## Supporting Staff Experiencing Pregnancy Loss

Content Warning

1. Please be aware that this document contains mention of miscarriage, stillbirth and termination, which may be triggering or upsetting to some readers. Please read with care, and if you require support, do not hesitate to reach out to your line manager or the HR team.

Introduction

1. This document sets out the rights of employees affected by a miscarriage, stillbirth or termination for medical reasons (TFMR) and explains the emotional and practical support that we can provide. This include rights and support for the person experiencing the pregnancy loss, as well as the partner and parents of the baby who has passed away.
2. We are so sorry when an employee experiences pregnancy loss as we know it is extremely distressing, regardless of how early in pregnancy the loss occurs. Pregnancy loss can have significant physical and emotional consequences, which may affect an employee's attendance or performance at work.

We are committed to supporting employees who are affected and encourage you to discuss your situation with us if you are comfortable doing so.

Definitions

1. The following definitions are used in this document:
   1. **"Miscarriage"** means the loss of a baby before the end of the 24th week of pregnancy.
   2. **"Stillbirth"** means the loss of a baby after 24 complete weeks of pregnancy.
   3. **"Termination for medical reasons" (TFMR)** describes the ending of a wanted pregnancy after a prenatal diagnosis of a condition with the baby or because of a risk to the mother's health. In this context, the word "termination" is preferred to abortion to make clear that the pregnancy was wanted. A TFMR can occur at any stage of pregnancy, following findings from ultrasound scans or other investigations.
   4. **“Ordinary termination”**  is a termination of pregnancy, which is done at early gestational age (before 24 weeks) for primarily personal or social rather than medical reasons
   5. **"Ectopic pregnancy"** means a pregnancy that develops outside the uterus, most often in the fallopian tubes.
   6. **"Molar pregnancy"** is where a fertilised egg implants in the uterus but cannot develop because it does not contain the correct genetic material.
   7. **“Partners and parents”** includes biological parents, partners who are non-biological parents, a surrogate parent
2. References to a miscarriage in this policy include an ectopic pregnancy and a molar pregnancy.

How a miscarriage or stillbirth may affect an employee at work

1. Having a miscarriage, stillbirth or TFMR can affect an employee in a number of different ways, which can in turn affect their work or performance. These include:

* physical symptoms, such as pain, bleeding, lactation, tiredness or a loss of appetite;
* difficulty sleeping or concentrating;
* loss of confidence and motivation;
* finding social interaction more difficult;
* mood swings, irritability or tearfulness;
* feelings of guilt and fear of judgement from others; and
* mental health problems, such as depression and anxiety and post-traumatic stress disorder.

Telling us about your miscarriage, still birth or termination

1. You do not have to tell us that you have had a miscarriage, still birth or termination, however, if you are able to do so, we would strongly encourage you to tell your line manager and/or the HR team and at an early stage, so that we can provide any necessary support. A TFMR after 24 weeks should be registered as a stillbirth and statutory maternity rights apply in these circumstances. In this situation, we strongly urge you to inform us so that we can advise you of your right to take maternity leave (see below).
2. Any information given to line managers and HR is confidential. Colleagues will only be told about your pregnancy loss if this is what you want. Your line manager/HR will discuss your wishes with you.

Time off

1. Employees who have experienced a pregnancy loss may need time off work to recover from the physical and emotional consequences.
2. The amount of time off that is needed will vary from individual to individual. Your right to time off and the type of leave that you can take depends on whether you have had a miscarriage, stillbirth or TFMR (see Definitions).

*Miscarriage and Ordinary Termination*

1. Under our Leave Policy, employees are entitled to 5 days' paid bereavement leave in the instance of a miscarriage or termination. Your manager has the discretion to extend bereavement leave, up to a total of 10 paid days on a case-by-case basis – in these circumstances, your manager will need to seek guidance and support from the HR team. Further information about how to request compassionate leave is contained in the Leave Policy.
2. If you are unwell and unable to attend work following a pregnancy loss as a result of being unwell, we will handle this under our Sickness Absence Policy. You can self-certify absences of up to seven days or provide a GP's fit note for longer periods of absence in accordance with the policy. Your certificate or fit note should confirm that the absence is pregnancy related. Your right to sick pay is also covered by the sickness absence policy.
3. You may want to consider taking a period of annual leave if you do not qualify for paid sick leave. You should request this in the usual way. We will consider any request sympathetically. We are also willing to consider requests for periods of unpaid leave. You should discuss this with your line manager.

*Stillbirth*

1. Employees who have had a stillbirth can take statutory maternity leave and (if eligible) receive statutory maternity pay. Maternity leave starts on the day after a stillbirth.
2. If you would like to take maternity leave, you should tell us about the stillbirth as soon as possible and provide a copy of your MATB1 certificate if you have not already done so. Further information can be found in our maternity policy.
3. Employees can **also** take up to two weeks' paid statutory parental bereavement leave after their statutory maternity leave, and (if eligible) receive statutory parental bereavement pay.

*TFMR*

1. A TFMR after 24 weeks must be registered as a stillbirth and the right to take maternity leave applies in these circumstances (see above).

