

Freedom of Information request 449-22

Request

1. What paid leave is available for employees who suffer a miscarriage (ie up to 24 weeks pregnancy) and whether any other support is available?
2. What paid leave is available for employees whose child is stillborn (ie after 24 weeks pregnancy) and whether any other support is available?
3. Whether your body is considering any current proposals to change this policy?

Response

1. In the event where an NHS Borders employee has a miscarriage before the start of the 25th week of pregnancy, normal sickness absence provisions will apply as necessary (contractual sick pay entitlements):

- during the first year of service – one month's full pay and two months' half pay
- during the second year of service – two months' full pay and two months' half pay
- during the third year of service – four months' full pay and four months' half pay
- during the fourth and fifth years of service – five months' full pay and five months' half pay
- after completing five years of service – six months' full pay and six months' half pay.

The employee can make a self-referral to Occupational Health Support (OHS), where they feel that they would benefit from advice in relation to their health and work.

Managers can also refer employees to OHS to support the employee with health matters relating to or affecting their work and to enable OHS to provide advice to the manager.

NHS Borders also offers a confidential Staff Counselling Service.

2. In the event where an NHS Borders employee's baby is stillborn after the end of the 24th week of pregnancy, the employee is entitled to the same amount of maternity leave and pay as if their baby was born alive.

The employee can make a self-referral to Occupational Health Support (OHS), where they feel that they would benefit from advice in relation to their health and work.

Managers can also refer employees to OHS to support the employee with health matters relating to or affecting their work and to enable OHS to provide advice to the manager.

NHS Borders also offers a confidential Staff Counselling Service.

3. The Maternity Leave Policy is currently being reviewed by the Once for Scotland National Policy Group. NHS Borders will be guided by the Once for Scotland team for any changes to be implemented to the policy.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **449-22** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.