

ACS Submission: [Leave for bereavement including pregnancy loss](#)

To be submitted via online form:

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Eligibility for Bereavement Leave for the Loss of Loved Ones

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, 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

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.

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.

The statutory minimum of one week of unpaid bereavement leave, providing a clear baseline of support for employees while recognising the need for retailers to manage short-notice absences. Employers should retain flexibility to offer additional leave where appropriate, reflecting individual circumstances and existing workplace policies

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.

N/A

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 options A and B] Please explain your answer.

This would provide a clearer and fairer trigger point in practice. It recognises that employees may not become aware immediately, particularly in cases of pregnancy loss, and helps ensure the entitlement is workable and consistently applied by employers

Flexibility to take the leave

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.

Weekly blocks strike a balance between supporting individual needs during bereavement and enabling retailer to plan staffing and manage operational impacts effectively.

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.

This provides employees with reasonable flexibility to take leave when needed while giving employers certainty over the period in which absences may occur. A shorter, defined window is particularly important for small businesses in managing staffing and operational continuity

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):

- a) Yes**
- b) No

Please explain your answer.

Employees may be distressed or unable to engage with formal processes soon after the bereavement; but at a later point, a notice requirement is needed to provide employers with reasonable opportunity to plan and manage staffing.

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.

N/A

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.

A one week notice period for leave taken at a later period would give retailers sufficient time to plan staffing arrangements.

Evidence requirements

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.

Makes the entitlement easier for retailers to administer.

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.

We do not support mandatory evidence requirements given the sensitive and personal nature of bereavement and the practical difficulties in providing documentation. A simple declaration strikes a proportionate balance, providing reassurance for employers while avoiding unnecessary distress or administrative burden for employees

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) N/A

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) No

Please explain your answer.