



MISCARRIAGE
ASSOCIATION

The knowledge to help

Miscarriage and the workplace

A guide for employers
and employees

This leaflet is a summary of our information for employers and employees affected by miscarriage, ectopic pregnancy or molar pregnancy.

In it, we highlight some key facts, figures and guidance to help everyone understand their rights and responsibilities and the benefit of good support.

You can find more detailed information at miscarriageassociation.org.uk/workplace

Information for employers and HR

An estimated one in four pregnancies ends in miscarriage*. Some people will experience recurrent miscarriages. Most workplaces have staff who have been or may be affected.

Miscarriage affects women and their partners in different ways. For many people it is the loss of a baby, however early it happens. Thoughtful support and management can make a real difference to how people cope – and can enhance an employee's motivation and commitment¹.

A lack of support can mean reduced productivity, lower standards of work, increased absence and even resignation.

It may help to share some of this information with your own manager or senior managers so they understand more about the decisions you are making and why.

* We often use the term 'miscarriage' to include miscarriage, ectopic and molar pregnancy.

“My line manager has been amazing. I am so fortunate to have had her support and probably would not be in work now if it wasn't for her.”

Understanding miscarriage, ectopic pregnancy and molar pregnancy

Understanding the physical and emotional impact of miscarriage, ectopic and molar pregnancy will help you offer support.

Our leaflet *'Supporting someone you know'* has a good summary of the feelings and experiences someone might have after pregnancy loss.

You can also read more detailed information on our website – see page 10 of this leaflet.

¹B Hayward, B Fong, A Thornton, BMRB Social Research. The third work-life balance employer survey: main findings, Department for Business Enterprise & Regulatory Reform, December 2007

How might a loss affect an employee at work?

Miscarriage affects people in different ways, but they may be:

- having difficulty sleeping,
- finding it difficult to concentrate or to feel motivated,
- struggling with social interaction,
- experiencing mood swings,
- feeling more tearful and/or irritable, and/or
- finding it difficult to manage their mental health.

These feelings may affect their productivity or ability to manage in a work environment. Good communication will help you ensure the right support is put in place to help your employee manage their work alongside their recovery.

We have information online to help you talk about miscarriage in the workplace. This includes questions and responses that might help, offering options, sharing information and having ongoing conversations. See 'Talking about miscarriage' on page 10.

“I was still thinking about my miscarriages and at times I found it difficult to concentrate and felt like I was drowning, trying to maintain a normal life again.”

Your responsibilities as an employer or manager

Creating a supportive environment

There are things you and your organisation can do now to make it easier for you and any member of your workforce or team if and when they experience a loss. As well as a good maternity and miscarriage policy, it's important to ensure you are approachable as a manager and have the knowledge to respond appropriately and offer the right support.

Supporting employees during and immediately after a miscarriage

Once you are aware of a loss, it's important to acknowledge and say you're sorry.

Employees may be embarrassed, prefer to keep things private or be worried about potential discrimination. At an appropriate point, ask them what they need – but be aware that they may not know immediately.

People who experience more than one loss often tell us that they tend to get less support each time. But this is often when they need it most and they may appreciate a simple acknowledgement of how difficult this must be.

A miscarriage at work

A woman who begins to miscarry at work may have one or more of these symptoms:

- bleeding, which may be very heavy,
- abdominal pain which may be severe, and/or
- feeling faint and even collapsing (this is most likely with an ectopic pregnancy which can be life-threatening).

She is likely to be upset, scared and embarrassed. She will need privacy, support and access to a toilet. She may need something to wrap around herself if she is bleeding heavily.

She is likely to appreciate a taxi home or to hospital and someone to go with her or to call her partner. If she is very unwell, you may need to call an ambulance.

Reassure her that you will cover any work as needed. Until you know what she wants to share, it may help to send a general email to colleagues – for example, *'X has had to leave to deal with an emergency. We will let you know when she will be back at work but in the meantime, please pass on any work queries to Y'*.

Someone who finds out that his or her partner is miscarrying is likely to want to leave work as soon as possible.

“I texted my boss to let her know what had happened. She replied simply with, ‘I’m here if you need anything. Please don’t give work another thought’.”

Time off

Many people, but not all, will need some time off work to recover physically and emotionally. Some will need a long time, while others choose to return to work reasonably quickly. Someone who returns to work after a short absence may need further leave at a later date.

