply says the amount should be ‘reasonable’.

Employers should:

- be compassionate towards a person’s individual situation
- remember that everyone deals with bereavement differently (some people may need more time off than others)

Employers can treat time off for bereavement as sick leave or holiday leave, depending on their workplace policy and the individual circumstances.

Pay during bereavement

There is no automatic right to paid time off for bereavement.

There are exceptions for agricultural employees – you can call the Acas helpline to find out more.
Many employers do choose to offer pay when someone's been bereaved. The amount they offer is up to them.

If the employee takes the time off as sick leave or holiday leave, their normal sick or holiday pay will apply.

**Mental health**

Mental health conditions like anxiety and depression are common for anyone who's been bereaved.

As certain mental health conditions are treated as disabilities under the law, employers should make sure they:

- do not discriminate against someone with a disability
- make ‘reasonable adjustments’ for an employee who has a disability

**Time off for stillbirth or miscarriage**

If someone has a stillbirth after 24 weeks of pregnancy, they can get up to 52 weeks of statutory maternity leave or pay.

A miscarriage or stillbirth can be traumatic regardless of the stage of pregnancy.

So employers should also consider:

- what's best for the person or their partner, depending on their specific circumstances and needs
- offering them time off if the miscarriage happened before 24 weeks of pregnancy

**The benefits of a bereavement policy**

It's a good idea for your workplace to have a policy that covers bereavement absence and pay, to keep things clear.

A policy can also help clarify anything offered at work that's more than what's legally required (for example, paid bereavement leave).

Even if there is a policy, employers should make some allowances (a recently bereaved person may not be in the right frame of mind to check it straight away).

Download an example bereavement policy.

**What a bereavement policy should include**

A bereavement policy should cover:

- how soon the bereavement should be reported
• who can report it (for example, a member of the employee’s family if the employee is not able to do it themselves)
• who it should be reported to (for example, the employee’s line manager)
• what happens if the deceased is not a dependant
• how much leave is provided
• what type of leave it is (for example, whether it’s treated as sick leave)
• when a sick ('fit') note is needed
• how the employee’s return to work is managed, for example whether they can return on reduced hours if they’re not ready to return full time

It should also cover pay, including:
• whether or not pay is provided
• how much pay is provided
• the type of pay (for example, sick pay)

If there’s no policy

If there’s no bereavement policy, the employer must follow the law. They should also try to be as reasonable and consistent as they can.

For example, they can look at how bereavement leave has been managed previously to help decide how it should be managed now or in the future.

Telling others about the bereavement

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.

If the employer cannot ask for this information, it’s best to say as little as possible (for example, that the absence is for personal reasons).

Keeping in touch while the employee is off

It’s important to keep in touch during absence.

Returning to work

Find out about the procedure a workplace should have when someone returns to work.
Supporting the employee over the longer term

Once they’ve returned to work, the employee might still need extra support or time off.

This might be because of developments following a bereavement, such as:

- depression or another mental health condition
- extra responsibilities, like helping a dependant

How the workplace deals with requests for extra support or time off depends on its bereavement or absence policies.

Even if the employer does not have a policy, they must follow the law by:

- not discriminating, for example if the employee’s mental health condition is classed as a disability
- making ‘reasonable adjustments’ to support an employee who has a disability

The employer should consider what’s best for their employee’s physical and mental health in the long term.

Doing things proactively, for example encouraging an open and supportive working environment for everyone, can help prevent problems.

It’s also likely the employee will be more productive if they feel they’re getting the right support.

If you’re unhappy about how your employer has dealt with your bereavement

You can raise the problem with your employer.

Related content

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Download an example bereavement policy