



**Department for
Business, Energy
& Industrial Strategy**

Paul Scully MP
Parliamentary Under-Secretary of State

**Department for Business, Energy &
Industrial Strategy**
1 Victoria Street
London
SW1H 0ET

T +44 (0) 20 7215 5000
E enquiries@beis.gov.uk
W www.gov.uk

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Thank you for the letter dated 12 January from you and your co-signatories to the Secretary of State for the Department for Business, Energy and Industrial Strategy on the introduction of a right to bereavement leave for the loss of an immediate family member. I am replying as this matter falls within my Ministerial portfolio and I sincerely apologise for the delayed response.

The experience of losing someone who we love or someone who has played a special role in our lives is deeply upsetting. I sympathise with anyone who has been in this very difficult position.

I expect employers to respond with compassion and understanding in these circumstances. I have given them the tools that they need to approach what might otherwise be a difficult conversation with a bereaved employee.

In 2014 the government commissioned the Advisory, Conciliation and Arbitration Service (Acas) to produce guidance on managing a bereavement in the workplace. The guidance was developed in conjunction with key stakeholders including Cruse Bereavement Care, Jack's Rainsford and other bereavement charities and has been well received. Acas is working on further revisions including revised case studies to offer more detailed support to employers and employees. I understand that you have kindly agreed to work with Acas to take this work forward and ensure that the guidance continues to be helpful to employers and employees.

As you know, on 6 April 2020 we introduced a new entitlement to Parental Bereavement Leave and Pay for parents who lose a child under the age of 18. I recognise that there is no statutory equivalent for employees who lose a close relative who is not a child. However, all employees have a 'day 1' right to take unpaid time off work for an emergency involving a dependant. This time off for Dependants can be used to deal with practical issues, including registering the death and making funeral arrangements. They also have access to 5.6 weeks of paid Annual Leave each year, paid at the rate the worker would have received if they had been at work and working. No worker should be financially disadvantaged as a result of taking Annual Leave.

I recognise that this does not amount to an entitlement to paid time off work to grieve. I also recognise that Annual Leave is provided to enable workers to rest, relax and enjoy leisure – which all employers should encourage. It is not, however, unusual for individuals to use Annual Leave entitlements for other purposes, e.g. to take time off work to care for friends and relatives (including prior to the pandemic) and to take additional time off work after they have had a baby.

We also believe that grief is an extremely personal issue which affects people in different ways: some people may find it helpful to take time off work at the time they lose a loved one, whereas others may prefer to continue to work or take time off much later. I believe that individuals are best placed to understand their own specific needs and that employers should, and usually do, respond in an appropriate and sensitive way, even in the absence of a legal requirement to time off work.

I recognise that bereavement is a risk factor for physical and mental health issues. In May last year, the Government announced additional funding of £4.2 million to support mental health charities and charities providing bereavement support. This was part of the £750 million package of support for the voluntary sector announced by the Chancellor in April.

Thank you once again for taking the time to write. I hope you will find this response helpful.



PAUL SCULLY MP

Minister for Small Business, Consumers & Labour Markets
Minister for London