

HR Employment Policy & Procedures

Pregnancy Loss Scheme

Implementation Date: February 2023

The behaviours outlined in the ACHIEVE Framework should be reflected in the application of this Scheme.



Scheme Title & Reference	Pregnancy Loss Scheme	
Version Number & Date	1.0	March 2022
Title, Version Number & Date of Superseded Version (if applicable)	Pregnancy Loss Scheme	
Rationale for introduction/Driver for change	Review of existing supports highlighted employees and managers would find specific guidance helpful to ensure employees who experience pregnancy loss at any stage of pregnancy are well supported.	
Summary of Substantive Changes (if applicable)	N/A	
Summary of Technical Changes (if applicable)	N/A	
Lead Officer	Julie Barker & Ilene McCollum, HR Advisers	
Final Trades Union Position	Agreed by Unite, Unison & GMB and EIS. on behalf of Teaching Unions	
Consultation & Approval Process	<i>Convenors Meeting</i>	22.03.22 & 13.12.22
	PMRG	29.03.22
Accompanying Documentation (incl. EIA)	EIA No. 493	
Linked Policy, Schemes and Procedures	Bereavement Leave Scheme Parental Leave Scheme , Maternity Leave Scheme , Shared Parental Leave Scheme Special Leave Scheme Stress Management Policy Employee Wellbeing Supports PAM Assist Support Guide	

	<u>Supporting Employee Wellbeing Policy</u> <u>Flexible Working Policy</u> <u>Equality & Diversity in Employment Policy</u> <u>Domestic Violence & Abuse Policy</u>
--	--

Contents

Section	Title	Page Number
1	Scheme Statement	5
2	Key Facts and Terms of Scheme	5
3	Supporting Employees who Suffer Pregnancy Loss	7
4	Returning to Work	8
5	Further Supports	10
6	Review of Scheme	11

1. Scheme Statement

- 1.1 West Dunbartonshire Council recognises the sensitive and often very distressing nature of pregnancy loss. This scheme is designed to provide guidance and a compassionate response to employees who experience pregnancy loss, whether it happens to you, your partner or the surrogate having your baby, regardless of the nature of the loss or the employee's length of service.
- 1.2 The Pregnancy Loss Scheme encompasses statutory entitlements for employees who experience pregnancy loss.
- 1.3 The Council recognises the implications of, and its responsibilities under, the Equality Act 2010 and this scheme enhances the support and assistance available to employees coping with pregnancy loss.
- 1.4 This scheme makes no assumptions about how employees suffering a loss feel, or how they may want to be treated. Instead, it aims to outline the support that is available, and advice that may be useful, should an employee need it. The aim is to encourage managers and employees to have open and honest discussions and adopt a flexible approach to support the employee to balance work and cope with their loss.
- 1.5 This scheme will complement the provisions of the Special Leave Scheme, the Supporting Employee Wellbeing Policy, the Maternity and Paternity Leave Schemes, and the Bereavement Leave Scheme.
- 1.6 A Manager's Guidance Note sits alongside the Scheme which will provide advice and guidance on the effective implementation of the Scheme.

2. Key Facts and Terms of Scheme

- 2.1 The Council acknowledge that pregnancy loss can be a devastating experience whether it happens to you, your partner or the surrogate having your baby. We know that sadly, it is more common than people may think and that the challenges at work are often misunderstood.
- 2.2 An estimated one in five pregnancies ends in miscarriage; one in every 225 births in the UK each year is classed as stillborn. Given these statistics and that our workforce is predominantly female (over 72.9%) it is anticipated that there are likely to be employees who will experience pregnancy loss. While everyone's experience is different, this scheme aims to promote and support employees to discuss individual arrangements to support them through their loss with their line manager.
- 2.3 If you are reading this because you have been affected, we are sorry for your loss. We want you to know that we understand that for many, pregnancy loss whenever or however it happens is a type of bereavement. Getting the right support at work is crucial and we are

committed to ensuring all employees affected by pregnancy loss get the support that they need.

2.4 The purpose of this scheme is to define what types of pregnancy loss are covered and what supports are available in both this and our other policies.

