

# Press release: New law supports all families who suffer the loss of a child

- Parents and carers will be eligible for new workplace right to paid leave when they suffer a loss of a child under 18
- employees will not have to give notice for leave immediately after a loss or need to supply a copy of a death certificate to use as evidence
- first law of its kind in the UK to support employees and give them time to grieve

Recognising that the law needs to cater for a variety of family circumstances, the government has confirmed that those who are eligible under the Parental Bereavement (Pay and Leave) Act will be widened beyond parents to all primary carers for children, including adopters, foster parents and guardians.

It will also cover more informal groups such as kinship carers, who may be a close relative or family friend and have assumed responsibility for the care of the child in the absence of the parents.

The Parental Bereavement (Pay and Leave) Act, which is expected to come into force in 2020, ensures bereaved employees who lose a child under 18 will receive 2 weeks' leave as a day-one right. Eligible employees will also receive 2 weeks statutory pay. This is the first law of its kind the UK.

Business Minister Kelly Tolhurst, said:

Dealing with the loss of a child is an awful tragedy which we recognise people will deal with differently.

It is important this new law is designed so that people are given the space and respect to grieve in their own way.

Following feedback from parents and employers, the government today (2 November 2018) published its response to the public consultation and announced further details about how the new right will work:

- leave can be taken either in 1 block (of 1 or 2 weeks) or as 2 separate blocks of 1 week
- leave and pay can be taken within a 56 week window from the child's death so as to allow time for important moments such as anniversaries
- notice requirements will be flexible so that leave can be taken without prior notice very soon after the child's death
- employers will not be entitled to request a copy of death certificate to use as evidence

Francine Bates, Chief Executive of The Lullaby Trust said:

We are very pleased that the government has listened to bereaved families and responded to their concerns in paving the way for the implementation of the new Act.

Losing a baby or child is a devastating experience for all the family and extending the provisions of the act to adopters, foster carers, guardians and kinship carers is very important. Offering time and flexibility to bereaved families at a time that best suits them is also crucial in supporting them through their journey.

Chief Executive of Cruse Bereavement Care, Steven Wibberley, said:

We are pleased that the Parental Bereavement Act has been widened to ensure that everyone who looks after a child is supported when they die.

The death of a child is incredibly traumatic and it is vital the child's family, whether it be their parents, foster parents or close family relatives who are looking after the child are given time to grieve and time to deal with some of the practical issues.

Lucy Herd from Jack's Rainbow said:

This is a great start and not having to produce a death certificate to prove that you have lost a child will have a huge positive impact on the grieving process for a parent. I would like to see an adjustment in the way this leave can be taken but hope this can be looked at in the future.

Jack's legacy is something I had always hoped would become legislation and it's fantastic knowing that this will hopefully help bereaved parents in the future.

## **Notes to editors**

See the [government response to the consultation](#)

The Act was introduced to parliament in July 2017 as a Private Member's Bill by Kevin Hollinrake, MP for Thirsk and Malton, with government support. It received Royal Assent on 13 September 2018.

It will give all employed parents a day-one right to 2 weeks' leave if they lose a child under the age of 18 or suffer a stillbirth from 24 weeks of pregnancy. Eligible parents will be able to claim statutory pay for this leave.

This new law honours the Conservative Party's manifesto commitment to introduce a new entitlement to parental bereavement leave.