



UK Government

# **Make Work Pay: Consultation on Leave for Bereavement including Pregnancy loss**

**Launch date: 23 October 2025**

**Closing Date: 15 January 2026**

## **Foreword**

The loss of a loved one is one of life's most profound experiences. It touches us all differently, yet universally demands time, space, and compassion to process and heal. For too long, employees facing bereavement have had to navigate their grief without the security of knowing they have a legal right to the time they need away from work.

This consultation marks a significant step forward in recognising that supporting employees through bereavement is not just the right thing to do - it is essential for creating workplaces that truly value human dignity and wellbeing. While many employers already respond compassionately to employees' needs during these difficult times, the absence of a statutory framework has meant that support has been inconsistent, leaving some workers vulnerable when they are at their most fragile.

The Employment Rights Bill introduces a new statutory right to Bereavement Leave, establishing clear standards while acknowledging that grief is deeply personal and cannot be confined to rigid timescales or one-size-fits-all approaches. We recognise that some may wish to return to work as part of their healing process, while others will need extended time away. This entitlement is designed to provide security and choice during an already overwhelming time.

I am particularly proud of the amendments extending bereavement rights to those who have experienced pregnancy loss. The profound grief that follows pregnancy loss has long been inadequately recognised in our employment laws. The hundreds of thousands of families affected each year deserve recognition and protection.

This consultation seeks your views on the practical details of implementing these rights—from eligibility criteria and length of leave to the timeframes in which it can be taken. Your insights will help us strike the right balance between providing meaningful support to grieving employees and ensuring the framework works effectively for businesses of all sizes.

We have been guided throughout this process by extensive engagement with employers, trade unions, and charities. Their experiences and insights have shaped our approach.

I encourage everyone affected by these reforms to participate in this consultation. Your contributions will help us create a framework that brings dignity, security, and compassion to the heart of our workplaces, ensuring that no employee faces the additional burden of job insecurity while grieving a profound loss.



**The Rt Hon Peter Kyle MP**

*Secretary of State for Business and Trade  
and President of the Board of Trade*



**The Rt Hon Kate Dearden MP**

*Minister for Employment Rights, Competition  
and Markets*

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# Introduction

## The Current Position

Currently, only employees who lose a child have a statutory entitlement to time off from work for bereavement.

Parental Bereavement Leave and Pay is the relevant entitlement available to bereaved employees if they or their partner lose a child up to the age of 18 or have a stillbirth after 24 weeks of pregnancy, provided they meet certain eligibility criteria. This provides up to two weeks of paid leave that can be taken in one-week blocks, either consecutively or separately, within 56 weeks of the child's death.

In cases where a child is stillborn after 24 weeks of pregnancy, employed parents may also be entitled to statutory maternity, paternity and shared parental leave and pay, provided they meet certain eligibility criteria.

Employees are also entitled to reasonable time off work to deal with an emergency involving a dependant (also known as 'Time Off For Dependants'). A dependant includes, amongst others, a spouse, civil partner, child or a parent, or unrelated person who depends on the employee for care. This entitlement may include time off to manage urgent matters following the death of a dependant, such as making funeral arrangements, however, it does not cover extended leave or protected time off specifically for bereavement or to grieve. An employer must not treat their employee unfairly for taking time off or refuse reasonable time off in these circumstances.

Many employers act flexibly and sensitively to requests for time off from employees experiencing bereavement – for example through compassionate or special leave schemes. However, employer responses vary considerably, and not all bereaved employees are given this support.

## Summary of Consultation

The government is committed to supporting employees through the most difficult moments in life. Grief is an extremely personal issue that people deal with in different ways. Managing grief in the workplace can also be difficult for employers. Employees may need to take time off work, their performance may be affected, or they may be temporarily unable to perform their role.

The Employment Rights Bill, via Clause 18, introduces a new day-one right to unpaid bereavement leave for employees who experience the loss of a loved one, including pregnancy loss before 24 weeks<sup>1</sup>. This change addresses a longstanding gap in statutory

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<sup>1</sup> This consultation is being carried out to inform the Secretary of State's decision on how to exercise the powers relating to a new day-one right to unpaid bereavement leave for employees who experience the loss of a loved one,

## NOT GOVERNMENT POLICY – SUBJECT TO CONSULTATION

support and recognises that pregnancy loss can be experienced as a bereavement. The Bill sets out the statutory minimum requirements, including a minimum leave period of one week and a window of at least 56 days for the employee to take the leave. It also states that the entitlement must include protection against unfair treatment as a result of taking leave, protection of contractual rights while on leave, and protection against unfair dismissal.

Further details of the entitlement – including eligibility criteria, the total duration of leave, the maximum window of time in which the leave must be taken, and the types of pregnancy loss in scope - will be specified in secondary legislation, after this consultation. It is important to ensure the policy is shaped with the needs of employees and employers at the forefront, which is why the government is consulting on the details of this entitlement.

