

# Pregnancy and baby loss template policy

## Introduction – about this policy

Best practice is to have in place a pregnancy and baby loss policy which:

- Includes miscarriage, stillbirth, neonatal death, termination for medical reasons (TFMR), and sudden/unexpected death of an infant (SUDI)
- Is written in compassionate language
- Has sensitive timelines
- Gives options for flexible working where possible
- Covers statutory entitlements plus compassionate best practice

This template policy from Sands includes all the above and can be used by your organisation to best suit your needs. When complete your policy should be easy to find so staff can locate it without having to ask.

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### 1. About this policy

1.1 [Organisation name] understands that losing a baby is a devastating event for anyone to face and that grief affects people in different ways. [Organisation name] wishes to provide all employees with appropriate support in the event of pregnancy loss or the death of their baby. We understand that everyone's experience is different, and colleagues are encouraged to discuss their individual needs with their relevant manager.

1.2 This policy reflects the right of all [Organisation name] colleagues, regardless of length of service, to take at least 2 weeks of paid leave in respect of each pregnancy loss or baby death. This leave is in addition to any entitlement to Maternity/Paternity/ Shared Leave under section 5.1 below. This will apply in all types of pregnancy loss and baby death, including but not limited to;

- Miscarriage at any stage of pregnancy, including ectopic pregnancy and molar pregnancy
- Stillbirth – i.e. loss of a baby after 24 weeks of pregnancy
- Neonatal death
- Termination of Pregnancy for Medical Reasons (TFMR)
- Sudden and Unexpected Death of an Infant (SUDI)

1.3 All employees who have been affected by the death of a baby or pregnancy loss are entitled to a minimum of 2 weeks leave at their normal salary. Leave can be self-certificated, without the need to provide a certificate from a GP. If you require a

further period of absence, please speak to your manager or Human Resources.

- 1.4 The emotional and physical impact of baby or pregnancy loss does not have a predictable time limit, and you may find that you need to take further leave after having returned to work. You will be supported when requesting time off for reasons relating to pregnancy loss, or the death of your baby.
- 1.5 No employee will be disadvantaged for taking or seeking to take leave in accordance with this policy.
- 1.6 This policy does not form part of any employee's contract of employment and [Organisation name] may amend it at any time.

## **2. Entitlement to Leave for Pregnancy Loss and the Death of a Baby**

- 2.1 All employees, regardless of length of service are entitled to take two weeks' paid leave for pregnancy loss or the death of their baby if:
  - You are the parent of the baby
  - You or your partner experienced a miscarriage at any stage of pregnancy
  - You have or expect to have parental responsibility for the baby
  - You are a close family member

## **3. Taking Leave**

- 3.1 Leave can be taken [as individual days/in blocks of one or two weeks] and must be taken within 56 weeks of the date of the loss of your baby.
- 3.2 You are entitled to take the leave in relation to each instance of pregnancy loss or the death of your baby.

## **4. Notification requirements**

- 4.1 We understand that losing a baby is a very traumatic and difficult experience. We also understand that you may not initially feel comfortable discussing personal matters with HR or your line manager, so you may find it helpful to have a confidential conversation with a trusted colleague or the Sands Helpline ([helpline@sands.org.uk](mailto:helpline@sands.org.uk) 0808 164 3332) initially.
- 4.2 However, you are encouraged, when you are ready, to notify HR or your line

manager, of your need to take this leave. This will ensure that we can support you appropriately and that you will receive the paid time off work that you need.

- 4.3 You will not have to produce your baby's death or stillbirth certificate (or other medical documents relating to the loss of a pregnancy) to be eligible to take leave under this Policy.

## **5. Other Leave**

- 5.1 If your baby was stillborn after 24 weeks of pregnancy or died shortly after birth, you are entitled to maternity leave/ paternity leave / shared leave, in addition to Baby Loss leave. Please see separate [policy name] for details.

- 5.2 Our policy aims to provide the time off work when you need it most. You are entitled to two weeks' Baby Loss leave as explained above. However, Baby Loss leave may be supplemented with compassionate leave, unpaid leave or using accrued annual leave. Please speak to HR or your line manager to discuss the additional leave that you might require.

## **6. Terms and conditions during Leave for Pregnancy Loss and the Death of a Baby**

- 6.1 All leave under this Policy will be paid at your normal salary. Your contractual provisions relating to pay and benefits remain during leave.
- 6.2 During your period of leave you are entitled to benefit from any terms and conditions of service in relation to being given notice of termination of employment, redundancy pay and disciplinary and grievance procedures. Annual Leave entitlement will continue to accrue, as will entitlement to all staff benefits including access to the Employee Assistance Programme.

## **7. Pension Scheme**

- 7.1 [Organisation name] will continue to make employer pension contributions during a period of paid leave.

## **8. Management Support for Staff**

- 8.1 [Organisation name] recognises that a lack of contact from an individual's employer following baby or pregnancy loss can be extremely isolating. If you experience pregnancy loss or the death of a baby, you will be contacted by HR, your manager or another designated colleague to discuss your needs during this time. However, we understand that you may not want any contact from work and you should feel free

to advise HR or your line manager if that is the case.

## **9. Returning to work**

9.1 Returning to work after experiencing pregnancy loss, or the death of baby can be challenging. On returning to work, you will receive appropriate support from HR and your line manager, which may include:

- A phased return to work
- More breaks and time away from your computer
- Flexibility to work in other areas of the organisation
- Earlier start times and finish times
- A request to reduce working hours on a temporary basis
- Turning your camera off when on video calls
- Remote working or working from home
- Leave for anniversaries and/or birthdays

These should be discussed and agreed with your line manager and reviewed on a regular basis to ensure these adjustments continue to meet your needs.

9.2 You will be supported by your line manager around informing your colleagues of your individual circumstances. While it may be appropriate to inform colleagues of the reason for your absence, your manager will handle such conversations discretely and sensitively and in accordance with your wishes.

9.3 On your return to work following leave, you will be entitled to return to the same position you held before commencing your leave. Your terms of employment will be the same as they would have been had you not been absent. Before your return to work, your manager will contact you to ensure you are provided with the appropriate level of support, including making any reasonable adjustments to enable you to return to the working environment.

9.4 We will consider any requests by you to change your working pattern (such as working part-time) after leave on a case-by-case basis, in accordance with our Flexible Working Policy. Such requests could be for a short-term change to your current working patterns, or for a longer arrangement. We will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of our organisation.

## **10. Flexible working**

10.1 We recognise that flexibility is essential for anyone who has been through pregnancy loss or the death of a baby and aim to facilitate flexible working wherever possible. See separate [policy name] for details.

## **11. Medical support**

11.1 [Organisation name] encourages you to seek advice from your GP if you require support or advice.

11.2 You can also obtain support from Occupational Health, who can provide access to the following on request to the [insert detail]

[Delete as applicable]

- An appointment with an Occupational Health Adviser
- A course of individual 1:1 counselling

## **12. Paid leave for medical appointments and professional psychological support**

You may take paid time off work to attend appointments (or to accompany your partner) relating to Baby Loss, including but not limited to medical examinations, scans and tests, and mental-health related appointments. Your manager should recognise that it will not always be possible for you to arrange these around the demands of your role and should support you in managing the impact of time away from work.

## **13. Important dates and Anniversaries**

Your manager will be mindful of special dates and anniversaries you have shared with them. Your manager will be sensitive to how you may be feeling on that day. If you request to take annual leave on an anniversary date, we will try and grant this if at all possible.