

PREGNANCY LOSS POLICY

Guidance for managers

This guidance is intended to help managers provide appropriate practical and emotional support to an employee affected by miscarriage, ectopic or molar pregnancy (loss of a pregnancy before 24 weeks gestation). It is based on a policy template supplied by the Miscarriage Association, and makes no assumptions about how people suffering pregnancy loss feel, or how they wish to be treated. We recognise that this can be a sensitive and emotional subject, and we welcome feedback to help improve how we offer support.

For simplicity, this policy uses the word 'miscarriage' to refer to all these types of loss in this document. When referring to the person experiencing miscarriage, we use 'woman', 'her', 'she' or 'employee'.

The guidance covers topics and issues that some readers may find difficult or upsetting. You may be a manager with your own experience of loss or an expectant parent managing someone that has experienced a loss. If this is the case, you may need to speak to your own line manager or HR for advice or to direct you to the relevant part of the guidance.

Further information, guidance and support can be found on the Miscarriage Association's website - www.miscarriageassociation.org.uk/information/miscarriage-and-the-workplace/

Introduction

Miscarriage can be a frightening, lonely and traumatic experience for both women and men. It is often both physically and emotionally painful, with effects that can last for a very long time. An estimated one in four pregnancies end in miscarriage, and one in every two hundred births is classed as stillborn.

This organisation is committed to providing support to all of its employees experiencing pregnancy loss, irrespective of length of service, and we understand that everyone's needs will be different. For example, some people may feel that they can, or wish to, continue to work as normal, while others may require more support. You may have your own experiences or opinions about the impact of miscarriage. Everyone will experience their loss differently, and it's important not to make any assumptions about how they feel or how they want to be treated.

Partners, as well as grandparents and other close relatives, might be affected by the miscarriage and you will need to consider how best to support them if they work in your team.

You may find it helpful to read the Miscarriage Association's information on [supporting employees before, during and after a loss](#).



How to help

If the loss occurs at work

A pregnancy loss may happen at work. You may not be aware that an employee is pregnant: although 12 weeks is a common time to start telling people, she is not obliged to tell her manager of her pregnancy until 15 weeks before her estimated due date, or as soon as is reasonably practicable after that (approximately 6 months pregnant).¹

If an employee suspects that she has started to lose her baby she may have bleeding, severe abdominal pain, and may be faint or collapse. She may be very distressed and panicked, embarrassed and frightened.

You can help by ensuring that she has very quick access to a toilet, and you may need to help her by calling her preferred contact or colleague to assist her in getting home or to hospital or a first aid room. In severe cases you may need to call an ambulance.

If a woman's partner, relative or close friend is told of the loss while at work, they may need to leave at short notice to provide practical and emotional support.

Communicating the news

You will need to consider carefully how to explain the sudden absence of your employee in order to respect their privacy, especially as they might not want others to know the details.

Recording leave and absence

Time off during and after a miscarriage is protected as 'pregnancy-related' leave. If an employee has suffered an early or late miscarriage, any sick leave should be recorded as sickness absence in the 'pregnancy-related' category. Any period of sick leave will not count towards sickness absence trigger points.

For periods of absence longer than seven days, the team member will need to obtain a Fitness for Work statement from her doctor or health professional at hospital.

See below for more information about entitlement to pay at this time, or please refer to the Parental bereavement leave policy [LINK] [or contact your Line Manager/HR].

If the employee is not the woman who has experienced the physical loss (for example this might be a partner or a grandparent) but needs to take time off work following the loss, compassionate or special leave should be considered.

Future leave

Women who have had a miscarriage, and perhaps their partners, may need time off in the future to attend appointments related to their loss.

¹ www.gov.uk/working-when-pregnant-your-rights



In any future pregnancy, additional scans and monitoring may be required. This should always be accommodated. Employees have a right to take reasonable time off for antenatal care². Partners of pregnant women have a statutory right to time off to attend two antenatal appointments.

For more information about entitlement to time off at this time, please refer to the Maternity policy [LINK] [or contact your Line Manager/HR].

Requests by partners for additional time off to attend further scans or other antenatal appointments should also be accommodated wherever possible, allowing employees to work flexibly or take annual or special leave to attend.

Talking about miscarriage

It's important to acknowledge the loss rather than to ignore it, unless the woman requests otherwise. You should not make light of it. The Miscarriage Association has more information on [talking about miscarriage in the workplace](#).

She may be very confused and upset. You should bear in mind that the shock of losing a pregnancy may make it difficult for them to contact you to tell you what has happened, and/or to discuss what happens next with work. They may find [this page from the Miscarriage Association](#) helpful.

At an appropriate point, someone should speak to them about what they would like colleagues to know about their loss. This could be their manager or another trusted colleague. If they do not wish to share this information, their wishes should be respected. They should not feel pressured either way.

This type of contact can help colleagues to understand what has happened, what the effects might be on the team member, and how to be supportive. It will also make it easier for the team member to speak to colleagues when they return to work.

Colleagues may find it helpful to look at the Miscarriage Association's [information for colleagues](#) and the leaflet [Supporting someone you know](#).

Facilitating return to work

When an employee is ready to return to work, their manager should offer them a meeting where any specific needs can be discussed.