While the pregnancy loss entitlement is legislatively part of the bereavement leave framework, this consultation will, at times, consider them separately, to help us better understand the distinct experiences and needs associated with each entitlement and to ensure the resulting policy is appropriately tailored.

Individuals who are pregnant, have experienced pregnancy or pregnancy loss, are biologically female and most will refer to themselves using terms such as ‘pregnant woman’. However, some individuals who experience pregnancy may identify as trans men or non-binary and prefer terms such as ‘pregnant person’. This policy and consultation is inclusive of all individuals who experience pregnancy. This document will use ‘woman or person who was pregnant’ or ‘pregnant woman or person’ for simplicity and brevity, to refer to the person who is or was pregnant.

This consultation is in three sections:

**Part One: Eligibility:** This section asks questions about who should be eligible for bereavement leave, and under what circumstances. This includes specific questions on different types of pregnancy loss.

**Part Two: When and How Bereavement Leave can be Taken:** This section explores practical aspects of taking bereavement leave including for pregnancy loss. It asks questions about flexibility, timing, and the start and end dates of the entitlement period.

**Part Three: Notice and Evidence Requirements:** This section asks questions about the procedural requirements for accessing bereavement leave, including what notice must be given and what evidence may be required. This section also includes a question on possible further policy steps the Department can take to support employers.

You are welcome to respond to any or all parts of the consultation. If there are specific issues you care about most, you can choose to answer only those questions. We welcome views from all stakeholders, particularly those with insight into this sensitive and personal topic.

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including pregnancy loss before 24 weeks, introduced by Clause 18 of the Employment Rights Bill (which amends Chapter 4 of Part 8 of the Employment Rights Act 1996).

As this consultation is for the purposes of using the powers in the Employment Rights Bill to establish a new right to bereavement leave, we will analyse and use the feedback from it to inform the design of the entitlement and prepare regulations. Our aim is to ensure that the final entitlement works well for employers and employees who need it.

### **The Plan to Make Work Pay**

The Plan to Make Work Pay sets out an ambitious agenda to deliver our Plan for Change by ensuring employment rights are fit for a modern economy, empowering working people and contributing to economic growth.

Our Employment Rights Bill delivers an upgrade in employment rights helping to create a more modern, fair labour market—where workers are better protected, more empowered, and supported through every stage of working life.

Our phased approach to implementation provides clarity and time to prepare, while raising standards across the board—creating a level playing field, improving staff retention, leading to a happier, more secure and productive workforce.

The Government will continue to undertake comprehensive engagement on the implementation of Make Work Pay and the Employment Rights Bill, to ensure that these changes work for businesses of all sizes.

Government wants to continue to hear the perspectives of employers, workers, trade unions and other stakeholders on how these changes will affect existing systems and processes, and the steps that will need to take place to adapt to these reforms.

Your insights are vital. As the Employment Rights Bill Implementation Roadmap makes clear, we're committed to working in partnership with employers to ensure these reforms are not just ambitious, but achievable.

As we move into the implementation phase, this consultation will play a critical role in shaping how the Make Work Pay reforms are delivered, ensuring they are practical, inclusive, and responsive to the needs of employers and workers alike.

# **Consultation Details**

**Issued:** 23 October 2025

**Respond by:** 11:59pm on 15 January 2026

**Enquiries and Responses to:**

[bereavementleave@businessandtrade.gov.uk](mailto:bereavementleave@businessandtrade.gov.uk)

**Write to:**

Bereavement Leave Team, Employment Rights Directorate  
Department for Business and Trade  
Old Admiralty Building  
Admiralty Place  
London  
SW1A 2DY

**Consultation reference:**

Consultation on Leave for Bereavement including Pregnancy loss.

**Audiences:**

- businesses
- trade unions
- business groups or representatives
- workers
- non-governmental organisations
- members of the public
- all other interested parties

**Territorial extent**

This measures in this consultation will apply to Great Britain. Employment entitlements, including bereavement leave, are reserved for Northern Ireland.

# How to Respond

**Respond** online – [Make Work Pay: Consultation on leave for bereavement Including pregnancy loss](#)

or

**Email to:** [bereavementleave@businessandtrade.gov.uk](mailto:bereavementleave@businessandtrade.gov.uk)

or

**Write to:**

Bereavement Leave Team, Employment Rights Directorate  
Department for Business and Trade  
Old Admiralty Building  
Admiralty Place  
London  
SW1A 2DY

When responding, please state whether you are responding as an individual or representing the views of an organisation in the section above.

**Audiences:**

Your response will be most useful if it is framed in direct response to the questions posed, though further comments and evidence are also welcome.

**Confidentiality and data protection**

Information you provide in response to this consultation, including personal information, may be disclosed in accordance with UK legislation (the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please tell us, but be aware that we cannot guarantee confidentiality in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded by us as a confidentiality request.

