

UK set to introduce 'Jack's Law' – new legal right to paid parental bereavement leave

- Working parents who lose a child under the age of 18 will get 2 weeks' statutory leave
- the new legal right to 2 weeks' paid bereavement leave, to be called 'Jack's Law', is a world first
- parental bereavement leave is the first of a raft of new employment reforms to make the UK the best place in the world to work and to start a business

Parents who suffer the devastating loss of a child will be entitled to 2 weeks' statutory leave, Business Secretary Andrea Leadsom announced today as she laid new regulations in Parliament.

The Parental Bereavement Leave and Pay Regulations, which will be known as Jack's Law in memory of Jack Herd whose mother Lucy campaigned tirelessly on the issue, will implement a statutory right to a minimum of 2 weeks' leave for all employed parents if they lose a child under the age of 18, or suffer a stillbirth from 24 weeks of pregnancy, irrespective of how long they have worked for their employer.

This is the most generous offer on parental bereavement pay and leave in the world, set to take effect from April.

Parents will be able to take the leave as either a single block of 2 weeks, or as 2 separate blocks of one week each taken at different times across the first year after their child's death. This means they can match their leave to the times they need it most, which could be in the early days or over the first anniversary.

Business Secretary Andrea Leadsom said:

There can be few worse experiences in life than the loss of a child and I am proud that this government is delivering 'Jack's Law', making us the first country in the world to do so.

When it takes effect, Jack's Law will be a fitting testament to the tireless efforts of Lucy Herd, alongside many charities, to give parents greater support.

Lucy Herd said:

In the immediate aftermath of a child dying, parents have to cope with their own loss, the grief of their wider family, including

other children, as well as a vast amount of administrative paperwork and other arrangements. A sudden or accidental death may require a post-mortem or inquest; there is a funeral to arrange; and there are many other organisations to contact, from schools to benefit offices.

When I started this campaign 10 years ago after the death of my son Jack, I always hoped that a positive change would happen in his memory. Knowing that nearly 10 years of campaigning has helped create 'Jack's Law' is the most wonderful feeling, but it is bittersweet at the same time. I am so grateful to all those involved who have helped make this possible. I was told many times that I would not succeed but Jack's Law will now ensure that bereaved parents are better protected in the future.

Kevin Hollinrake MP, the sponsor of the original Private Member's Bill, said:

Losing a child is every parent's worst fear, but no-one could ever fully understand the utter devastation of such a loss. Whilst most employers are compassionate and generous in these situations, some are not, so I was delighted to be able to help make leave for bereaved parents a legal right.

Clea Harmer, Chief Executive at Sands, said:

Sands welcomes and fully supports the new Parental Bereavement Leave and Pay Act, that will ensure all bereaved parents will have a right to at least 2 weeks' paid leave from work in addition to their existing parental leave entitlement.

Having the legal right to 2 weeks of paid leave will make a big difference to bereaved parents affected by stillbirth or neonatal death; so we are very pleased that they have been specifically recognised in the Act.

All employers need to ensure they know about this important change in the law and what additional support they can offer to bereaved parents in their workplace, as this is vital time for them in their grieving process.

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

We are delighted that the new paid bereavement leave entitlement is one step closer to coming into force. It will make a huge difference to bereaved parents across the country, whose lives have been shattered by the death of a child.

I cannot stress enough how important it is that parents are given time and space to grieve in the aftermath of a child's death. Support from employers can play a huge part in this. We are pleased the government has laid out the minimum provision for bereaved parents, and we know many employers will go much further than this.

We look forward to working with the government to ensure employers know about these changes, and to support bereaved parents in their workforce.

Alison Penny, Coordinator of the National Bereavement Alliance said:

Many parents are forced to make hard choices about returning to work at a desperately difficult time following their child's death, fearing loss of pay or job security if they take time off.

We welcome the significant step the government has made in introducing minimum provision for parents, and would like to see employers demonstrate a genuine commitment to grieving colleagues by treating them compassionately and with the support they need.

Sarah Harris Director of Bereavement Support and Education at Child Bereavement UK added:

Child Bereavement UK welcomes this change in legislation and the recognition it gives to the impact of the death of a child.

The opportunity for leave at a time that feels right for bereaved parents will help reduce a potential source of additional stress, and paid leave will give time to make decisions based on need rather than financial situation.

Around 7,500 child deaths, including around 3,000 stillbirths, occur in the UK every year. The government estimates that this new entitlement will help to support around 10,000 parents a year.

The right to parental bereavement leave and pay makes the UK one of a very few countries worldwide to offer such support, and the first to offer a full 2 weeks. It will come into force on 6 April 2020, subject to Parliamentary approval of the legislation being laid today. Parents employed in a job for 6 months or more will also be able to claim statutory pay for this period, in line with the approach for other parental entitlements, such as paternity leave and pay.

This new law arrives ahead of the government's new Employment Bill, announced in the Queen's Speech in December, which will introduce a raft of further measures to benefit workers and businesses including carer's leave and neonatal pay.

Please contact the BEIS press office if you would like to speak to Lucy Herd (020 7215 2982 / 020 7215 1000). The charities listed also have spokespeople.

The entitlement to 2 weeks paid bereavement leave is the longest period worldwide, making the UK's offer the most generous in the world.

The right to Parental Bereavement Leave (PBL) will apply to all employed parents who lose a child under the age of 18, or suffer a stillbirth (from 24 weeks of pregnancy), irrespective of how long they have been with their employer (the leave is a 'day-one' employment right).

Parents with at least 26 weeks' continuous service with their employer and weekly average earnings over the lower earning limit (£118 per week for 2019 to 2020) will also be entitled to Statutory Parental Bereavement Pay (SPBP), paid at the statutory rate of £148.68 per week (for 2019 to 2020), or 90% of average weekly earnings where this is lower.

SPBP will be administered by employers in the same way as existing family-related statutory payments such as Statutory Paternity Pay.