

Time off work for bereavement

Leave and pay when someone dies

Most people will experience the death of a person close to them during their working lives.

Grief is a natural response people have when they experience a death (a bereavement). It can affect someone in several ways and can impact on their ability to do their work.

Everyone experiences grief differently. It's important for employers to:

- be sensitive to what each person might need at the time
- consider the person's physical and emotional wellbeing, including once they've returned to work
- recognise that grief is not a linear process and affects everyone differently – there is no right or wrong way to grieve and it can affect people at different times following a death

If you have experienced the death of a person close to you, or you're supporting an employee through a bereavement, you might be experiencing a range of emotions that are having an impact on your work.

If you'd prefer to talk to someone about the different options for leave and pay, you can [contact the Acas helpline](#) and speak to an adviser.

The right to time off

Anyone [legally classed as an employee](#) has the right to time off if:

- a 'dependant' dies
- their child is stillborn or dies under the age of 18

If an employee's dependant dies

Anyone [legally classed as an employee](#) has the right to time off if a dependant dies. A dependant could be:

- their husband, wife, civil partner or partner
- their child
- their parent
- a person who lives in their household (not tenants, lodgers or employees)
- a person who relies on them, such as an elderly neighbour

There's no legal right for time off for dependants to be paid, but some employers might offer pay. Employers and employees should check the employee's contract or the organisation's policy.

How much leave can be taken

The law does not say how much time can be taken off if a dependant who is not someone's child dies. It simply says the amount should be 'reasonable'.

This time off is for dealing with unexpected issues and emergencies involving the dependant, including leave to arrange or attend a funeral.

[Find out more about the right to time off for dependants](#)

If an employee's child dies

Employees have a right to 2 weeks off if their child dies under the age of 18 or is stillborn after 24 weeks of pregnancy. This is called 'parental bereavement leave' and is also known as 'Jack's Law'.

[Find out more about the right to time off if an employee's child dies](#)

If the person who died was not a child or dependant

There's no legal right to time off in these circumstances.

Regardless of whether an employee has a right to time off, employers should be compassionate towards a person's individual situation. The person who has died might not have a biological or legal connection to the employee, but might still be closely connected to them.

Check your bereavement policy

If your organisation has a bereavement policy, it should say:

- when leave for bereavement could apply
- how much leave your organisation provides
- if leave is paid, and the amount of pay

This might be called 'compassionate', 'bereavement' or 'special' leave.

[View Acas's bereavement policy template](#)

If there's no policy

Employers should discuss with the employee:

- what type of leave for bereavement is available
- how much time off is available
- whether the leave will be paid or unpaid

The time off could be treated as sick leave, or if the employee requests, could be taken as holiday. Employers should be consistent and clear with the approach they take to supporting employees and confirm any decisions with their employees in writing.

[Find out more about the benefits of a bereavement policy](#)

Time off for a funeral

An employee has the right to time off for a funeral if the person who died was a dependant.

There's no legal right to time off for a funeral if the person who died was not a dependant. However your organisation might offer time off. This time off might be called 'compassionate leave' or 'special leave'.

In all circumstances there's no legal right for this time off to be paid, but some employers might offer pay. Employers and employees should check the employee's contract or organisation's policy.

If their organisation does not offer paid time off for a funeral, the employee and employer could agree on using:

- paid holiday entitlement (annual leave)
- unpaid leave

Employers should be compassionate towards a person's individual situation and should take into account that everyone experiences grief differently.

Employers should not discriminate against employees when deciding on time off. For example, not allowing an employee to attend a religious ceremony after a death could be indirect religious discrimination. Employers and employees should agree together how an employee takes time off for both religious and non-religious funerals.

[Find out more about discrimination](#)

If an employee or their partner has a stillbirth or miscarriage

If a child is stillborn after 24 weeks of pregnancy, the:

- birth mother can get up to 52 weeks of statutory maternity leave or pay
- birth father can get up to 2 weeks of paternity leave or pay
- partner of the birth mother or adopter can get up to 2 weeks of paternity leave or pay

They will both be entitled to 2 weeks of parental bereavement leave after they finish their maternity or paternity leave.

While the legal name for the time off is 'statutory maternity' and 'statutory paternity' leave, some employees might not want to call the time off 'maternity' or 'paternity' leave if their baby has died. Employers should be sensitive to the employee's preference and be led by them when having conversations about leave.

If a miscarriage happens in the first 24 weeks of pregnancy, there's no entitlement to statutory maternity, paternity or parental bereavement leave.

Read more about:

- [time off after a stillbirth or miscarriage](#)
- [parental bereavement leave and pay](#)
- [maternity and paternity leave and pay](#)

Pay during bereavement

There is no legal right to paid time off for bereavement, unless someone is eligible for parental bereavement pay when a child dies.

There are exceptions for agricultural employees – you can find out more by contacting the [Acas helpline](#).

Many employers choose to offer pay during bereavement. An employer might call this 'compassionate', 'bereavement' or 'special' paid leave. The amount an employer offers may depend on organisation policy or an employee's contract. If they're not sure, an employee

should talk to their employer or line manager and both should check the employee's contract if they have one.

The employer and employee could agree for time off to be taken as:

- sick leave
- paid holiday entitlement (annual leave)
- unpaid leave

If the employee takes the time off as sick leave or holiday, they should get their usual [sick pay](#) or [holiday pay](#).