We are trialling Artificial Intelligence (AI) solutions to support the delivery of our functions. Unless made expressly clear to you, we will not use AI to either make or inform decisions about you. We will apply effective data minimisation techniques to all such uses of your data.

Your responses, including any personal data, may be shared with a third-party provider, or other government department or organisation acting on behalf of the Department for Business and Trade under contract or an equivalent agreement, for the purpose of analysis

and summarising responses for us and may use technology, such as artificial intelligence. Further detail on how AI is used, including its scope and safeguards and third party sharing is available in our Privacy Notice.

An anonymised version of responses in a list or summary of responses received, and in any subsequent review reports may be published. We may also share your personal data where required to by law. You can leave out personal information from your response entirely if you would prefer to do so.

Wherever possible avoid including any additional personal data in free-text responses beyond that which has been requested or which you consider it necessary for Department of Business and Trade to be aware of.

We will process your personal data in accordance with all applicable data protection laws. See our [privacy policy](#).

We will publish a government response on GOV.UK.

## Quality Assurance

This consultation has been carried out in accordance with the governments [consultation principles](#). If you have any complaints about the way this consultation has been conducted, please email: [enquiries@businessandtrade.gov.uk](mailto:enquiries@businessandtrade.gov.uk)

## About You

Please provide the following information to help us understand the context of your response:

**Question 1: Please indicate whether you are responding as:**

- ☐ An individual
- ☐ An academic, or on behalf of an academic or research organisation
- ☐ An employer
- ☐ A legal representative
- ☐ A business representative organisation (please specify)
- ☐ A trade union or staff association (please specify)
- ☐ A charity or interest group

- ☐ Other – please specify

**(Free text box added to Qualtrics if selected Other)**

**Question 2: If responding as an employer, business, business owner or business representative, approximately what is the size of your business? If responding as an individual or worker, what size workplace are you employed in?**

- ☐ Micro (1 to 9 employees)
- ☐ Small (10 to 49 employees)
- ☐ Medium (50 to 249 employees)
- ☐ Large (250+ employees)
- ☐ Don't know
- ☐ Not Applicable

**Question 3: Which region are you located in?**

- ☐ North-East
- ☐ North-West
- ☐ Yorkshire and The Humber
- ☐ East Midlands
- ☐ West Midlands
- ☐ East of England
- ☐ London
- ☐ South-East
- ☐ South-West
- ☐ Wales
- ☐ Scotland
- ☐ Northern Ireland

**Question 4: If responding as an employer, business, business owner or business representative, what sector are you based in? (Sectors added as dropdown on Qualtrics)**

- ☐ Accommodation & food service activities
- ☐ Activities of households as employers; undifferentiated goods and services-producing activities of households for own use
- ☐ Administrative & support service activities
- ☐ Arts, entertainment and recreation
- ☐ Agriculture, forestry and fishing

- ☐ Construction
- ☐ Education
- ☐ Electricity, gas, steam and air conditioning supply
- ☐ Financial & insurance activities
- ☐ Human Health and social work activities
- ☐ Information & communication
- ☐ Manufacturing
- ☐ Mining and quarrying
- ☐ Production
- ☐ Professional, scientific and technical activities
- ☐ Public administration & defence; compulsory social security
- ☐ Real estate activities
- ☐ Services Sector
- ☐ Transportation & storage
- ☐ Water supply; sewerage, waste management and remediation activities
- ☐ Wholesale and retail trade; repair of motor vehicles and motorcycles
- ☐ Other service activities

**Additional Questions:** If responding as an individual

**What is your sex?**

- ☐ Female
- ☐ Male
- ☐ Prefer not to say

**Is your gender the same as the sex you were assigned at birth?**

- ☐ Yes
- ☐ No (please specify gender) (open answer)
- ☐ Prefer not to say

**What is your ethnic group?**

- ☐ White
- ☐ English/Welsh/Scottish/Northern Irish/British
- ☐ Irish
- ☐ Gypsy or Irish Traveller

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- ☐ Any other White background, please describe
- ☐ Mixed/Multiple ethnic groups
- ☐ White and Black Caribbean
- ☐ White and Black African
- ☐ White and Asian
- ☐ Any other Mixed/Multiple ethnic background, please describe
- ☐ Asian/Asian British
- ☐ Indian
- ☐ Pakistani
- ☐ Bangladeshi
- ☐ Chinese
- ☐ Arab
- ☐ Any other Asian background, please describe
- ☐ Black/ African/Caribbean/Black British
- ☐ African
- ☐ Caribbean
- ☐ Any other Black/African/Caribbean background, please describe
- ☐ Other ethnic group
- ☐ Any other ethnic group, please describe
  