Practical and emotional support

1. We offer a variety of practical and emotional support that may be relevant to employees who have experienced a pregnancy loss. These include the organisation's employee assistance programme (0800 032 9849), mental health first-aid support, and occupational health referrals.
2. Employees and managers should also refer to the following external sources of help and support:

* [The Miscarriage Association](https://www.miscarriageassociation.org.uk/), which provides support and information to those affected by miscarriage, ectopic pregnancy or molar pregnancy and offers a pregnancy loss helpline;
* [Sands](https://www.sands.org.uk/), which provides support to anyone who has been affected by stillbirth or neonatal death;
* [Tommy's](https://www.tommys.org/), a charity that carries out research and supports those who have lost babies;
* the [Mariposa Trust](https://www.mariposatrust.org/), a charity that provides support to those affected by baby loss and bereavement;
* [Petals](https://petalscharity.org/), a charity providing counselling to parents bereaved after pregnancy loss, including TFMR;
* [Antenatal Results and Choices (ARC)](https://www.arc-uk.org/for-parents/ending-a-pregnancy/), a charity providing support to those who decide to terminate a pregnancy for medical reasons;
* the [Dad Still Standing](https://www.dadstillstanding.com/) podcast, in which two fathers share their experiences of baby loss and provide advice and guidance to those who reach out to them;
* the [Time to Talk TFMR](https://talktfmr.podbean.com/) podcast, which deals sensitively with all aspects of TFMR; and
* [Mind](https://www.mind.org.uk/), which provides support and information to those experiencing mental health issues for any reason.
* [EAP](file://cnpahqs1/data/Corporate%20Services/Corporate%20Management/Internal%20Liaison/Staff%20Handbook/EAP) (0800 032 9849) – This is the Scottish Government Employee Help Service number that we subscribe too. Clicking on the link will take you to the folder so you can get more information about it. It is open 24/7.

Returning to work

1. The HR team will keep in touch with you during any period of leave after pregnancy loss, at a regularity of your choice, to discuss:

* what information, if any, you want to share with colleagues before you return to work and how that information should be provided;
* any additional support you need to return to work , such as a phased return/temporary changes to your duties, hours or location of work/a period of homeworking/additional breaks; and
* any adjustments recommended by a health and safety risk assessment.

1. The HR team will arrange a meeting with you to discuss these issues before your return to work if you would find that useful.
2. The HR team will also have regular meetings with you after your return to work so that we can continue to provide adequate support.

Rights of partners and parents

1. We recognise that the loss of a baby is a distressing experience for all parents. Therefore, an employee whose partner has a miscarriage, stillbirth or termination, and the parent of the baby who has passed away, may also need support or be eligible for time off.
2. The sources of practical and emotional support listed above are also open to parents and partners and we encourage employees to access these. The Miscarriage Association has published guidance [Partners Too](https://www.miscarriageassociation.org.uk/wp-content/uploads/2016/10/Partners-Too-Dec-2020.pdf), which they may find helpful. They should discuss any additional support that they need with their line manager and/or the HR team.
3. The right to time off for partners and parents is the same as that set out above in relation to miscarriage and ordinary termination
4. With regards to stillbirth, the partner of someone who has a stillbirth, or the parent of the baby who has passed away, may be eligible for:

* three weeks' statutory paternity leave and pay [further information is set out in our [paternity leave section of the Leave Policy](http://www.xperthr.co.uk/policies-and-procedures/paternity-leave-policy/155311/)]; and
* up to two weeks' statutory parental bereavement leave and pay, which can be taken as two separate weeks or a single period of leave [further information is set out in our [parental bereavement leave section of the Leave Policy](http://www.xperthr.co.uk/policies-and-procedures/parental-bereavement-leave-policy/164949/)]; and

The role of other employees

1. If a colleague is experiencing a miscarriage while they are at work, the expectation is that our employees contribute to an empathetic and supportive environment..
2. Practical steps that you can take include:

* notifying one of the Park Authority’s trained First Aiders who may be required to administer emergency medical aid
* ensuring that they have privacy and access to a toilet;
* providing a blanket or covering if they are bleeding heavily, and a pair of leggings if appropriate (there is a supply of free leggings in the Park Authority’s medical room);
* arranging transport home or to a hospital as appropriate (including calling an ambulance if this is necessary and arranging for someone to accompany them);
* calling their emergency contact to notify them of the situation, if this is what they want; and
* reassuring them not to worry about work and that arrangements to cover their work will be made.

1. We recognise that an employee whose partner is having a miscarriage or stillbirth may need to leave work at short notice and arrangements will be made to accommodate this.
2. If a colleague has chosen to share information about a miscarriage or stillbirth, when they return to work employees should offer them sympathy and support and acknowledge their loss. The Miscarriage Association has published [Supporting someone you know](https://www.miscarriageassociation.org.uk/wp-content/uploads/2016/10/Supporting-someone-you-know-2019.pdf), which contains guidance on how to talk sensitively about miscarriage in the workplace.

Data protection

1. We will process any personal data collected in accordance with our data protection policy and our special categories data policy. Data collected from the point at which we become aware of the issue is held securely and accessed by and disclosed to individuals only for the purposes of providing the necessary support.

|  |  |  |
| --- | --- | --- |
| Version 0.1 | Author – Kate Christie | 14/11/23 |
| Version 0.2 | Internal Equality, Diversity and Inclusion Advocacy Group | 30/11/12 |
| Version 0.3 | Equality Advisory Panel | 30/01/24 |
|  |  |  |