



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

Submission to the Department for Business and Trade, Kate Dearden MP and The Rt Hon Peter Kyle MP



About CIPD

The CIPD is the professional body for HR and people development. The not-for-profit organisation champions better work and working lives and has been setting the benchmark for excellence in people and organisation development for more than 100 years.

It has 160,000 members across all sectors and sizes of organisation and provides thought leadership through independent research on the world of work, and offers professional training and accreditation for those working in HR and learning and development.

Public policy at the CIPD draws on our extensive research and thought leadership, practical advice and guidance, along with the experience and expertise of our diverse membership, to inform and shape debate, government policy and legislation for the benefit of employees and employers. It also seeks to promote and improve best practice in people management and development and to represent the interests of our members.

Methodology

At the end of 2025, we held regional roundtables in both Manchester and Birmingham. This included around seventy CIPD members, where we raised some of the questions from the consultation with them.

Part One: Eligibility

Question 1 - Which relationships between the employee and the person who has passed away should qualify for the bereavement leave entitlement?

- 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

For the last few years the CIPD, with other stakeholders like Lucy Herd and Cruse Bereavement Care, have called for the introduction of bereavement leave and have previously held an event in Parliament to raise awareness and support for the need for better bereavement support at work.

When we worked on this previously, we developed a working definition for bereavement leave entitlement:

"Employees who experience the loss of any close family member - including a parent, child, partner or sibling, whether by blood, adoption or through marriage/a partner - would have the right to bereavement leave."

However, we also recognise that people have different important relationships in their lives, and they could be closer and more affected by a friend's death in some circumstances, than a family member, so flexibility needs to be built into the definition, where possible.

In our HR Member roundtables, some felt that the definition should be aligned with the test and understanding in the law on emergency time off for dependents (i.e. typically a spouse, child, parent, or someone living with them).

General comments were that there needs to be a clear definition of a 'loved one', but this is challenging as 'one definition of family is different from another' with 'no clear definition of a nuclear family' and 'you can't legislate for who is considered significant', and it can be 'difficult to draw the line.'

A general observation was that by recognising bereavement through a dedicated bereavement leave, this might help to prevent more absences.

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

- a) Yes
- b) No

No, we do not believe that bereavement leave for pregnancy loss should be just restricted to the person who has physically experienced the pregnancy loss. See further clarification in our response below.

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)

We believe the people outlined in options A- C should also be able to take the bereavement leave.

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

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

Yes, we believe that all the types of pregnancy loss listed by the government in this consultation should be eligible for bereavement leave.

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

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

No, we do not believe there are any additional forms of pregnancy loss that should be included.

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.

It would be helpful to align the bereavement leave period with the current entitlement under Jack's Law - Parental Bereavement Leave, so a period of 2 weeks. This would provide consistency across the entitlements and help to support wellbeing and ensure that employees are not forced to return to work too early - often at one of the most difficult times of their lives.

Our HR Member roundtables were broadly supportive of up to a two week period of bereavement leave - 'making arrangements can typically take 2 weeks.'

It is important to also mention that there should be a wider culture of support at work around bereavement - and options like a phased return to work or adjustments to workload to ensure that individuals are properly supported. Line manager support and understanding will also be pivotal.

In a consultation survey we conducted in September 2024 with 1,176 HR professionals, 73% told us their organisation would support the introduction of statutory bereavement leave for all employees that experience a bereavement. Just 9% said their organisation would oppose this. Support was higher in large organisations (76% supported, 5% opposed) but still strong in SME's (69% supported, 13% opposed).

Further, in the same survey, support for **paid** bereavement leave was also substantial - with 64% supporting and only 10% opposing. Support was higher again in larger organisations (69% supported, 6% opposed) but still strong in SME's (57% supported, 16% opposed).

Some participants at our HR Member roundtables also felt that the bereavement leave provision should be paid at the statutory level - and that this helps to 'protect small employers.'



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

For consistency purposes and to properly support employees with their bereavement, the same amount of leave - 2 weeks should be provided for all types of scenario's. Individuals may choose to take less leave than this, but it is important to ensure adequate leave is provided for individuals to grieve and to feel properly supported, should they wish to take it.

Phased returns to work, adjusted workloads and flexible working patterns will be helpful in supporting people back to work beyond the bereavement leave, as will supportive line managers.

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).

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. However, a sensible approach for the commencement of Bereavement leave entitlement, which also covers pregnancy loss, would be from the date of 'knowledge' of the death or pregnancy loss.

As referenced in this consultation, 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.

Also, when considering bereavement leave for a wider group of family members who might be more widely geographically dispersed, knowledge of death may also not be immediate.

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).

It would be helpful to align the options for taking bereavement leave with the existing Jack's Law - Parental Bereavement Leave entitlement. This would support consistency and simplicity for organisations; however, we would encourage employers to provide further flexibility if this was desired by bereaved employees and they felt they could accommodate this.