- ☐ **What is your religion?**
- ☐ No religion
- ☐ Christian (including Church of England, Church of Scotland, Catholic, Protestant and all other Christian denominations)
- ☐ Buddhist
- ☐ Hindu
- ☐ Jewish
- ☐ Muslim
- ☐ Sikh
- ☐ Any other religion
- ☐ Don't Know
- ☐ Prefer not to say

**Which of the following age brackets do you fit into?**

- ☐ 15 or below
- ☐ 16-17
- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64

- ☐ 65-74
- ☐ 75+
- ☐ Prefer not to say

**What is your relationship status?**

- ☐ Single / unmarried
- ☐ In a long-term relationship, not married or in a civil partnership
- ☐ Married
- ☐ In a registered civil partnership
- ☐ Separated, but still legally married
- ☐ Separated, but still legally in a civil partnership
- ☐ Divorced
- ☐ Formerly in a civil partnership which is now legally dissolved
- ☐ Widowed
- ☐ Surviving partner from a civil partnership

**Do you have any dependants/ Are you a carer?**

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

# CONSULTATION

## Part One: Eligibility

The Plan to Make Work Pay sets out an ambitious agenda to deliver our Plan for Change by ensuring employment rights are fit for a modern economy, empowering working people and contributing to economic growth.

Our Employment Rights Bill delivers an upgrade in employment rights helping to create a more modern, fair labour market—where workers are better protected, more empowered, and supported through every stage of working life.

This section focuses on who should be eligible for bereavement leave and in what circumstances. It includes questions about the relationship between the bereaved employee and the person who has died, to establish eligibility criteria for taking leave.

The bereavement leave entitlement will be unpaid leave. As with all employment-related entitlements, this will represent a floor – not a ceiling – and employers will be encouraged to go above and beyond with what they choose to offer bereaved employees, as exceeding the minimum can support employee recruitment, retention, and staff morale.

Pregnancy loss can take many forms which may be experienced as a bereavement, including miscarriage, ectopic and molar pregnancies, and medical terminations. This section asks which kinds of pregnancy loss should lead to bereavement leave. It also includes questions about others who are affected by pregnancy loss, alongside the person who was pregnant.

## Eligibility for Bereavement Leave for the Loss of Loved Ones

Family structures in modern Britain are diverse and evolving. The government is committed to ensuring the law reflects this reality. Blended families, extended families, shared parenting, and chosen families (close friends and relationships that are not related but take the place of a traditional family) deserve consideration and recognition too. For example, a blended family may include step-parents, step-siblings and half-siblings or others who play a significant parental or familial role.

**Question 1 – Which relationships between the employee and the person who has passed away should qualify for the bereavement leave entitlement? Please select all that apply.**

- a) Immediate family members (including biological, adopted, step, half), for example, spouses, civil partners and partners in a committed long-term relationship, parents, adult children, siblings
- b) Grandparents and grandchildren
- c) Extended family members, for example, in-laws (mother/father/sibling/child), aunts, uncles and cousins, niece/nephew
- d) Title doesn't matter, it should be based on the importance that person played in their life (for example, foster carers or “chosen family” including close friends, kinship caregivers)
- e) Another type of relationship not listed above

**Question 2 – [if yes to option E] Please describe the types of relationships or roles that should be eligible**

- a) Open text response

## **Eligibility for Bereavement Leave for Pregnancy Loss**

Pregnancy loss at any stage can be emotionally distressing for the person who carried the pregnancy and experienced the physical loss and can also affect the other parent or partner and the intended parents in a surrogacy arrangement.

It is important that the eligibility for bereavement leave in cases of pregnancy loss is designed in an inclusive and sensitive way, to reflect the range of family circumstances in which pregnancy loss can occur and to ensure the entitlement supports those who are affected. As with all employee entitlements, this must be balanced with the potential impact on business due to staff absence, which will be affected by how broadly eligibility is drawn.

**Question 3 – Should bereavement leave for pregnancy loss be restricted to the person who has physically experienced the pregnancy loss?**

- a) Yes
- b) No

**Question 4 – If your answer is no, who else should be able to take leave?**

**Please select all that apply and/or suggest others:**

- a) A spouse, civil partner, the other parent, or partner (who is in a committed long-term relationship) with the person who physically experienced the pregnancy loss
- b) The intended co-parent of the child who was expected to be born (who may not live with or be in a committed relationship with the pregnant woman or person) *This could include ex-partners.*
- c) Intended parents in a surrogacy arrangement
- d) Another type of relationship not listed above (please specify)

## Types of Pregnancy Loss

Pregnancy loss can take many forms, each of which may result in grief. This section asks questions about whether the entitlement should distinguish between different types of pregnancy loss before 24 weeks. The government are committed to ensuring that this is inclusive and reflects the diverse realities of pregnancy loss.

After the consultation, the government will need to set out exactly what types of pregnancy loss confer eligibility for bereavement leave. This will not have any impact on defining pregnancy loss in any other types of law – it is *only* about eligibility for bereavement leave. A loss after 24 weeks is considered a stillbirth, or if a baby is born with signs of life at any gestation and subsequently dies, this is treated as a live birth followed by neonatal death and is covered under Parental Bereavement Leave.

