

Parental Bereavement Leave Guidance

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Author(s)	Kirsty George, People & Organisational Development Advisor Linsey Blackhurst – Interim Organisational Change & Design Lead
Owner	Isla Newcombe, Chief Officer – People & Citizen Services
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January 2023 Version 2	<ul style="list-style-type: none"> A note to the users of the guidance was added at the beginning of the document to prepare them for the fact that the document refers to bereavement but indicating that this relates to the statutory process for administering Parental Bereavement Leave and Pay. A similar note was added to Appendix 1, the Application for Parental Bereavement Leave and Pay, to prepare the user in advance that the form asks some necessary sensitive questions about bereavement.
Feb 2026 Version 3	<ul style="list-style-type: none"> Updated into standard guidance template ensuring compliance with ACAS, CIPD and government guidance. Parental bereavement leave and pay extended to cover pregnancy loss occurring before 24 weeks. Updated Introduction section to ensure clarity on purpose, application and scope, and responsibilities. Language reviewed to ensure inclusive. Streamlining of the application process, with removal of formal acknowledgement letters given the sensitivities. New Further information and support section.

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SECTION 1: INTRODUCTION

Note to the users of this guidance – please read before proceeding

This guidance and its forms contain references to bereavement and include sensitive questions. We understand this may be difficult, but collecting this information helps to provide the right support and ensure the statutory process for Parental Bereavement Leave and Pay is followed.

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on Parental Bereavement Leave, including details on the available provisions, any eligibility criteria, application requirements and support options.

Core to this guidance is that no employee will be adversely treated in the workplace due to them experiencing parental bereavement, regardless of if they access leave or other supports detailed in this guidance.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Special Leave Policy

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

It does not apply to other workers, such as casual/relief workers, self-employed, contractors or agency workers. Workers should check the government website to see if they may be eligible for [Statutory Parental Bereavement Pay](#).

This guidance takes into account The Parental Bereavement (Leave and Pay) Act 2018 that came into force on 6 April 2020.

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request parental bereavement leave. This should include sharing details of our [Employee Assistance Programme](#) and [Mental Health and Wellbeing Support](#) and encouraging employees to access the support offered.

Managers must be mindful that each employee's loss and related experience will be different, and the nature and level of support required, including the level of contact will vary accordingly, and they should be guided by the employee's needs at this difficult time.

It is important for managers to approach a conversation with an employee experiencing the loss of a pregnancy/child with empathy and be sensitive to how difficult it may be for the employee to open up.

Managers will consider all requests for support sympathetically and will not discriminate against an employee who is experiencing the loss of a pregnancy/child. All employees will be treated fairly and consistently.

Managers will treat all information and requests for support from an employee experiencing the loss of pregnancy/child with respect and confidentiality.

Managers will support the employee in informing colleagues about the situation if appropriate and as agreed.

Responsibility of Employees

The council acknowledges that parental bereavement can impact those experiencing it in different ways, including placing mental, emotional and physical strains on an individual.

To allow managers, or others, to put in place appropriate support, employees are encouraged to inform their manager of their loss as early as possible. Initial contact to advise of the situation can be made by a close family member or other appropriate person.

Employees who do not initially feel comfortable discussing the issue with their direct line manager may find it helpful to have a confidential conversation with a suitable alternative contact.

SECTION 2: PARENTAL BEREAVEMENT LEAVE

Parental Bereavement Leave (PBL)

The Parental Bereavement (Leave and Pay) Act 2018 came into force on 6 April 2020 giving employees a statutory entitlement to a period of one or two weeks' leave that may be taken following the death of a child. A child is regarded as being under 18 years of age, including a baby who only lives for a short time after birth – this can be at any stage of pregnancy, or a baby that is still born after at least 24 weeks of pregnancy. In the case of a still birth, the date of death is taken to be the date the child is stillborn.

