

Government response to Pregnancy Loss Review recommends actions for NHS employers

09 August 2023  Jacqui Atkinson

The Government has recently [published its response](#) to the independent Pregnancy Loss Review. The review was jointly commissioned by the Government and Department of [Health](#) and [Social Care](#) and examined the care and support available to parents who lose a baby before 24 weeks of pregnancy.

It sought to highlight the areas for improvement and set out key recommendations the Government should consider to better the experience and care received. From an employment perspective, one of the areas considered was the support given to parents who lose a baby before 24 weeks gestation, as at present entitlement to paid time off is only available post 24 weeks (in the form of maternity, paternity and parental bereavement leave).

In total the review gives 73 recommendations in relation to a number of areas including, service provision and access; quality of care; bereavement care and the workplace. The Government has now considered the recommendations and set out the 20 recommendations it will prioritise which can be implemented in the short term. This includes four specific recommendations aimed at NHS organisations.

The response recommends that the NHS should be a leading example in offering excellent bereavement support and leave to staff who experience pre-24-week baby loss. It is therefore recommended that NHS organisations:

- Offer up to 10 days of paid leave for the person who is pregnant for any pre-24-week baby loss.
- Offer up to five days paid leave for the partner for any pre-24-week baby loss.
- A 'fitness for work' statement from a GP should not be required in respect of the paid leave unless additional time off is required.
- This paid time off should not be used for 'sickness trigger' purposes.
- NHS employees (both the person experiencing the loss and their partner) should be offered paid time off for appointments linked to pregnancy or baby loss, and flexible working arrangements, where possible.
- Each trust should offer reasonable bereavement leave and remove any restrictions limiting bereavement leave to three days a year.
- Trusts should not group bereavement, sickness and parental leave in the same category.
- Put adequate mental health support in place for all NHS staff.

Many NHS organisations have a maternity policy or guidance in place to support their employees following a miscarriage, however, this is not universal. Therefore, if no existing policy is in place, trusts should consider introducing one. The Government also strongly encourages employers to go further than existing statutory provisions (such as provisions on pregnancy discrimination) "to actively promote a workplace where women and their partners are comfortable to take the time that they need following pregnancy loss". The NHS will consider the recommendations in scoping what, if any, additional policy requirements can be taken at a national level to provide NHS managers and colleagues with advice on how to support people affected.

The response highlights the need for employees experiencing the devastating consequences of pregnancy loss to be supported with kindness, compassion and understanding, so that their mental and emotional health needs are adequately met. The response also recognises that temporary work adjustments or other levels of support may be beneficial and therefore echoes the ACAS guidance on [Time off work for bereavement](#), which also suggest reasonable adjustments to support a return to work after miscarriage as well as paid time off for bereavement.

In light of the Government's response, it would be prudent for NHS organisations to consider their existing policies and whether they should be updated to take account of the recommendations. Whilst the recommendations are not mandatory, they do highlight good practice and play an important role in supporting staff who go through the trauma of pregnancy loss. Not only is this demonstrating compassionate leadership but also demonstrates a real commitment to staff wellbeing and support.

Key contact

Jacqui Atkinson

Head of Employment Healthcare

jacqui.atkinson@brownejacobson.com

+44 (0)330 045 2547

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