For the purposes of this consultation, the government considers that the following types of pregnancy loss could be included:

- Miscarriage
  - The spontaneous loss of a pregnancy before 24 weeks, including scenarios such as Vanishing Twin Syndrome and anembryonic pregnancy.
- Ectopic pregnancy
  - When a fertilised egg implants outside of the womb, usually in a fallopian tube, and the pregnancy cannot continue. If not identified, this can lead to rupture requiring emergency surgery and is potentially life threatening for the woman or person who was pregnant.
- Molar pregnancy
  - Also known as a hydatidiform mole, this occurs when an abnormal egg is fertilised, and a pregnancy cannot develop.

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- Medical terminations conducted in accordance with Section 1 of the Abortion Act 1967
  - A legal procedure to end a pregnancy, carried out by a registered medical practitioner, where two doctors agree that continuing the pregnancy prior to 24 weeks poses a greater risk to the physical or mental health of the woman or person who was pregnant or their existing children, or where there is risk to life, serious injury, or foetal abnormality.
- IVF embryo transfer loss
  - The unsuccessful outcome of transferring a fertilised embryo into the uterus during IVF treatment.

The government recognises the above may not be an exhaustive list, so we welcome views on whether there are any other forms of pregnancy loss that should be considered.

### **Question 5 – Do you agree that all the types of pregnancy loss listed above by the Government should be eligible for bereavement leave?**

- a) Yes
- b) No
- c) Not sure

Please explain your answer, including any suggestions for clarification.

### **Question 6 – Are there any additional forms of pregnancy loss that should be included?**

- a) Yes (please describe)
- b) No
- c) Not sure

Please explain your answer.

## Part Two: When and how Bereavement Leave can be taken

The Employment Rights Bill sets out that bereavement leave will be a minimum of one week, but it could be longer. The Bill also sets out that employees must be allowed at least 56 days from the date of the loss in which to take the leave. We are seeking views on these aspects of policy design, and also about whether the leave should be restricted so that it must be taken in a single block, or if it could be more flexible. When considering duration and structure, it will be important to balance the needs of bereaved individuals with the needs of their employers to manage staff absence with minimum disruption.

### Duration of leave

Bereavement can have a significant impact on a person's ability to work. Employees experiencing bereavement can find work challenging due to the practicalities they need to navigate such as funeral arrangements, alongside the emotional implications of grief, and physical impacts of pregnancy loss. Existing entitlements recognise this. For example, Parental Bereavement Leave allows eligible parents to take two weeks leave from work, and Time off for Dependants allows caregivers to take a reasonable amount of leave (as agreed by their employer) for an emergency regarding a dependant, including their death.

The introduction of bereavement leave will impact businesses as they will need to manage staff absence, often at short notice given the often-sudden nature of bereavement. The government is keen to understand views on what length of leave provides the appropriate support for a bereaved person and manages potential impacts to businesses.

#### Question 7 – How long should unpaid bereavement leave be?

- a) One week
- b) Two weeks
- c) An alternative leave length (please describe).

Please explain your answer.

#### Question 8 – Do you think employees should be offered the same amount of leave for all types of scenarios, and all relationships to the deceased, that you have selected above?

- a) Yes
- b) No

**Question 9- If you have selected “no”, what types of bereavement might require different leave arrangements?**

**Please select all that apply and/or suggest others:**

- a) Bereavement leave for other loved ones should vary depending on the type of relationship (e.g. longer for close family than for grandparents or extended family)
- b) Bereavement leave for other loved ones should be different from bereavement leave for pregnancy loss
- c) Bereavement leave for pregnancy loss should vary depending on the relationship of the bereaved person to the child who had been expected to be born
- d) Other

Please give options for longer or shorter leave durations.

## **The date from which the leave can be taken**

The existing entitlement to Parental Bereavement Leave can be taken from the date of the child's death and must be taken within 56 weeks (often referred to as the 'window'). The government is seeking views on whether a similar approach is appropriate for bereavement leave.

Pregnancy loss requires careful consideration, as it may occur before the pregnant person (or others) is aware of the pregnancy, which can influence how such individuals experience bereavement and seek support or time off.

**Question 10 – For Bereavement leave, which of the following options for the leave entitlement to begin would be most appropriate?**

- a) From the date of death or pregnancy loss
- b) The date of knowledge of the death or pregnancy loss
- c) An alternative arrangement (please describe).

*[For options A and B] Please explain your answer.*

## Flexibility to take the leave

Grief is deeply personal, and there are many different ways in which people may wish to take leave. For example, someone struggling with their loss may need time to grieve in the immediate aftermath, or alternatively around important dates like birthdays or anniversaries. Cultural or religious traditions may also shape how and when grieving takes place and when leave is needed.

