



# The Work Couch

NAVIGATING TODAY'S TRICKY PEOPLE CHALLENGES TO  
CREATE TOMORROW'S SUSTAINABLE WORKPLACES

## Episode 16 – Pregnancy loss (part 2) with Vicki Robinson

**Ellie:** Before we jump into today's episode, we wanted to give our listeners a quick content warning. We will be discussing pregnancy loss, miscarriage and stillbirth and the impact that can have on someone's physical and mental health, as well as their working lives, which some listeners might find triggering. With that in mind, we would advise listener discretion as to whether you feel comfortable listening to this episode. Hi, and welcome to the Work Couch podcast, your fortnightly deep dive into all things employment. Brought to you by the award-winning employment team at law firm RPC, we discuss the whole spectrum of employment law with the emphasis firmly on people. My name is Ellie Gelder. I'm a senior editor in the Employment Equality and Engagement team here at RPC, and I will be your host as we explore the constantly evolving and consistently challenging world of employment law and all the curveballs that it brings to businesses today. We hope by the end of the podcast that you'll feel better prepared to respond to these people challenges in a practical, commercial and inclusive way.

Today as many people mark the lives of babies sadly lost in pregnancy during Baby Loss Awareness Week, in the second part of our mini-series on pregnancy loss and work, we're going to explore the practical steps employers, managers and colleagues can take to help support their people who are affected by pregnancy loss. For example, would you know what to do if an employee or colleague is experiencing a loss at work? How do you effectively support non-childbearing partners and others, for example, those who are expecting a baby via a surrogate? And what are the key dos and don'ts when someone comes back to work after a pregnancy loss?

To tackle these questions and more, I am thrilled to be joined today by Vicki Robinson, Deputy Director at the Miscarriage Association, a national charity which offers support and guidance to anyone affected by pregnancy loss, as well as health professionals and employers. Hi, Vicki. Thank you so much for joining me today on the Work Couch.

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**Vicki:** Hi Ellie, thanks for inviting us on.

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**Ellie:** So before we look at those difficult questions I just mentioned, I think it would be really helpful if we can just understand what we mean by the term miscarriage and what types of pregnancy loss that actually includes.

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**Vicki:** Yeah, so miscarriage kind of gets used as a catch-all phrase doesn't it sometimes really? There are different types of pregnancy loss. Miscarriage itself is the most common type so legally this is the loss of a baby in pregnancy before 24 weeks gestation. From 24 weeks onwards that is legally known as a stillbirth and it's very different in terms of employment law particularly because, for example, someone who has a stillbirth will be entitled to their full maternity or parental leave pay and rights. And they also get two weeks of paid parental bereavement leave as well. For losses before 24 weeks, there's very little really that's legally available to people. But it is incredibly common. So miscarriage itself affects around about one in four pregnancies.

It's an estimated figure because figures aren't collected on miscarriages in the same way that they are on stillbirths and other types of later losses. But we think that roughly extrapolates to, you know, it's over 200,000 pregnancies a year that are being lost in the UK. Most of them happen in the first trimester, so that's in the first 14 weeks, and it can be either spontaneously, you know, someone will literally just start to miscarry or...quite often, and more often than you might imagine, it's actually discovered at a scan. So people go along for a dating scan, only to be told, you know, things haven't gone as they should have done. You know, the baby's heart has stopped beating, or, you know, the pregnancy just isn't developing. And actually that can have happened some weeks before without people knowing. So that can be a real shock to people because they're just, you know, going along in the pregnancy expecting all is well and to be given really, really quite heartbreaking news at that stage.

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Then also there's ectopic pregnancies. I think most people will have heard the phrase. I'm not sure how many people really understand what's happening medically there, but that means that the foetus or the baby is developing outside of its usual place, which should be the main cavity of the womb. So it can develop in a corner of the womb or in scar tissue, but it's most often found in one of the fallopian tubes.

**Vicki:** As you can imagine, the tubes are really quite small, so there isn't room in there for a pregnancy to develop. And if it does carry on growing, it can rupture the tube and then people may well need sort of emergency surgery. Quite often it means that people lose one of those tubes as well, which can then have an impact on future pregnancies or fertility as well. Molar pregnancy is really rare. Most people probably won't have heard of it. It affects around one in 600 pregnancies.

And it's an abnormal conception really. The cells that should form the placenta just sort of keep multiplying and growing and they take over the space where any baby or foetus would normally develop. So it's sadly, it's not a pregnancy that can survive. And it also means specialist follow-up. And it could be up to a period of sort of six months or so. And during that period, people can't try for another pregnancy, which can be really hard for people as well.

