



Supporting Employees through Pregnancy Loss Policy and Procedure

Introduction

West Oxfordshire District Council (WODC) prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference. In return we seek to support and empower our employees, to give their best.

This policy 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.

We empathise 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

The following definitions are used in this policy:

"Miscarriage" means the loss of a baby before the end of the 24th week of pregnancy.

"Stillbirth" means the loss of a baby after 24 complete weeks of pregnancy.

"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.

"Ectopic pregnancy" means a pregnancy that develops outside the uterus, most often in the fallopian tubes.

"Molar pregnancy" is where a fertilised egg implants in the uterus but cannot develop because it does not contain the correct genetic material.

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

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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

You do not have to tell us that you have had a miscarriage.

However, if you would like to do so, we encourage you to tell your line manager, the HR Team or any member of management at an early stage, so that we can provide any necessary support.

Any information given to line managers and any other management is confidential. Colleagues will only be told about the miscarriage if this is what you want. Your line manager will discuss your wishes with you.

If you do not want to tell your line manager about your miscarriage, you can access support by approaching another manager or director for support.

Telling us about your Stillbirth

We encourage you to tell your line manager about your stillbirth at an early stage, so that we can provide any necessary support.

Telling us about your TFMR

You do not have to tell us that you have had a TFMR.

However, if you would like to do so, we encourage you to tell your line manager at an early stage, so that we can provide any necessary support.

You should bear in mind that a TFMR after 24 weeks must 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.

Any information given to managers is confidential. Colleagues will only be told about your TFMR if this is what you want. Your line manager will discuss your wishes with you.

If you do not want to tell your line manager about your TFMR, you can access support by approaching another member of management or a director for support.

Time Off

Employees who have experienced a pregnancy loss may need time off work to recover from the physical and emotional consequences.

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.

Miscarriage

If you are unwell and unable to attend work following a miscarriage, we will handle this under our sickness absence policy. You will need to 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.

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.

Under our compassionate leave policy, employees are also entitled to 5 days' paid leave. Further information about how to request compassionate leave is contained in the policy.

Stillbirth

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.

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 MAT B1 certificate if you have not already done so. Further information can be found in our maternity policy.

Employees can also take up to two weeks' statutory parental bereavement leave after their statutory maternity leave, and (if eligible) receive statutory parental bereavement pay. Further information can be found in our parental bereavement leave policy.

TFMR

If you are unwell and unable to attend work following a TFMR, we will handle this under our sickness absence policy. You will need to 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.

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

You may want to consider taking a period of annual leave if you do not qualify for paid sick leave or maternity 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.

Practical and Emotional Support

Our intranet signposts employees and line managers to external sources of help and support, including:

- [The Miscarriage Association](#), which provides support and information to those affected by miscarriage, ectopic pregnancy or molar pregnancy and offers a pregnancy loss helpline
- [Sands](#), which provides support to anyone who has been affected by stillbirth or neonatal death
- [Tommy's](#), a charity that carries out research and supports those who have lost babies
- the [Mariposa Trust](#), a charity that provides support to those affected by baby loss and bereavement
- [Petals](#), a charity providing counselling to parents bereaved after pregnancy loss, including TFMR
- [Antenatal Results and Choices \(ARC\)](#), a charity providing support to those who decide to terminate a pregnancy for medical reasons
- the [Dad Still Standing](#) 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](#) podcast, which deals sensitively with all aspects of TFMR and
- [Mind](#), which provides support and information to those experiencing mental health issues for any reason.

Returning to Work

Your line manager will keep in touch with you during any period of leave after pregnancy loss 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.

Your line manager will arrange a meeting with you to discuss these issues before your return to work if you would find that useful.

Your line manager 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 Fathers/Parents

We recognise that the loss of a baby is a distressing experience for both parents. Therefore, an employee whose partner has a miscarriage, stillbirth or TFMR, or the father or parent of the baby who has passed away, may also need support or be eligible for time off.

The sources of practical and emotional support listed above are also open to fathers and partners and we encourage employees to access these. The Miscarriage Association has published guidance [Partners Too](#), which they may find helpful. They should discuss any additional support that they need with their line manager.

The right to time off for partners and fathers/parents depends on how long the pregnancy lasted.

Miscarriage

Employees can take a reasonable amount of unpaid time off, also known as time off for dependents, to provide assistance if their spouse or civil partner falls ill. Employees should tell us the reason for their absence as soon as possible and say how long they expect to be off work.

Stillbirth

Employees can take a reasonable amount of unpaid time off, also known as time off for dependents, to provide assistance if their spouse or civil partner falls ill. Employees should tell us the reason for their absence as soon as possible and say how long they expect to be off work. Further details are set out in our time off for dependant's policy.

In addition to unpaid time off, the partner of the individual who has a stillbirth, or the father/parent of the baby who has passed away, may be eligible for:

- either one- or two-weeks' statutory paternity leave and pay further information is set out in our paternity leave policy
- 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 policy and
- 5 days paid leave under our compassionate leave policy.

TFMR

Employees can take a reasonable amount of unpaid time off, also known as time off for dependents, to provide assistance if their spouse or civil partner falls ill. Employees should tell us the reason for their absence as soon as possible and say how long they expect to be off work. Further details are set out in our time off for dependant's policy.

Under our compassionate leave policy, employees are also entitled to 5 days paid leave. Further information about how to request compassionate leave is contained in the compassionate leave policy.

A TFMR after 24 weeks must be registered as a stillbirth and the right to take paternity leave applies in these circumstances.

The role of other Employees

If a colleague is experiencing a miscarriage while they are at work, employees should respond sympathetically and supportively.

Practical steps that you can take include:

- ensuring that they have privacy and access to a toilet
- providing a wrap or covering if they are bleeding heavily
- 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 partner or a friend 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.

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.

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](#), which contains guidance on how to talk sensitively about miscarriage in the workplace.

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