For pregnancy loss, flexibility is particularly important to support both emotional and physical recovery. Some employees may use sick leave initially, where appropriate, recognising that pregnancy-related sickness absence is treated separately and should not count towards any reviews or trigger points in an employer's absence policy. Regulations for bereavement leave can make provision for leave to be taken flexibly if required, to reflect the varied ways people experience and process loss.

### **Question 11 – Which of the following options for taking bereavement leave would be most appropriate?**

- a) Leave must be in one continuous block
- b) Leave can be taken discontinuously, in blocks of one week
- c) Leave can be taken discontinuously, in units of one day
- d) An alternative arrangement (please describe).

Please explain your answer.

## Window to take the leave

The Employment Rights Bill sets out employees must be allowed at least 56 days from the date of the loss in which to take the leave, but this could be longer. This window can be extended, and we welcome views on the appropriate timeframe in which the leave should be taken.

Those who take Parental Bereavement Leave have a window of 56 weeks from the date of death within which the leave must be taken, which allows leave to be used for anniversaries of a bereavement. The different circumstances bereaved people may find themselves in may require further flexibility, and some may wish to take their leave at different times.

**Question 12 – Which of the following windows for taking bereavement leave would be most appropriate?**

- a) Eight weeks (56 days)
- b) 52 weeks (one year)
- c) 56 weeks
- d) Other – please specify.

**Please explain your answer.**

## Part three: Notice and Evidence Requirements

The legislation for bereavement leave will set out the notice and evidence requirements that employees and employers will be expected to follow. This includes if, and when, notice should be given to an employer by an employee to inform them of a bereavement and their intent to take leave, and whether evidence will be required to take unpaid bereavement leave.

### Notice requirements

This section includes questions about whether a bereaved employee should be required to provide notice to their employer before they take bereavement leave, and, if so, how much notice they should give.

Parental Bereavement Leave – which is the only existing entitlement to any type of bereavement leave has notice requirements that depend on how soon after a bereavement the employee intends to take leave. For leave taken within eight weeks of a child's death, notice must be given before the start of the working day on which they intend to take leave. After eight weeks employees are required to give one week of notice before a block of leave begins. This two-tier approach allows employees to take time off with same-day notice in the weeks immediately following the bereavement, while also giving employers time to plan for the absence of bereaved staff when leave is taken later.

Bereavement is often an unexpected and emotional experience meaning it can often be difficult to provide notice straight away. Some bereaved people may immediately want to take leave from work to deal with their loss or manage practical matters such as funeral arrangements. Others may choose to continue working, or take a combination of leave straightaway and later on.

The government recognises that flexibility is important for bereaved people when using this entitlement. In the immediate aftermath following a bereavement, individuals may be in shock or deeply immersed in grief and may not yet have processed the need to take leave or communicate with their employer. Some bereaved people may not give notice immediately after they have been bereaved because they may not initially recognise they need leave or might wish to take their leave at a later time.

On the other hand, some bereaved people may immediately want to take leave from work to deal with their loss or manage practical matters such as funeral arrangements. Others may choose to continue working or take a combination of leave straightaway and later on.

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For employees who physically experience pregnancy loss, we recognise it is likely not possible for employees to give immediate notice because they may need to seek medical care first. In such circumstances, we would anticipate employees may use sick leave to support with the initial physical recovery.

### **Question 13 – Do you think employees should be required to provide notice they intend to take bereavement leave to their employer?**

- I. If the leave is taken very soon after the bereavement (e.g. within the first few days or weeks)
  - a) Yes
  - b) No
- II. If the leave is taken at a later period (e.g. several weeks or months after the bereavement):
  - a) Yes
  - b) No

Please explain your answer.

### **Question 13a – (For those that answered ‘yes’ to I): How much notice should employees be required to give to their employer that they intend to take bereavement leave straight away?**

- a) Before the employee starts work on the day they intend to take leave, or as soon as is reasonably possible thereafter
- b) Other

Please explain your answer.

### **Question 13b – (For those that answered ‘yes’ to II): What is a reasonable notice period employees should give for leave taken at a later period?**

- a) Before the employee starts work on the day they intend to take leave, or as soon as is reasonably possible thereafter
- b) One week’s notice before the leave is due to start
- c) Two week’s notice before the leave is due to start
- d) Other

Please explain your answer.

**Question 14 – If you think that notice should be given for bereavement leave, in what form should it be given?**

- a) The same as Parental Bereavement Leave (any form of notice is acceptable)
- b) Any form of written communication (e.g., text, WhatsApp, Teams, Slack, but not a phone call)
- c) Formal written notice should be sent via e-mail
- d) Other (please state)

Please explain your answer.