The Council extends this entitlement for parental bereavement leave to also cover pregnancy loss which occurs before 24 weeks, including:

- Miscarriage: the loss of a pregnancy before 24 weeks
- Abortion: a medical or surgical procedure to end a pregnancy.
- Ectopic pregnancy: when a fertilised egg implants and grows outside of the uterus.
- Molar pregnancy: a rare form of pregnancy in which a non-viable fertilised egg implants in the uterus and will fail to reach full term.
- IVF embryo transfer loss: the unsuccessful outcome of transferring a fertilised embryo into the uterus during IVF treatment.

Where more than one child has died or been still born, the bereaved parent is entitled to a separate period of leave in relation to each child.

Further discretionary leave may be available in addition to parental bereavement leave. Please see the Council's Special Leave Policy.

Eligibility for Parental Bereavement Leave

There is no qualifying period for PBL, it being a day one employment right.

PBL is only available to employees. It is not available to other workers, such as casual/relief workers, self-employed, contractors or agency workers.

The right to PBL applies to the:

- birth parent
- spouse, civil partner, or partner (who is in a committed long term relationship) with the person who physically experienced the pregnancy loss
- natural parent (the person who gave birth to the child who has since been adopted, but has a court order to allow them to continue having access to the

child)

- 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

Duration of and when to take Parental Bereavement Leave

Parental Bereavement leave may be taken as one whole week, two consecutive weeks, or two separate weeks at different times.

The leave can be taken at any time within 56 weeks following the pregnancy loss, stillbirth or death of a child. An employee may choose to use PBL to mark the first anniversary/birthday of the pregnancy loss, still birth or death of their child.

If the employee is taking another type of statutory leave (for example, maternity leave or paternity leave) when the child dies or stillbirth happens, their Parental Bereavement Leave must start after the other leave has ended but does not have to be taken immediately after. This includes if the statutory leave is for another child.

If their Parental Bereavement Leave is interrupted by the start of another type of statutory leave, the employee can take their remaining entitlement to Parental Bereavement Leave after that other leave has ended.

The employee's remaining Parental Bereavement Leave must still be taken within 56 weeks of the date of death or stillbirth.

Employees can take Parental Bereavement Leave between blocks of shared parental leave that they booked before the child died. This includes if the shared parental leave is for another child.

Parental Bereavement Leave Pay

The council offers employees normal contractual pay for both weeks of Parental Bereavement Leave.

Notification to take Parental Bereavement Leave

The employee requires to give their line manager notification of:

- the date of the child's death;
- the date they want their leave to start; and
- whether they want to take one or two weeks.

The length of notice the employee is required to give depends on how long after the child's death the leave is due to start:

- For PBL starting within 8 weeks (56 days) from the date of the death the notice period is minimal, the employee can start their leave as soon as they give notice. The employee should notify their line manager before the time they are due to start work on the day they want leave to start. If this is not practicable, the employee must notify their employer as soon as reasonably practicable.
- To take leave more than 8 weeks (56 days) after the child's death, i.e. in weeks 8 to 56 after the child's death, the employee must give at least 7 days' notice of their intention to take PBL.

The employee, or their nominated representative, can notify their line manager by phone, leave a voicemail, send a text message or an email. The employee does not need to give notice in writing (for example through a form or letter) or give proof of pregnancy loss or death or stillbirth.

Process for applying for and authorising Parental Bereavement Leave

The employee, or line manager on the employee's behalf, will complete and submit an application for PBL and pay (see form at appendix 1). This will indicate the date the employee wishes their PBL and pay to begin, the duration of the leave (i.e. 1 or 2 weeks), the date of pregnancy loss or death of the child, or date the baby was stillborn, whichever applies, and their relationship to the child or baby.

Where the leave and pay are to commence within the first 8 weeks from the date of death, the form can be submitted within 21 days.

If the employee completes the form, they should submit this to their line manager first who will review to confirm that it complies with the guidance. They will then pass the completed form to People Services for processing, who will acknowledge receipt. People Services will check the details on the form, including the pay entitlement and arrange for the PBL and pay to be processed.

Where the employee wishes to change the start date of PBL and pay they should inform their line manager, giving the required notice in accordance with this guidance. The line manager will notify People Services for processing.