A bereaved employee may need time to grieve in the immediate aftermath, or alternatively around important dates like birthdays or anniversaries. Further, cultural or religious traditions might also influence when grieving takes place and when leave is needed.

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.

A good approach would be to align the window for taking bereavement leave with the existing Jack's Law - Parental Bereavement Leave entitlement. This would support consistency for



organisations, while also allowing flexibility for the different circumstances bereaved people may face. 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 also allows leave to be used for anniversaries of bereavement.

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

Yes, we believe employees should be required to provide notice if the leave is taken very soon after the bereavement.

II. If the leave is taken at a later period (e.g. several weeks or months after the bereavement):

- a) Yes
- b) No

Yes, we believe employees should be required to provide notice if the leave is taken at a later period.

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

We would recommend following the provision set out in Jack's Law - Parental Bereavement Leave for consistency for employers and flexibility for employees. This includes notice requirements that depend on how soon after a bereavement the employee intends to take leave. For leave taken within eight weeks of a 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.

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

We would recommend following the provision set out in Jack's Law - Parental Bereavement Leave for consistency for employers and flexibility for employees. This includes notice requirements that depend on how soon after a bereavement the employee intends 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.



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)

We would recommend following the provision set out in Jack's Law - Parental Bereavement Leave for consistency for employers and flexibility for employees. Following the difficult experience of a bereavement, any form of employer notice should be acceptable.

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

Our HR Member roundtables were broadly split in opinion - some felt that evidence should not be required but that an employer should have the right to request evidence if they felt it was necessary:

"An employer should have the ability to ask for evidence of a bereavement and be clear that it is reasonable."

"An employer could use their discretion whether it is needed case by case."

"Line managers will need training and compassion when asking for evidence."

Others felt that it would be more appropriate for employees to self-declare that they are eligible to take bereavement leave and the reason they are taking leave is due to a bereavement or pregnancy loss.

However, as outlined in this consultation, experiencing a bereavement is a deeply personal, often upsetting, and sensitive time. Asking for evidence could be upsetting and make accessing leave difficult and particularly in cases of pregnancy loss before 24 weeks, where it may be hard, or impossible, to provide formal documentation.

There are also 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.

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?

Bereavement in the workplace can be challenging - employees may need to take time off unexpectedly, find their performance is impacted or be temporarily unable to perform certain roles. However, a compassionate and supportive approach demonstrates that the organisation values its employees, helps build commitment and is likely to reduce sickness absence and help retain employees.



Many employers respond compassionately to requests for leave following a bereavement and recognise the important role businesses have in supporting their employees whilst they grieve. According to the CIPD's [Health and Wellbeing at Work 2025 survey](#) supported by Simply Health of 1,101 HR professionals or decision makers, around three-quarters (67%) of organisations with health and wellbeing activity offer a large or moderate level of provision for bereavement.

Guidance and toolkits on compassionate workplace bereavement support

The sharing of good practice guidance and toolkits by the Department would be helpful to support employers in implementing the new statutory bereavement leave and in building a broader culture of understanding and support in workplaces.

The CIPD has produced compassionate bereavement guidance for both [organisations](#) and [people managers](#). Our guidance aims to help employers properly support grieving employees by providing compassionate and flexible responses in the immediate aftermath of bereavement and in the longer term. It also looks at the steps needed to develop a supportive culture and policy and provides guidance on the education and support that should be offered to managers and employees.

Case studies

Case studies across different sized organisations and sectors can also be helpful resources for organisations and provide learning and principles around how they might develop a compassionate approach to bereavement support.

Encouraging organisations to signpost to supportive services, organisations and charities

Many businesses will have counselling, occupational health and employee assistance programmes available to support their employees, and they should highlight these to those experiencing bereavement. They should also signpost to relevant organisations and charities that can support bereaved employees; this will be particularly important for smaller businesses with limited resources.

Further research

It should also be noted that more evidence to demonstrate the effectiveness of different workplace approaches to bereavement support is also needed to inform policy and practice as called for by various academics including [Barclay and Kang, 2019](#); [Bergeron, 2023](#); [Thompson and Bevan, 2015](#); [Bergeron, 2025](#).

Employer guidance on supporting pregnancy or baby loss

The CIPD has produced practical [employer guidance](#) to fully support those who have experienced pregnancy or baby loss. Drawing on our survey findings and wider research, our guidance is structured around five principles of good practice to help organisations design the support that would be most helpful to their employees.

1. Raise awareness about the need for pregnancy or baby loss to be recognised as an important workplace wellbeing issue.
2. Create an open, inclusive and supportive culture. The aim is to break down the stigma and ensure that people know they will be supported if they want to tell people about their loss.
3. Develop an organisational framework to support employees experiencing pregnancy or baby loss.
4. Manage absence and leave with compassion and flexibility.
5. Equip managers to support people with empathy and understanding.

We have also produced [case studies](#) of good practice in this area, as well as [guidance for people managers](#).

We would be very happy for any of our relevant guidance to be shared or referenced by the Department.