## **Evidence requirements**

This section asks if a bereaved employee should be required to provide evidence in order to take Bereavement Leave. It is important that bereaved employees can take time away from work following the loss of a loved one or pregnancy, if that is what they need. At the same time, this must be balanced with the need for employers to plan for absences and safeguard against potential misuse of the entitlement.

Under the current entitlement to Parental Bereavement Leave for stillbirths or the death of a child before they turn 18, no written evidence or documentation is required for an employee to access the leave and pay. This approach is consistent with many other family-related leave rights. An exception to this is some of the paid entitlements such as Statutory Maternity Pay where an employee must provide proof of pregnancy and Shared Parental Pay, for which both employed parents have to provide a declaration of eligibility.

Experiencing a bereavement is a deeply personal, often upsetting, and sensitive time. Requiring evidence could make accessing leave difficult, particularly in cases of miscarriage before 24 weeks, where it may be hard, or in some cases impossible, to provide formal documentation. There are other circumstances which might cause delays which can make it difficult for employees to quickly provide formal documentation of a death as evidence, such as if the death occurred overseas, or if a post-mortem examination must take place.

We are therefore seeking views on the most appropriate approach to evidence requirements. This includes whether the current model for Parental Bereavement Leave should be mirrored, or whether a different approach would be more suitable. It would be helpful to understand what employers may find useful or necessary, whilst ensuring that any requirements remain reasonable, proportionate, and sensitive to the needs of employees.

**Question 15 – For bereavement leave do you think that employees should be required to provide evidence of a bereavement to their employer?**

- a) Yes, for the death of a loved one
- b) Yes, for pregnancy loss
- c) Evidence should not be required but an employer should have the right to request evidence if they feel it is necessary
- d) No, but they should be required to sign a declaration that they are eligible to take bereavement leave, and the reason they are taking leave is due to a bereavement or pregnancy loss
- e) No
- f) Not sure
- g) Another option not listed here

Please explain your answer.

**Question 16 – If you think an employee should provide evidence, or an employer should be allowed to request it, in order to take bereavement leave, what evidence would it be reasonable for an employee to provide?**

(Please state)

Please explain your answer.

**Question 17 - Do you have a view on timescales in which an employee should be required to provide evidence?**

(Please state)

Please explain your answer.

## Other Policy Steps

The vast majority of employers respond compassionately to requests for leave following a bereavement and recognise the important role businesses have in supporting their employees whilst they grieve. Though legislation is a key part of the overall policy, the government is keen to understand if there are other potential interventions (such as accompanying guidance), that the Department could put in place alongside the legislation to help employers effectively implement the new bereavement leave entitlement, and support their employees when they are bereaved.

**Question 18 - Do you have views on other steps the Department could take to help employers implementing the new statutory bereavement leave and support their employees?**

Free text box

## **Next Steps**

This consultation will close at 11:59pm on 15 January 2026. Following the closure of this consultation, we will analyse all responses and publish a government response in due course.

# Summary of Consultation questions

## Eligibility for Bereavement Leave for the loss of other relationships

Question 1 – Which relationships between the employee and the person who has passed away should qualify for the bereavement leave entitlement? Please select all that apply.

- a) Immediate family members (including biological, adopted, step, half), for example, spouses, civil partners and partners in a committed long-term relationship, parents, adult children, siblings
- b) Grandparents and grandchildren
- c) Extended family members, for example, in-laws (mother/father/sibling/child), aunts, uncles and cousins, niece/nephew
- d) Title doesn't matter, it should be based on the importance that person played in their life (for example, foster carers or "chosen family" including close friends, kinship caregivers)
- e) Another type of relationship not listed above

Question 2 – [if yes to option E] Please describe the types of relationships or roles that should be eligible]

- a) Open text response

## Eligibility for Bereavement Leave for pregnancy loss

Question 3 – Should bereavement leave for pregnancy loss be restricted to the person who has physically experienced the pregnancy loss?

- a) Yes
- b) No

Question 4 – If your answer is no, who else should be able to take leave? Please select all that apply and/or suggest others:

- a) A spouse, civil partner or partner (who is in a committed long-term relationship) with the person who physically experienced the pregnancy loss
- b) The intended co-parent of the child who was expected to be born (who may not live with or be in a committed relationship with the pregnant woman or person) *This could include ex-partners.*
- c) Intended parents in a surrogacy arrangement
- d) Another type of relationship not listed above (please specify)

## Types of Pregnancy Loss

Question 5 – Do you agree that all the types of pregnancy loss listed above by the Government should be eligible for bereavement leave?

- a) Yes
- b) No
- c) Not sure

Please explain your answer, including any suggestions for clarification.

Question 6 – Are there any additional forms of pregnancy loss that should be included?

- a) Yes (please describe)
- b) No
- c) Not sure

Please explain your answer.

### **When and how Bereavement Leave can be taken**

#### **Duration of leave**

Question 7 – How long should unpaid bereavement leave be?

- a) One week
- b) Two weeks
- c) An alternative leave length (please describe).