Where the employee wishes to cancel a period of PBL and pay they should inform their line manager, giving the required notice in accordance with this guidance. The line manager will notify People Services.

Any queries the employee has in relation to their application for PBL should be raised in the first instance with their line manager.

Cancelling or changing a period of Paternity Bereavement Leave

The employee can cancel PBL or change the start date, as follows.

For leave that is due to start within the first 8 weeks after the child's death, this can be

cancelled by giving notice before the time the employee is due to start work on the day they previously notified that leave would start. If this is not practicable, the employee requires to notify their employer as soon as reasonably practicable.

For leave that is due to start more than 8 weeks 8 (56 days) after the child's death, the employee can cancel it by giving notice at least 1 week's notice before the day the leave was due to start.

If the employee wants to change the start date of their leave rather than cancel it, again, they require giving notice as detailed in the two paragraphs above.

A period of leave cannot be cancelled once it has started.

Contractual terms during Parental Bereavement Leave

During PBL, the employee is entitled to the benefit of all their terms and conditions of employment. Continuity of service will be maintained, and the period of leave will count towards the employee's length of service.

For those employees in the pension scheme, pension contributions will continue to be payable during the period of PBL on the pay the employee receives, with pension service counted as normal.

Employment rights during Paternity Bereavement Leave

In most cases the employee will have the right to return to the job in which they were employed before the period of leave.

However, the right differs where the PBL is taken consecutively with a period of Parental Leave of more than 4 weeks or other statutory family related leave e.g. maternity or adoption leave, taken in relation to the same child, where the total amount of statutory leave taken in relation to that child is more than 26 weeks. In such cases the employee's right is to return to the same job or, if that is not reasonably practicable, to another job which is suitable and appropriate for the employee to do in the circumstances.

In either case the employee's status, pension and similar rights will be the same as they would have been if the employee had not been absent, and their terms and conditions will not be less favourable than those which would have applied if the employee had not been absent.

Employment protection during Parental Bereavement Leave

A dismissal will be automatically unfair if the reason or principal reason is connected to the fact the employee took, sought to take or made use of the parental bereavement leave provision, or that their employer believed that the employee was likely to take PBL.

SECTION 3: FURTHER INFORMATION AND SUPPORT

Maternity, adoption and paternity leave

In addition to Parental Bereavement Leave, an employee may still be eligible for maternity leave, adoption leave and paternity leave if they meet the qualifying conditions. Please refer to the Maternity Guidance, Adoption Guidance and Paternity Guidance for full details.

Pregnancy loss in the workplace

A pregnancy loss may happen at work. Managers may not be aware that an employee is pregnant - they are not obliged to tell their line manager of pregnancy until 15 weeks before the estimated due date, or as soon as is reasonably practicable after then (approximately 6 months pregnant). Likewise, the employee themselves may not yet be aware of the pregnancy, particularly during the early stages.

If the employee suspects that they have started to lose their baby they may have bleeding, severe abdominal pain, and may be faint or collapse. The employee may be very distressed and panicked, embarrassed and frightened.

Managers can help by ensuring that the employee has very quick access to a toilet, and if required, calling their preferred contact or colleague to assist in getting them home or to hospital or a first aid room. In severe cases, you may need to call an ambulance.

If the birth mother's partner, relative or close friend is told of the loss while at work, they may need to leave at short notice to provide practical and emotional support.

Protection for time off after a miscarriage

If a miscarriage happens in the first 24 weeks of pregnancy, any sickness absence the birth mother needs to take is likely to be considered a 'pregnancy-related illness'.

'Pregnancy and maternity' is a 'protected characteristic' under the Equality Act 2010. If an employee is put at a disadvantage and treated unfavourably because of a pregnancy-related illness or related time off this could be discrimination.

Any sickness absence that is pregnancy-related should be recorded as such on the HR/Payroll system and managed as a pregnancy-related absence in line with the [Supporting Attendance and Wellbeing policy](#).