And then I'll just touch on termination as well. So termination obviously can be for any reason, but it can also be where there's a foetal anomaly or there might be a risk to the mother's health as well. But we should say, you know, even where it is perceived to have been a choice, we should really stress that it doesn't mean that it has been any sort of easy decision for the, you know, would-be parents or mother. It doesn't necessarily mean the pregnancy wasn't actually wanted, you know that can be a really difficult time for people going through that as well.

**Ellie:** Absolutely, I think it's really important we stress that. And I mentioned this is the second part of our mini series on pregnancy loss, following part one, where we looked at proposed changes to the law arising from the Miscarriage Leave Bill. And you did just touch on briefly how the law stands at the moment. But for those that didn't listen to that episode, can you just remind us really briefly what the Bill is proposing to change?

**Vicki:** Yeah, so the Miscarriage Leave Bill was a private members bill and it was seeking three days of paid statutory leave for women and their partners who were affected by miscarriage, ectopic pregnancy or molar pregnancy. Sadly, it didn't progress. It was being heard under the 10 minute rule, so it kept being timed out and timed out, so we didn't ever get to a second reading, unfortunately. So it is off the agenda for now. The MP who proposed it is standing down at the next election.

So it's stalled a little bit, but we will still keep pressing that case for change. We still want to see that happen and that widespread public acknowledgement of the impact that miscarriage can have.

**Ellie:** Absolutely. It is a real blow to everyone, your charity included. But as you say, employers can and indeed many are taking ownership of this nevertheless, and they're implementing really effective ways of supporting people regardless of what the law requires. So why are a growing number of employers going above and beyond the law? Why is pregnancy loss support at work so important?

**Vicki:** I think, well, work is just a huge part of all of our lives, really, isn't it? So to have that acknowledgement and that understanding of your employer makes a massive difference in being able to start that recovery process. You know, it's one less thing to have to be concerned about for people when, you know, for a lot of people at this point in their lives, they might be going through one of the most difficult kind of experiences this far.

But aside from it just being really the right thing for employers to do, it actually does make sound business sense as well, because if someone feels better supported, they're more likely to be able to return to work sooner and more effectively. You know, they're going to be in a better place to be able to get back to their usual standard of work. It also fosters that real sense of loyalty. You know, people who have been treated well during a really difficult period tend to remember that and have that more loyalty for their employer.

And I think those, by way of contrast, if you feel unsupported, we did a piece of research and ultimately kind of half of people said that they didn't feel supported at work. And then it went on to say 11% of people ended up leaving that job altogether. That's a huge loss. It's a huge expense for employers having to replace those people as well. And also if you're kind of hurrying somebody back to work or they don't feel supported when they get back to work.

