



**GMB**



**UNION**

# **GMB MODEL PREGNANCY LOSS WORKPLACE CHARTER**

***This is a model workplace charter developed by GMB for our reps to negotiate with employers. Points in [brackets] indicate where specific employer information should be inserted. If you are a GMB rep, please see the rep's guidance document. If you are a representative of an employer, please speak to your local GMB branch about adopting this charter.***

This Pregnancy Loss Charter is a part of [employer's] commitment to being a compassionate and supportive employer. We recognise that this requires us to support staff through difficult periods in their lives.

We recognise that losing a pregnancy can cause our workers significant distress and difficulty. In line with our aim to create a workplace culture that prioritises the emotional and physical welfare of our colleagues, we commit to the principles in this charter.

## ***What is pregnancy loss?***

Pregnancy loss refers to the expected or unexpected end of a pregnancy before the 24th week, through miscarriage or termination.

This charter does not apply to pregnancy loss after the beginning of the 24th week of pregnancy (which is known as stillbirth), or to the birth of a live baby before the 24th week, when all legal and contractual maternity and paternity rights apply.

## ***Our commitments***

1. We recognise that workers of all genders are impacted by pregnancy loss. The principles in this policy apply to those carrying a pregnancy themselves as well as their partners or expected co-parents.

2. We are aware that some of our colleagues are more likely to experience pregnancy loss. This includes Black and Black Mixed Heritage people – who have a much higher rate of pregnancy loss. Disabled parents may experience more pregnancy complications and impacts on their physical and mental health, and we are aware too of the impacts of pregnancy loss on LGBT+ people, who may have more complicated routes to pregnancy. We will extend the principles of this charter to loss through surrogacy. We will compassionately respond to colleagues undertaking fertility treatment and will apply this charter on a case-by-case basis to cases of loss through unsuccessful IVF and other fertility treatment cycles.
3. The rights outlined here apply to our colleagues from day one of their work with us.
4. We are committed to a human approach when supporting our colleagues who have experienced loss and will respond with the utmost flexibility, kindness and respect. We acknowledge that grieving does not follow a predictable timeline and is not the same for everyone.
5. Management training on this charter is important and will provide this to all our managers. We will ensure managers seek to understand the mental and physical effects of loss on their team member. This charter applies to all teams and areas of work. There will be no difference in treatment between teams or departments.
6. Confidentiality is vital. No manager or HR staff member will share any information about pregnancy loss without explicit permission of the person who has experienced loss.
7. We reject any kind of discrimination or victimisation against those who experience loss and who claim the rights outlined here. Every member of staff, regardless of their pregnancy or parental status or sickness, will be supported to access training, development and promotion equitably.
8. We provide access to specialist Occupational Health services when needed, whether to support physical or mental health in relation to a loss.
9. The right language is very important. We will follow our colleague's lead when they discuss their loss – whether they choose to talk about a lost embryo, foetus, pregnancy, a baby, a loss, a

miscarriage or other wording.

10. We will actively promote this charter – circulated to all workers and easily accessible – alongside promoting awareness of pregnancy loss and an environment where colleagues can talk about their experiences if they wish.
11. We will look at establishing informal support for staff who have experienced loss – alongside our wellbeing champion, peer support and staff network programmes.
12. We are committed to ensuring that all colleagues are aware of their legal rights as well as external support and have provided references to external advice below.
13. We are committed to upholding this Charter and will periodically review it, in consultation with our workers through their trade union, GMB, at a minimum of every two years. We'll update our policies and practices to align with best practice and the evolving needs of our colleagues.

### **Before a loss**

- Some pregnancies are high-risk. Working through a high-risk pregnancy can be very stressful. As a matter of course we follow HSE guidance for pregnancy, to reduce workplace risk including the effects of stress. We will enable colleagues with a high-risk pregnancy to be accompanied by a colleague or trade union representative to meetings about their risk assessment and amendments to duties.
- Some people have pregnancies which are not viable. This includes ectopic and molar pregnancy. We will extend compassion and flexibility to our colleagues in this situation, who may go through medical termination of the pregnancy.

### **During absence following a loss**

- We will provide colleagues who experience pregnancy loss with a dedicated period of paid leave. This will be a **minimum of one month's leave** – at the normal rate of pay – for the pregnant person and **two weeks** for partners or prospective co-parents. This will be extended in certain circumstances including where the pregnancy was more advanced but under 24 weeks' duration. This leave will not contribute towards sickness absence triggers.

