

## City of Lincoln Council

### Miscarriage and Stillbirth Policy

#### Introduction

This policy sets out the rights of employees affected by a miscarriage or stillbirth and explains the emotional and practical support that we can provide.

We recognise that the effects of a miscarriage or stillbirth can be extremely distressing and that many employees will regard a miscarriage as the loss of a baby, regardless of how early in pregnancy it occurs.

A miscarriage or stillbirth 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 by a miscarriage or stillbirth and we 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.

"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

Having a miscarriage or stillbirth can affect an employee in several 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 motivation;
- finding social interaction more difficult;
- mood swings, irritability, or tearfulness; and
- mental health problems, such as depression or anxiety.

## **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 and/or Human Resources (HR) at an early stage, so that we can provide any necessary support. You will not be treated unfavourably because you tell us about a miscarriage.

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

If you do not want to tell your line manager or the HR department about your miscarriage, you can access support by approaching the Councils Employee Assistance Programme.

## **Telling us about your stillbirth**

We encourage you to tell your line manager and/or the HR department about your stillbirth at an early stage, so that we can provide any necessary support. You will not be treated unfavourably because you tell us about a stillbirth.

Any information given to line managers and HR is confidential. Colleagues will only be told about the stillbirth if this is what you want. Your line manager and/or HR will discuss your wishes with you.

## **Time off**

Employees who have had a miscarriage may need time off work to recover from the physical and emotional consequences.

Employees who have had a stillbirth are likely to require time off to recover from the physical effects of giving birth.

In either case, 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 or a stillbirth (see definitions above).

### *Miscarriage*

If you are unwell and unable to attend work following a miscarriage, we will handle this under the Councils Sickness 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 your terms and conditions of employment.

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 Leave Entitlement Policy, employees are also entitled to reasonable time off for compassionate 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 MATB1 certificate if you have not already done so. Further information can be found in our Maternity/Paternity/Adoption Leave 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.

### **Practical and emotional support**

We offer a variety of practical and emotional support that may be relevant to employees who have had a miscarriage or stillbirth. These include the following:

Employee Assistance Programme

Occupational Health

Mental Health First Aiders

The following are external sources of help and support:

- [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;
- [Antenatal Results and Choices \(ARC\)](#), a charity providing support to those who decide to terminate a pregnancy for medical reasons; 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 a miscarriage or stillbirth 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 or stillbirth, 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 dependants, to provide assistance if their spouse or civil partner falls ill. Employees should tell the organisation the reason for their absence as soon as possible and say how long they expect to be off work. Further details are set out within the Leave Policy.

### *Stillbirth*

Employees can take a reasonable amount of unpaid time off, also known as time off for dependants, to provide assistance if their spouse or civil partner falls ill. Employees should tell the organisation the reason for their absence as soon as possible and say how long they expect to be off work. Further details are set out within the Leave Policy.

In addition to unpaid time off, the partner of an employee 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 Maternity/Paternity/Adoption 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 Maternity/Paternity/Adoption Leave Policy; and
- compassionate leave under our Leave Policy.

### **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.

### **Data protection**

We will process any personal data collected in accordance within the Councils Data Protection 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.