This might include a temporary workplace adjustment, which is aimed at enabling a person to remain at work rather than taking sick leave – for example more working from home, or a phased return to work. This can be particularly important if an employee has ongoing hospital appointments to attend. It might also be very difficult for someone who has suffered a miscarriage to work closely with or near to a colleague who is pregnant or has recently given birth. If this is the case, it may also be worth exploring whether working in a different location within the office would be possible and helpful.

² <https://maternityaction.org.uk/advice/time-off-for-antenatal-care/>



The Miscarriage Association has [more information on ways you can support your team member's return to work](#) and [offer further support in the future](#).

Information for employees who experience a miscarriage, ectopic pregnancy, or molar pregnancy

We're very sorry for your loss. We understand work may be the last thing on your mind right now but we have put together this information to help you understand your rights. It is based on guidance supplied by the Miscarriage Association.

We've included links to charities and support groups you may find helpful at the end of this document.

For women who experience a miscarriage, ectopic pregnancy or molar pregnancy

Sick leave after a miscarriage, ectopic or molar pregnancy is protected as 'pregnancy related' and will be recorded separately. It will not count towards any sick leave 'triggers'.

You are able to self-certify for seven days. After this, you will need to get a 'fit note' or Fitness for Work statement from your GP that confirms your absence is pregnancy related.

You may be entitled to Statutory Sick Pay (SSP) if you satisfy the relevant statutory requirements. Qualifying days for SSP are [Monday] to [Friday], or as set out in your employment contract. The rate of SSP is set by the government in April each year. No SSP is payable for the first three consecutive days of absence. It starts on the fourth day of absence and may be payable for up to 28 weeks.

[IF THE COMPANY OFFERS SICK PAY IN EXCESS OF SSP, WHICH IT IS NOT OBLIGED TO DO, YOU SHOULD PROVIDE A SUMMARY HERE, EG: "After [XXX] weeks' continuous service **OR** successfully completing your probationary period, you will qualify for Company sick pay, provided you comply with our sickness absence policy (see below) and any further requirements set out in your contract. This does not affect any entitlement you may have to receive SSP for the same periods of sickness absence, although any sick pay you receive from the Company shall be inclusive of any SSP due to you."]

[SEPARATE FROM GENERAL CONTRACTUAL SICK PAY, EMPLOYERS CAN ALSO EXERCISE THEIR DISCRETION TO ALLOW PAID PREGNANCY LOSS LEAVE FOR A LIMITED TIME, WHICH YOU MAY WISH TO MENTION HERE]

Our sickness absence policy (which is available here: [LINK]) has more information about your return to work. Alternatively please speak to your Line Manager/HR.

Your manager will contact you to arrange a meeting beforehand to discuss how they can help you. This may include a phased return or other reasonable adjustments if you feel this would be helpful.



You have a right to keep your miscarriage private if you choose. Your manager will ask you what, if anything, you would like other people at work to know.

You may find it helpful to look at the Miscarriage Association's [information for employees](#) here. This includes information on [going back to work after a miscarriage](#).

For partners

If you are the partner of someone who has experienced a physical loss, you are entitled to compassionate leave. There is no general legal right to compassionate leave at work, although many employers offer it unpaid, or a period of paid compassionate leave in these circumstances, recognising the impact that it will have on staff. Additionally, the following statutory rights may apply:

- The right to parental bereavement leave and pay. Eligible parents are entitled to two weeks' leave (all employees) and statutory bereavement pay (employees with over 26 weeks' service) if they lose a child under the age of 18 (including a stillbirth after 24 weeks of pregnancy).

The right to unpaid time off for dependants [Helpful links]

- Reasonable adjustments
- Special/compassionate leave
- Sickness absence/pregnancy related sickness absence
- Wellness Action Plans
- Flexible working
- An Employee Assistance Programme
- Any wellbeing or mental health provision/Mental Health First Aiders
- Any relevant support groups

External support

The following are just a few suggested external resources that may be of assistance. We are always looking to build our list of useful resources for staff, and would be grateful to hear from you if you find an organisation or website not already included helpful.

Miscarriage Association

www.miscarriageassociation.org.uk

01924200799

info@miscarriageassociation.org.uk

Information and support to help you through a miscarriage, ectopic pregnancy or molar pregnancy.

Arc

www.arc-uk.org/about-arc

Arc is a national charity offering parents support during antenatal screening and following a termination.



HODGE JONES & ALLEN

Citizens Advice Bureau

www.citizensadvice.org.uk

Free and confidential advice on benefits, work, and family

Ectopic Pregnancy Trust

www.ectopic.org.uk

020 7733 2653

Information and support for ectopic pregnancy

Maternity Action

www.maternityaction.org.uk

Information on rights and benefits around pregnancy, pregnancy loss and maternity

Mind

www.mind.org.uk

Information on mental health support including Wellness Action Plans and reducing stress at work

Petals

www.petalscharity.org

Petals is an organisation providing specialist counselling services after a pregnancy loss.

Tommy's

www.tommys.org

Tommy's is a charity that funds research into pregnancy problems but also provides information for parents-to-be

Sands

www.sands.org.uk

0808 164 3332

helpline@sands.org.uk

Information and support for stillbirth and neonatal death

Working families

www.workingfamilies.org.uk

0300 012 0312

advice@workingfamilies.org.uk

Advice for working families via website and helpline