- After this period of leave has been exhausted we will be flexible in providing other kinds of paid leave as requested by our colleague.
- Through our Employee Assistance Programme we offer counselling to colleagues and family members (including co-parents who may not co-habit). In addition, we will offer specialist additional ongoing counselling.
- We acknowledge in the case of early pregnancy loss, colleagues may not have disclosed their pregnancy to us as an employer, and they may not have GP or midwife documentation to share. This will not change our provision of the support outlined here.
- If we need to inform colleagues of the absence, we'll ensure we only share information with consent and with the utmost sensitivity.
- In line with the financial support we offer workers for other bereavements and unexpected life events, we will offer financial support for a funeral or memorial event.
- We'll agree with our colleague how we will get in touch and how often - they may want to stay in touch or have a period without contact. We may agree to speak to a family member or friend on our colleague's behalf. We'll offer to follow up conversations and information with a written record, as we know that during grief information can be hard to process.
- We'll ensure our colleague is aware of this charter and other relevant policies.

### ***Preparing for return and on return to work***

- Colleagues' return to work will be led by them. Returning to work too soon may lead to worsening of physical and mental health, resulting in longer absence. We will not rush colleagues to return, and in no instance will we exert undue pressure.
- We will make the offer of a phased return, flexible working options and amended duties.
- We will ensure our colleague knows they can be accompanied to meetings by a GMB rep or colleague. We'll offer face-to-face meetings where feasible.
- We'll be particularly sensitive in the case of those who work with

children, parents or in health and social care, and where people may work alongside pregnant colleagues.

- With their agreement, we'll refer our colleague to Occupational Health for a report including advice on any ongoing physical and mental health concerns. We will conduct a stress risk assessment.
- We'll ensure we understand how our colleague would like conversations around their absence and loss handled in the workplace.
- We'll seek to ensure we understand any cultural and religious traditions our colleague will follow for marking loss, as well as any support groups or therapy they may want to attend in working hours. We'll ensure we are flexible so they can arrange and attend these without loss of pay.
- We will offer an ongoing wellbeing plan, including ensuring ongoing access to breaks and a quiet place to take them, management of workload and access to support.
- We will offer periodic check-ins after the return to work.

### **Longer-term**

- We will support workers who have experienced loss sensitively during any future pregnancies.
- We will be flexible and understanding when we receive requests for leave on the anniversaries of loss and on previously expected due dates.
- We will make sure that relevant information is passed on during any change of line manager, should our colleague want this.

### **Related policies**

[Insert links to other relevant employer policies: – Bereavement Leave, Carers' Leave, Special Leave, Family Friendly Policy, Absence Management, Flexible Working, Reasonable Adjustments Passport etc]

### **Support**

[Link to employer's Employee Assistance Programme, or equivalent]

## External organisations

- Antenatal Results and Choices [arc-uk.org](http://arc-uk.org)
- Cruse – Bereavement support [cruse.org.uk](http://cruse.org.uk)
- Ectopic Pregnancy Trust [ectopic.org.uk](http://ectopic.org.uk)
- Gingerbread – For single parents [gingerbread.org.uk](http://gingerbread.org.uk)
- Miscarriage Association [miscarriageassociation.org.uk](http://miscarriageassociation.org.uk)
- NHS Choices – Information and advice [www.nhs.uk/conditions/miscarriage](http://www.nhs.uk/conditions/miscarriage)
- Petals – Baby loss counselling [petalscharity.org](http://petalscharity.org)
- SANDS (Stillbirth and Neonatal Death) – Research and support [sands.org.uk](http://sands.org.uk)
- Tommy's – Research and support including helpline for Black and Black Mixed-Heritage people and support for LGBT+ people [tommys.org](http://tommys.org)

## Legal Rights

- Government information [www.gov.uk/parental-bereavement-pay-leave](http://www.gov.uk/parental-bereavement-pay-leave)
- Health and Safety Executive – Protecting pregnant workers and new mothers [www.hse.gov.uk/mothers](http://www.hse.gov.uk/mothers)
- Maternity Action – Rights to time off and pay [maternityaction.org.uk/advice/miscarriage-stillbirth-and-neonatal-death-rights-to-time-off-and-pay-for-parents](http://maternityaction.org.uk/advice/miscarriage-stillbirth-and-neonatal-death-rights-to-time-off-and-pay-for-parents)
- Working Families – Your rights at work [workingfamilies.org.uk/articles/miscarriage-stillbirth-and-neonatal-death-your-rights-at-work](http://workingfamilies.org.uk/articles/miscarriage-stillbirth-and-neonatal-death-your-rights-at-work)