Sometimes the physical recovery can take a long time, sometimes it can be emotional and/or mental health difficulties that are harder to cope with.

Rights to leave

Sickness absence after a miscarriage is protected as pregnancy-related sickness. It should be recorded separately and may not be used against the employee, for example, for disciplinary or redundancy purposes or as part of an appraisal.

Your employee can self-certify for up to seven days as usual, noting that the absence is pregnancy-related. After that she will need to get a fit note from her GP or another medical professional. She may want to ask her GP to backdate a fit note to confirm that the leave is pregnancy-related.

There is no time limit on sickness absence after a miscarriage. If a GP or medical practitioner has certified the sickness as pregnancy-related, this applies for as long as the sick leave lasts.

She will be entitled to any sick pay she is usually entitled to.

Partners are not entitled to pregnancy-related sickness absence, even though they might be equally affected by the loss. They may find a period of compassionate leave helpful.

“Before my return my manager met me for lunch and took me into the workplace so I did not feel overwhelmed.”

While/if they are off work

Stay in touch – but try not to add pressure to return to work before they feel ready.

Send them our online information for employees – they are likely to appreciate it even if they have already seen it.

Ask them what they would like colleagues to know and if they would like you to send an email or share more information.

If they are happy for colleagues to know, you or they might like to send flowers from the team or sign a card, such as those available from the Miscarriage Association.

Ask whether there is anything you can do to make things easier for them – for example, waiving a requirement to call in every day or seeking confirmation from HR that sick leave will be recorded as pregnancy-related.

Supporting their return to work

Returning to work after a miscarriage can be overwhelming. They may feel anxious about what colleagues will say or uncertain about returning to ‘normal’ life while no longer pregnant.

Miscarriage isn’t always easy to leave in the past (although sometimes it can be). Feelings of grief, anger, jealousy, guilt or sadness can come sometimes without warning, long after the miscarriage itself.

We have more information online about how to manage an employee’s return to work and further support that might be needed – see page 10.

A miscarriage policy

Managers and employees have told us they feel more comfortable when everyone's rights and responsibilities are clear.

A policy (or guidance note) can formalise existing practice and ensure there is consistency when staff members change. It can also help make miscarriage less taboo and ensure people feel more able to ask for support.

The policy could be part of a larger document on pregnancy loss, including miscarriage, ectopic and molar pregnancy, and also termination for fetal anomaly and stillbirth. Be aware that the legal situation for a loss before and after 24 weeks is quite different.

We have more information online to help you set up a policy or guidance note, and run training and awareness events – miscarriageassociation.org/HR

“Not everyone will want to talk about their experiences or feel that they need help. What we want people to know is that if and when they are ready for it, there is always help and support available for all staff.”

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

If you are reading this, you have probably experienced a miscarriage, ectopic pregnancy or molar pregnancy and would like to know more about your rights at work. We're really sorry for your loss.

This section has information about your rights, and support to help you manage your relationship with work alongside your recovery.

We have more detailed information online – miscarriageassociation.org.uk/employees.

Your rights

Time off

If you have experienced the physical loss and need sick leave after a miscarriage (for physical or mental health reasons), it should be recorded as pregnancy-related sickness. This means that it should not be used against you in any way (for example as a reason to discipline you, refuse promotion or make you redundant).

You should be able to self-certify that the leave is pregnancy-related for the first 7 days. After this, you will need a GP or medical practitioner to give you a fit note to certify it is pregnancy-related.

If you have been treated in hospital, you may be able to get this note from someone there. Otherwise, it might be a good idea to make an appointment with your GP (make an emergency appointment if needs be).

If you go back to work and then realise you need further time off, you should ask your GP to continue to certify it as pregnancy-related. Sadly, you may find some GPs are reluctant to do this. You could try and see another doctor or ask for a second opinion.

If you choose not to tell your employer about your miscarriage but you are off for longer than 7 calendar days, then you will still need a fit note. You may be able to ask your doctor not to share detailed information with your employer – but this will mean that the time you have off is not protected as pregnancy-related.

Partners

If you are the partner of someone who has experienced a physical loss then you are not legally entitled to pregnancy-related leave or sickness absence.

Some workplaces will have provision for partners in a miscarriage policy, or may offer compassionate leave (paid or unpaid leave for emergency situations). Others may insist you take unpaid leave or use your holiday if you want to take time off.