Returning to work after leave

It is recognised that it might be daunting for an employee, or a welcome return to routine for others, returning to work after a pregnancy loss, still birth or death of a child. An employee may feel anxious about how they'll manage, how others may respond or what they'll say to colleagues about what has happened.

In certain circumstances, a full return to work may not be possible for an employee, for example where the employee's grief is likely to impact on the ability to perform their role.

To support a return to work, managers will offer a return to work meeting to:

- Check how the employee is feeling and whether they're ready to return to work
- Discuss whether the employee needs any temporary adjustments put in place to support them, with consideration to the Council's [Flexible Working Policy](#)
- Encourage the employee to speak to their GP for support, if they haven't already
- Discuss whether a referral to occupational health would be helpful

An employee who is concerned about the grieving process impacting on their work performance and/or their ability to conduct their duties safely in the weeks following a bereavement should discuss this with their line manager. This will enable the necessary support to be put in place.

Support and advice

Parental bereavement leave is intended to support employees in the immediate period around a pregnancy loss, still birth or death of a child, or later, however, the process of grief, the natural reaction and adjustment to loss and change may take a significant time and will be personal to each employee. The following may be of support during this time:

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the council's mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.

External Support

External sources of support include, but are not limited to:

- Cruse Bereavement Care
- Child Bereavement UK
- Child Bereavement Network
- Lullaby Trust
- National Bereavement Alliance
- Petals
- Ectopic Pregnancy Trust

- [Miscarriage Association](#) - provide support and information to anyone affected by the loss of a baby in pregnancy and to raise awareness.
- [Sands](#) – offer support for all types of pregnancy and baby loss as well as specific support for the partner.
- [Tommy's](#) – pregnancy charity funding pioneering research to understand why pregnancy goes wrong. Tommy's provides expert, midwife led advice for parents before, during and after pregnancy

Related policy and guidance

- Family Leave Policy
- Maternity Leave Guidance
- Paternity Leave Guidance
- Adoption Leave Guidance
- Flexible Working Policy
- Career Break Policy
- Parental Leave Guidance
- Supporting Attendance & Wellbeing Policy

Further Advice

For further advice and guidance on the application of this guidance please contact [People Services](#).

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

SECTION 4: APPENDICES

Appendix 1 - Application for Parental Bereavement Leave and Pay

(Note to the user: While the employee directly impacted by the loss can complete the following form(s); where it is appropriate managers can do so on their behalf.

In order to ensure any requests are progressed accurately the form includes sensitive questions. It is recognised that this may be difficult, but collecting this information ensures the process for Parental Bereavement Leave and Pay is applied correctly.

Please read the accompanying guidance before completing this application.

ABOUT YOU (please select which applies)

I am the employee requesting leave

I am the line manager completing this form on behalf of the employee requesting leave

EMPLOYEE DETAILS

Name

Job Title

Line Managers Name

RELATIONSHIP TO BABY/CHILD (please select which applies)

Childs parent

Adoptive parent

Prospective adopter

Intended parent under a surrogacy arrangement

Parent 'in fact' (see guidance for definition)

Partner of any of the above

Other relationship to the child (please state)

LEAVE/PAY DATES

I wish / employee wishes to apply for leave and pay for a period of (tick one box)

1 week
2 weeks

I wish / employee wishes to take Parental Bereavement Leave on the following

dates (please note that the leave may be taken as one whole week, two consecutive weeks or two separate weeks at different times. A separate form could be completed for the second week, if taken at a later time)

Week One	
Week Two	

The following question is asked to inform line managers of when a particularly difficult period may be approaching for the employee:

The date of loss was (where it is not possible to give a specific date, please provide the date when you first knew of the loss) _____

Declaration and signature (delete as applicable)

I declare that I am applying for Leave and Pay in accordance with the accompanying guidance. / I declare that I am applying for Leave and Pay in accordance with the accompanying guidance on behalf of the employee named above and confirm that this request has been agreed with them.

Signature:

Date:

Once completed, this form should be submitted to the line manager / People Services as appropriate.