



PARENTAL BEREAVEMENT LEAVE AND PAY – CONSEQUENTIAL AMENDMENTS TO SOCIAL SECURITY BENEFITS

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INTRODUCTION

1. This memo gives guidance on changes to SS benefits consequential to the introduction of parental bereavement leave (“PBL”) and parental bereavement pay (“PBP”). The changes are introduced by the Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations 2020 (SI 2020 No. 354). The changes come into effect on 6.4.20¹.

1 Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations 2020, reg 1

BACKGROUND

2. If a child dies on or after 6.4.20, there is a new statutory entitlement called PBL for bereaved parents who are employees to take up to 2 weeks’ leave from their job in



the 56 weeks following the death of the child¹. If more than one child dies, the employee is entitled to PBL in respect of each child². In addition, PBP is payable for 2 weeks.

Note: For this purpose, a child is a person under the age of 18³. Also, references to a child include a child stillborn after 24 weeks of pregnancy⁴.

*1 The Parental Bereavement Leave Regulations 2020, reg 5(4); 2 reg 4(10);
3 ER Act 96, s 80EA(9); SS CB Act 92, s 171ZZ14(1); 4 ER Act 96, s 80EE(a); SS CB Act 92, s171ZZ15(a)*

UNIVERSAL CREDIT

Childcare cost – work condition

3. One of the conditions for an amount in respect of childcare costs to be included in an award of UC is the work condition. For the purposes of satisfying the work condition, a claimant who is receiving PBP is treated as in paid work¹.

1 UC Regs, reg 32(2)(b)

Earnings

4. PBP has to be treated as employed earnings¹.

1 UC Regs, reg 55(4)(g)

JOBSEEKER'S ALLOWANCE

Not in remunerative work

5. When someone is absent from work due to PBL, the DM should decide that they are not in remunerative work during such absence¹. Such people should also be included on the list at ADM R2390.

1 JSA Regs 13, reg 43(1)

Earnings

6. Payments made to an employee who is on PBL will not be included as earnings¹

1 JSA Regs 13, reg 58(2)(c)



EMPLOYMENT AND SUPPORT ALLOWANCE

7. Payments made to an employee who is on PBL will not be included as earnings¹.

1 ESA Regs 13, reg 80(2)(b)

ANNOTATIONS

Please annotate the number of this memo (Memo ADM 06/20) against ADM paragraphs:

F7015, H3059, R2308, R2390, S2014 and V4017

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E zone E, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo [7/19](#) Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: April 2020

The content of the examples in this document (including use of imagery) is for illustrative purposes only