Self-employed

If you are self-employed, you may have the flexibility to choose when and how you go back to work. How much time you take off may depend on the people you're working for, your finances and your own worries about getting future work. It's worth bearing in mind that people may be more understanding than you think.

A phased return

A phased return is where you return to work for reduced hours or different duties at first. Some people find this helps them get back into work, while others prefer to go back to normal immediately. You don't have an automatic right to a phased return but it's worth asking.

Sick pay

Unfortunately, you are only entitled to the sick pay specified in your contract. For some people this may mean you are given time off on full pay, but others may only receive statutory sick pay (SSP).

If you are on a zero hours contract you should still get sick pay if you have earned enough over the previous months. Temporary and agency staff may still be eligible. Even if your employer says you are self-employed, you may still be entitled to sick pay.

The rules are complicated but Citizens Advice can help you understand what sick pay or other benefits you are entitled to.

Low or no sick pay may mean you are forced to return to work before you feel completely ready. Have a look at our information on going back to work after a miscarriage - miscarriageassociation.org/backtoworkafter

Flexible working

Some people find flexibility or adjustments to their job can help them return to work more quickly.

You are entitled by law to reasonable adjustments to help you do your job if you have a disability – this includes mental health problem.

You are not legally entitled to reasonable adjustments for other reasons but your organisation may have a policy that outlines anything they can offer in terms of flexible working and adjustments.

It might be helpful to make a list of anything that might be difficult and what adjustments could help. You could discuss this with your manager at a return to work meeting or by email beforehand.

“My line manager reassured me that I could take as much time as I needed, and not to worry or force myself back to work sooner than I was ready.”

Confidentiality

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

Going back to work

Going back to work after a miscarriage might feel daunting. You may not be sure how you'll cope, how people will respond or what to say to colleagues about what happened.

We have more information online to help you return to working life. This includes preparing to return to work, difficult situations, challenging discrimination and making changes for the future - miscarriageassociation.org/backtoworkafter

“I’m returning to work next week and I am really nervous about what my colleagues and the team I manage are going to say and think.”

“I only told my line manager and two friends who work in other teams. I did not want everyone to know because I wanted there to be some normality in my life and I thought the workplace would provide a separate focus.”

Useful links and organisations

Miscarriage Association workplace hub – a resource for employers, managers, employees and colleagues – miscarriageassociation.org.uk/workplace
01924 200799
Mon-Fri, 9am-4pm
info@miscarriageassociation.org.uk

The resource includes:

Information for employers and managers including

- more about miscarriage, ectopic pregnancy and molar pregnancy,
- how these might affect an employee at work,

We also have two further pages for employers and managers:

- How to support employees before, during and after a loss (including employees' rights and your responsibilities).
- Talking about miscarriage in the workplace: a guide for employers and managers.

Information for HR

In this section, you'll find information to help you support employees who experience a miscarriage – and their managers.

We also have two further pages for HR staff.

- A miscarriage policy
- Running training and/or awareness events.

Information for employees who experience miscarriage

In this section you'll find information about your rights, and support to help you manage your relationship with work alongside your recovery.

We also have a further page for employees.

- Going back to work after a miscarriage.

Information for colleagues

In this section, you'll find information to help you offer support to colleagues who experience miscarriage, ectopic pregnancy or molar pregnancy.

Throughout the resource you'll find links to helpful web pages and leaflets.

ACAS

acas.org.uk

0300 123 1100

Open Monday to Friday, 8am to 6pm.

Free impartial advice for employers and employees

ARC

arc-uk.org

0845 077 2290 or 0207 713 7486 via mobile

Information and support through antenatal diagnosis and its consequences

Citizens Advice Bureau

citizensadvice.org.uk

(search for your local office on this link)

Free and confidential advice on benefits, work, and family

Ectopic Pregnancy Trust

ectopic.org.uk

020 7733 2653

Information and support for ectopic pregnancy

Maternity Action

maternityaction.org.uk

(find information and appropriate telephone numbers on this link)

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

Mind

mind.org.uk

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

Sands

sands.org.uk

0808 164 3332

helpline@sands.org.uk

Information and support for stillbirth and neonatal death

Working families

workingfamilies.org.uk

0300 012 0312

advice@workingfamilies.org.uk

Advice for working families via website and helpline



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