

Parental bereavement leave and pay when a child dies

Parental bereavement leave is time off to deal with the death of a child, if they die under the age of 18 or are stillborn. Parents will also have a right to [time off for dependants](#).

Eligible parents have a right to 2 weeks':

- Statutory Parental Bereavement Leave, if they're an employee
- Statutory Parental Bereavement Pay, if they're an employee or worker

'Statutory' means the legal minimum an employer must give.

This right will apply to the:

- biological parent
- adoptive parent, if the child was living with them
- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'intended parent' – due to become the legal parent through surrogacy
- partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

2. Parental bereavement leave

Parents have a right to take Statutory Parental Bereavement Leave if:

- they're [classed as an employee](#)
- their child dies under the age of 18 or is stillborn after 24 weeks' pregnancy

Employees have this right from the day they start their job.

Statutory Parental Bereavement Leave can be taken in the 56 weeks following their child's death.

If more than 1 child dies, the employee is entitled to 2 weeks' Statutory Parental Bereavement Leave for each child.

Anyone [classed as a worker](#) is not entitled to Statutory Parental Bereavement Leave. But they might be entitled to 2 weeks' Statutory Parental Bereavement Pay for time they take off.

Parental bereavement pay

[Employees and workers](#) are entitled to 2 weeks' Statutory Parental Bereavement Pay if:

- their child dies under the age of 18 or is stillborn after 24 weeks' of pregnancy

- they were employed when their child died
- they'd worked for their employer for at least 26 weeks, on the Saturday before the child's death
- they earn on average at least £120 per week, before tax

How much is Statutory Parental Bereavement Pay

Statutory Parental Bereavement Pay is the minimum amount employers must pay eligible staff.

Eligible employees and workers will get one of the following, whichever is lower:

- £151.20 a week
- 90% of their average weekly earnings

Enhanced parental bereavement pay

Some employers offer enhanced ('contractual') bereavement pay that's more than Statutory Parental Bereavement Pay. It cannot be less.

The amount and how long you get it for should be clearly set out in your workplace's [bereavement policy](#) or your [contract's written terms](#).

Taking Statutory Parental Bereavement Leave

An employee can choose to take either 1 or 2 weeks' leave.

If an employee takes 2 weeks, this can be taken in one go, or as 2 separate weeks. For example, they could take 1 week immediately after the death, and take the other week later on.

The leave must end within 56 weeks of the child's death. The date of the child's death is the first day of the 56 weeks.

Giving notice to take leave

An employee must tell their employer (give 'notice') to use Statutory Parental Bereavement Leave.

To give notice, the employee must tell their employer:

- when they want the leave to start
- whether they want to take 1 or 2 weeks leave
- the date their child died

This notice does not have to be in writing.

The rules for giving notice depend on how long it's been since their child died.

Taking leave in the first 8 weeks

If it's within 8 weeks (56 days) of their child dying, an employee can start their leave as soon as they give notice.

They must tell their employer before they start their leave. This can be on the first day of leave as long it's before they're due to start work. For example, if they've started work and give notice to start their leave straight away, Statutory Parental Bereavement Leave must start the following day.

They can also cancel the leave, as long as they tell their employer before their leave starts. This can be on the day their leave is due to start, as long it's before they're usually due to start work. Any cancelled leave can be taken later by giving notice again.

Taking leave after the first 8 weeks

If leave will be taken more than 8 weeks (56 days) since their child died, the employee must give their employer 1 week's notice:

- to take the leave
- if they want to cancel the leave

Any cancelled leave can be taken later by giving notice again.

Claiming Statutory Parental Bereavement Pay

Employees and workers must ask their employer in writing (give 'notice') to receive Statutory Parental Bereavement Pay. They must confirm:

- their name
- their entitlement to Statutory Parental Bereavement Pay
- the start and end dates of the leave they want to claim the pay for
- the date of their child's death
- their relationship with the child

Notice must be given within 28 days of starting leave. If someone takes the 2 weeks off separately, they must give notice in writing for each week.

Employees can give notice for their leave and pay in one document.