2.5 The term 'Pregnancy Loss' includes but is not limited to:

- **Miscarriage:**

The spontaneous loss of pregnancy until 24 weeks of gestation. This includes those affected by loss through fertility treatment from the point of embryo transfer. Learn more about miscarriage here www.nhs.uk/conditions/miscarriage

- **Stillbirth:**

The loss of a baby after 24 weeks, before or during birth. Learn more about stillbirth here www.nhsinform.scot/illnesses-and-conditions/pregnancy-and-childbirth/stillbirth

- **Abortion:**

A medical or surgical procedure to end a pregnancy. Learn more about abortion here www.nhsinform.scot/tests-and-treatments/surgical-procedures/abortion

- **Ectopic pregnancy:**

When a fertilised egg implants and grows outside of the main cavity of the uterus. Learn more about ectopic pregnancy here www.nhsinform.scot/illnesses-and-conditions/pregnancy-and-childbirth/ectopic-pregnancy

- **Molar pregnancy:**

A rare form of pregnancy in which a non-viable fertilised egg implants in the uterus and will fail to reach full term. Learn more about molar pregnancy here www.nhs.uk/conditions/molar-pregnancy

2.6 Neonatal loss is the loss of a baby within the first 28 days after they are born, often caused by premature births or genetic disorders. Learn more about neonatal loss here [Neonatal death information and support | Tommy's \(tommys.org\)](http://www.tommys.org/Neonatal-death-information-and-support)

3 Supporting Employees

3.1 Neonatal loss and Still Birth

- If you experience a stillbirth after 24 weeks or a neonatal loss, even if the neonatal loss was before 24 weeks of pregnancy, you are entitled to maternity benefits and leave. Please refer to the Maternity Leave Scheme to understand those entitlements. You can access all appropriate information relating to Maternity Leave on the Council's Intranet here [Maternity Leave Scheme - Employee Intranet \(west-dunbarton.gov.uk\)](https://west-dunbarton.gov.uk). Partners are also entitled to Paternity leave and benefits where they qualify. You can access information relating to Paternity leave at [Paternity Leave - Employee Intranet \(west-dunbarton.gov.uk\)](https://west-dunbarton.gov.uk)
- All employees (including partners) who experience the loss of a child under 18 years old (including stillbirth and neonatal loss) are also entitled to parental bereavement leave, which is incorporated in to the Council's Bereavement Leave Scheme which can be accessed from the Council's Intranet here [Bereavement Leave - Employee Intranet \(west-dunbarton.gov.uk\)](https://west-dunbarton.gov.uk)

3.2 Pregnancy loss from 24 weeks

- If you are affected by pregnancy loss from 24 weeks as the pregnant parent you are entitled to maternity benefits and leave. Please refer to the Maternity Leave Scheme to understand those entitlements. You can access all appropriate information relating to Maternity Leave on the Council's Intranet here [Maternity Leave Scheme - Employee Intranet \(west-dunbarton.gov.uk\)](https://west-dunbarton.gov.uk). Partners are also entitled to Paternity leave and benefits. You can access information relating to Paternity leave at [Paternity Leave - Employee Intranet \(west-dunbarton.gov.uk\)](https://west-dunbarton.gov.uk)

3.3 Pregnancy Loss before 24 weeks

- Employees who have been affected by pregnancy loss (and those affected by loss through fertility treatment from the point of embryo transfer) will be eligible for paid leave if they are not able to access either Maternity or Parental Bereavement Leave. This includes whether it happens to you, (or your partner subject to manager approval) or the surrogate having your baby. There is no limit on the number of times you can take it if you are affected by more than one loss.
- We won't assume to know how much leave each employee might need as everyone's situation is different. This scheme isn't about creating a one-size fits all approach. It's about highlighting all the different ways that we can support you so you can decide what works best for you.

- It doesn't matter how long an employee has worked for the Council or how many hours you work; if you suffer a loss you will be entitled to this leave with full pay. As a guide, we'll give up to 5 days paid leave pro-rata, for partners of those who have suffered a loss the same provision will be given subject to manager approval. You can request this period of leave via the Special Leave Scheme. [Special Leave Scheme - Employee Intranet \(west-dunbarton.gov.uk\)](https://www.west-dunbarton.gov.uk). Alternatively, your manager can progress this on your behalf.

3.4 Supporting Employees after Pregnancy Loss

- Emotional and physical recovery from a pregnancy loss varies for each individual. We appreciate it doesn't have a time limit and employees may find they need to take further sickness leave after having returned to work, which is understood. Employees should feel supported when requesting time off to recover from loss.
- It's important that you contact your manager as soon as possible if you are affected by pregnancy loss, so that they know what's happening and how they can support you. While we would encourage you to let your manager know so that they can support you during this difficult time and help you return to work, if you would prefer not to tell anyone, please consider contacting your trade union representative or HR or alternatively use the Council's Supporting Employee Wellbeing Policy for guidance instead. Any sickness absence that is recorded as pregnancy related will not count towards absence prompts. The Supporting Employee Wellbeing Policy can be accessed from the Council's Intranet here [Supporting Employee Wellbeing Policy - Employee Intranet \(west-dunbarton.gov.uk\)](https://www.west-dunbarton.gov.uk)
- Pregnancy loss is a challenging often emotional time for all involved. For any employees experiencing domestic abuse linked to pregnancy loss, our Domestic Violence & Abuse Policy may provide additional support. You can access this Policy from the Council's Intranet here [Domestic Violence and Abuse - Employee Intranet \(west-dunbarton.gov.uk\)](https://www.west-dunbarton.gov.uk)

