

POLICY REVIEW RECORD

PREGNANCY LOSS ADDENDUM TO SPECIAL LEAVE POLICY	
Background	<p>A notice of motion from Full Council on 7 December 2022 requested that the council considered embedding the standards outlined in the Miscarriage Association Pregnancy Loss Pledge within the Moray Council's employment policies.</p> <p>The Miscarriage Leave Bill is a Private Members Bill that is currently being considered by Parliament. If it becomes law, the Bill will create a statutory right to three days of paid leave for parents who have suffered a loss before 24 weeks of pregnancy, including ectopic and molar pregnancies. Anticipated date of outcome of the consideration is 2024.</p> <p>As a result of the notice of motion, it is proposed that the special leave policy is amended to reflect the new bill before it becomes law, enhancing the special leave provisions already in place.</p> <p>Benchmarking with a number of other Local Authorities, along with research into the legislative requirements has been undertaken.</p>
Findings	<p>In summary, the Council's Special leave Policy is in line with neighbouring local authorities and best practice, however there is scope to further enhance its use and effectiveness in the workplace by inclusion of reference to Pregnancy Loss.</p> <p><u>Suggestions for development of content:</u></p> <ul style="list-style-type: none"> • Policy content: The inclusion of Pregnancy Loss is recommended. • Full paid leave from day 1 of employment for the employee, their partner or surrogate • There is no limit on the number of times this can be taken, if someone is impacted by more than one loss. • 3 days minimum but recommendation is up to 5 days for both parents and if further time off is required revert to Health and Work policy provisions. This is in line with other provisions within the Special Leave policy. • This could include miscarriage and abortion. • Time off during and after a miscarriage is protected as 'pregnancy-related' leave and should not be included in the FARM process.

	<ul style="list-style-type: none"> • The amendment of the Parental Bereavement Form to include the addition of Pregnancy Loss. • Of those councils supporting this type of leave evidence of pregnancy was not requested and given many miscarriages occur in the early period of gestation and often before disclosure to family and friends, it is proposed that evidence will not be required. <p>It is therefore recommended that an addendum to the Special Leave Policy is completed as detailed above.</p>
Implications	The above changes would ensure that the Council meets the potential future legislative requirements and maintains good practice.
Summary	In order to move forward with reviewing this Policy, members of the Committee are asked to consider the suggested amendments above.

Pregnancy Loss (addendum to Special Leave Policy)

To be inserted into the existing policy under Compassionate Circumstances

3.3 Pregnancy Loss

- 3.31** An employee (or surrogate and/or intended parent) experiencing pregnancy loss as a result of miscarriage including ectopic or molar pregnancy or abortion that is less than 24 weeks gestation will be afforded up to a minimum of three normal working days paid leave of absence. This can be extended to five days where required and in consultation with the Head of Service. If further absence is required, this will be managed in accordance with the Health and Work Policy.
- 3.32** The timing of the leave will be agreed with the line manager and will normally be taken within a month of the pregnancy loss.
- 3.33** Employees should liaise with their line manager regarding the leave required.
- 3.34** A separate period of leave is afforded for each pregnancy loss.
- 3.35** The Health and Work policy will be applied to any sickness absence required in addition to special leave.