Please explain your answer.

Question 8 – Do you think employees should be offered the same amount of leave for all types of scenarios, and all relationships to the deceased, that you have selected above?

- a) Yes
- b) No

Question 9- If you have selected “no”, what types of bereavement might require different leave arrangements?

- a) Bereavement leave for other loved ones should vary depending on the type of relationship (e.g. longer for close family than for grandparents or extended family)
- b) Bereavement leave for other loved ones should be different from bereavement leave for pregnancy loss
- c) Bereavement leave for pregnancy loss should vary depending on the relationship of the bereaved person to the child who had been expected to be born
- d) Other

Please give options for longer or shorter leave durations.

### **The date from which the leave can be taken**

Question 10 – For bereavement leave, which of the following options for the leave entitlement to begin would be most appropriate?

- a) From the date of death or pregnancy loss
- b) The date of knowledge of the death or pregnancy loss
- c) An alternative arrangement (please describe).

For all options (A, B or C) Please explain your answer.

### **Flexibility to take the leave**

Question 11 – Which of the following options for taking Bereavement Leave would be most appropriate?

- a) Leave must be taken together, in one continuous block
- b) Leave can be taken discontinuously, in blocks of one week
- c) Leave can be taken discontinuously, in units of one day
- d) An alternative arrangement (please describe).

Please explain your answer.

### **Window to take the leave**

Question 12 – Which of the following windows for taking Bereavement Leave would be most appropriate?

- a) Eight weeks (56 days)
- b) 52 weeks (one year)
- c) 56 weeks
- d) Other – please specify.

Please explain your answer.

### **Notice requirements**

Question 13 – Do you think employees should be required to provide notice they intend to take bereavement leave to their employer?

- I. If the leave is taken very soon after the bereavement (e.g. within the first few days or weeks)
  - a. Yes
  - b. No
- II. If the leave is taken at a later period (e.g. several weeks or months after the bereavement, such as on an anniversary):
  - a. Yes

b. No

Please explain your answer.

Question 13a – (For those that answered ‘yes’ to selected I): How much notice should employees be required to give to their employer that they intend to take bereavement leave straight away?

- a. Before the employee starts work on the day they intend to take leave, or as soon as is reasonably possible thereafter
- b. Other

Please explain your answer.

Question 13b - (For those that answered ‘yes’ to II): What is a reasonable notice period employees should give for leave taken at a later period?

- a. Before the employee starts work on the day they intend to take leave, or as soon as is reasonably possible thereafter
- b. One week’s notice before the leave is due to start
- c. Two week’s notice before the leave is due to start
- d. Other

Please explain your answer.

Question 14 – If you think that notice should be given for bereavement leave, in what form should it be given?

- a) The same as Parental Bereavement Leave (any form of notice is acceptable)
- b) Any form of written communication (e.g., text, WhatsApp, Teams, Slack... but not a phone call)
- c) Formal written notice should be sent via e-mail
- d) Other (please state)

Please explain your answer.

### **Evidence requirements**

Question 15 – For bereavement leave do you think that employees should be required to provide evidence of a bereavement to their employer?

- a) Yes, for the death of a loved one
- b) Yes, for pregnancy loss
- c) Evidence should not be required but an employer should have the right to request evidence if they feel it is necessary
- d) No, but they should be required to sign a declaration that they are eligible to take bereavement leave, and the reason they are taking leave is due to a bereavement or pregnancy loss

- e) No
- f) Not sure
- g) Another option not listed here

Please explain your answer.

Question 16 – If you think an employee should provide evidence, or an employer should be allowed to request it, in order to take bereavement leave, what evidence would it be reasonable for an employee to provide?

(Please state)

Please explain your answer.

Question 17 - Do you have a view on timescales which an employee should be required to provide evidence?

(Please state)

Please explain your answer.

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Your responses, including any personal data, may be shared with:

- (i) a third-party provider,
- (ii) another government department, or
- (iii) an organisation acting on behalf of the Department for Business and Trade under contract or an equivalent agreement that safeguards your personal information in line with DBT requirements.

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If you are providing a response on behalf of a third party, you must ensure you obtain their consent prior to submission.

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We may publish a list or summary of responses in an anonymised form, including in any subsequent review reports. "Anonymised" means that all information which could identify you has been removed, so that individuals cannot be identified from the published data. We may also share your personal data where required to by law.

You can leave out personal information from your response entirely if you would prefer to do so.

Wherever possible please avoid including any additional personal data in free-text responses beyond that which has been requested or which you consider necessary for DBT to be aware of.

We will only retain your personal data for as long as:

- it is needed for the purposes of the consultation;
- it is needed to archive in the public interest, or scientific, historical, or statistical research, in accordance with Article 89 UK GDPR and the Data Protection Act 2018 (DPA);
- the law requires us to.

This generally means that we will hold your personal data for at least one year.

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