4. Returning to Work

- 4.1 Returning to work after pregnancy loss can be incredibly challenging. Employees are encouraged to have an ongoing discussion with their line manager about necessary adjustments (see 'Flexible Working' below).
- 4.2 We acknowledge everyone's experience is different, and an employee is entitled to discuss bespoke arrangements to best support them with their line manager, and Strategic HR if needed, based on their individual circumstances.

4.2 Flexible Working

- West Dunbartonshire Council recognises that flexibility is a key support to anyone suffering a pregnancy loss. We aim to facilitate flexible working wherever possible and have an established Flexible Working Policy which can be accessed from the Council's Intranet here [Flexible Working - Employee Intranet \(west-dunbarton.gov.uk\)](https://www.west-dunbarton.gov.uk/intranet/flexible-working-employee)
- Some examples of Flexible Working that could be considered following a pregnancy loss could include:
 - A phased return to work;
 - More time working from home, subject to role requirements;
 - Additional breaks;
 - Flexibility to work in other areas of the building when in the office;
 - Earlier start times and finish times to avoid peak travel times when travelling into the office;
 - A request to reduce working hours on a temporary basis; and/or
 - Turning camera off when on video calls.
- Please note that this list is not exhaustive, rather it highlights some of the different ways that we can support employees. An employee's specific requirements should be discussed and agreed between them and their line manager. Any adjustments or Flexible Working arrangements agreed should be reviewed on a regular basis to ensure they continue to meet the needs of the employee.

4.3 Medical Appointments and Support

- West Dunbartonshire Council would advise employees to seek the support of their GP if they have experienced pregnancy loss if not already done. Employees may find they need time away from work to attend medical appointments or to support their partner.
- Time to attend necessary appointments will normally be paid in line with the Council's Special Leave Scheme which you can access from the Council's Intranet page [Special Leave Scheme - Employee Intranet \(west-dunbarton.gov.uk\)](https://www.west-dunbarton.gov.uk/intranet/special-leave-scheme-employee)
- Employees can access free, professional and confidential counselling through PAM Assist. You can find further information and details on how to self-refer on our Intranet page [Employee Counselling - Employee Intranet \(west-dunbarton.gov.uk\)](https://www.west-dunbarton.gov.uk/intranet/employee-counselling-employee) . Alternatively, your line manager can make a referral to this service on your behalf.

- If employees would prefer to speak to someone who is specifically trained in the kind of pregnancy loss you have experienced a list of specialised organisations is available in Section 5 of the Scheme.

4.4 IVF and Fertility

If pregnancy loss occurs after the employee or their partner have had fertility treatment from the point of embryo transfer onwards please note this scheme still applies.

5. Further Supports

5.1 There are lots of charities and other specialist support groups who offer information and support about pregnancy loss. Here are some that you might find helpful:

- **The Miscarriage Association** – The Miscarriage Association – offers support and information for anyone affected by pregnancy loss. It provides a staffed helpline, live chat and email service, and a comprehensive website, along with online and in-person peer support groups.
<https://www.miscarriageassociation.org.uk/>
- **Petals** – provides specialist support and counselling after pregnancy loss. <https://www.petalscharity.org/>
- **Tommy's** - a charity that funds research into pregnancy problems and provides information for parents-to-be.
<https://www.tommys.org/>
- **SANDS** - can offer you support if your baby dies during pregnancy or after birth. <https://www.sands.org.uk/>
- **ARC** - a national charity offering parents support through antenatal screening and its consequences, including bereavement. <https://www.arc-uk.org/>
- **Abortion Talk** - a new charity offering people the chance to talk about abortion in a non-judgemental and supportive environment. <https://www.abortiontalk.com/>
- **The Fertility Network** – a charity offering resources and support for those affected by fertility issues.
<https://fertilitynetworkuk.org/>
- **The Ectopic Pregnancy Trust** – supporting people with early pregnancy complications. <https://ectopic.org.uk/>
- **SIMBA** – offer monthly bereavement support groups across Scotland, 24-hour online support and organise family friendly

awareness events throughout the year.
<https://www.simbacharity.org.uk/>

6. Review of Scheme

- 6.1 This scheme will be reviewed and updated to incorporate any relevant changes to legislation or good practice as required.