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- Vicki:** They might end up having to take a second period of leave because they haven't really dealt with or started to deal with their loss. And they're certainly not gonna be able to perform at the level at which you would hope that they would be able to. So, you know, it makes sense for everyone. It makes sense for the employee and it makes sense for the employer as well.
- Ellie:** Absolutely. This is a difficult question, Vicki, but we want to recognise the reality of pregnancy loss and what that experience actually looks like. As you mentioned, many of us are spending a lot of time at the workplace. So the fact is, many people are going to experience or maybe start to experience a pregnancy loss at work. What can colleagues or managers do to help somebody who's in this really upsetting situation?
- Vicki:** Yeah, it's a good question and yeah, you're right. It's a sensitive question as well, but I think it's useful for people to know. It is inevitable, as you say, that this will happen to people at times. So if it does happen to a colleague, it's initially, it's really practical things that you will be able to do to help. They're likely to be bleeding and potentially bleeding quite heavily. So help them get to a toilet if that can be as private as possible, it's not always possible obviously, but do what you can with that. If there's a sick room, help them get to the sick room. If they are bleeding heavily, you might help them find something they can wrap around themselves if they've bled through their clothing. You also could offer to call someone to let them know what's happened or help them get home or phone a taxi if they need that. With their permission you could ask or offer to speak to their manager for them as well and let them know what's happened and that they're going home. If someone is in extreme pain or is perhaps collapsing, you might well need to call 111 for advice or even call an ambulance if it's really severe.
- Ellie:** And we can't underestimate the impact that pregnancy loss can have on someone's mental health. I came across some [research](#) recently, it was published in the American Journal of Obstetrics and Gynaecology, and they studied over 650 women who had experienced an early miscarriage, so before 12 weeks or an ectopic pregnancy. And according to that research, one month after the loss, nearly a third of women suffered post-traumatic stress.
- One in four experienced moderate to severe anxiety and one in 10 had moderate to severe depression. Going forward, nine months later, 18% of women had post-traumatic stress, 17% moderate to severe anxiety, and 6% with moderate to severe depression. So this toll on people's mental health is undoubtedly going to impact their working lives, isn't it? So like you were saying, morale, productivity, relationships with colleagues...
- Vicki:** Definitely, I think it's so important to recognise that for many people who go through it, not everyone, not necessarily everyone, but perhaps most people, when they're going through a pregnancy loss, they see it as a bereavement, they see and feel it as a bereavement like any other. So, you know, from the moment that they knew they were pregnant, they're likely to have been thinking about the future and making plans and however early that loss then happens.
- To most people, they feel it as the loss of a baby, of a future planned life together. People start to think about names and even schools and things that they will do together, the memories they'll make, and then suddenly it's all gone. So feelings of grief and loss are really, really common. And as you say there, it certainly can have a real lasting impact on people's mental health as well. So... as you've seen in those studies, you know, it can trigger quite significant mental health issues, or, you know, if you already perhaps have some mental health concerns, it can really exacerbate those as well. And I just want to mention as well pregnancy after loss, because this kind of this assumption that once you get pregnant again, if you want to get pregnant again, and you do get pregnant again, and perhaps once you get past the point of that previous loss... it should all be fine, you should be happy, it should all be great. That's rarely the experience that people have, you know, the anxiety that people feel in a subsequent pregnancy can be absolutely crippling. And that, you know, doesn't necessarily go away when the baby is born, you know, it's something, an experience that stays with people. And I think it's important that employers understand that as well, because it's great to support somebody at the time of their loss and be happy for them when they, you know, perhaps when they are pregnant again, but also to understand that the unique kind of anxiety that also goes hand in hand with that.
- Ellie:** Absolutely. And I know the Miscarriage Association does a lot of fantastic work to support people who aren't the child bearer, so partners, those who were expecting a baby via a surrogate. And we've actually heard several stories on The Work Couch about those who, although they didn't physically experience the loss, they still really needed emotional and practical support at work, but they didn't always feel that they could access it.
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- Vicki:** Absolutely, I think you absolutely don't have to experience the physical loss to suffer the emotional impact. I think historically there's been sometimes a lack of understanding around that. They might get asked how are your partners doing or how is the baby's mother coping, but not necessarily about their own feelings. And I think that sometimes means that for partners they feel they've got to be the strong one.
- Perhaps they don't feel entitled to all of those feelings or the emotions that they're going through because they weren't carrying the physical pregnancy. I do think things are starting to change now. I think happily most of the employers that we've worked with have recognised the impact on partners and are making sure that their policies are inclusive of their experiences as well. But I think generally we're all a bit better, a little bit better, at least about talking about our mental health or being aware of our mental health.
- And I think there's just more focus on that generally. So I'm hoping that trickles down to understanding loss in partners as well.
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- Ellie:** And going back to the increasing number of employers who are taking ownership of these issues, one way of doing this is by signing up to the Miscarriage Association's [Pregnancy Loss Pledge](#). And there are a really diverse group of employers who've signed up so far from banks to retailers, right through to The Army. So just tell us Vicki, what that pledge means in practice.
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- Vicki:** Yeah, so we launched it just over two years ago now and it was on the back of the workplace research that we did. And so by signing the pledge, employers are committing to, committing publicly to offering the best practice support for their staff. So we have a six-point standard that we asked them to sign up to and then they're able to use the pledge logo. So the six-point standard is, and this is a minimum, you know, if they can go above and beyond that, that's fantastic.
- So we want them to create a supportive work environment that really underpins everything else. So that's an environment where people feel able to discuss and disclose pregnancy and talk about loss without that worry or fear of being disadvantaged or discriminated against in any way. We want employers to make sure they're supporting time off, that people feel able to take the time off that they need and aren't pressured to come back to work.
- We want employers to show empathy and understanding towards people affected, including partners. We want them to put a policy or guidance in place. I think that's really, really important. People need to have that information immediately to hand. They need to know what they're entitled to. They really don't need an extra layer of complexity when they're already dealing with perhaps a lot of medical appointments and all the emotional fallout as well. We want line managers to have access to training or some support documents or guidance for them to be able to implement policies because we know that most managers really, really want to do a good job, but perhaps they haven't had any training in this area or it might not be something that they've had to deal with before. So it can be really hard for the managers, too. We don't underestimate that. So we want managers to feel supported. And we want them to be able to support people back to work once they're ready by being you know, responsive to their needs and as flexible as they can be, depending on what that individual person feels that they need.
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- Ellie:** I'd be interested to hear what the feedback's been from employers and employees about the pledge, to tell us about how this is helping people at work.
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- Vicki:** Yeah, definitely. I think people are really encouraged by it. It's, on top of everything else, you know, the measures that it puts in place, it means that there's a clear recognition from their employer, that their employer understands pregnancy loss, that they see it as a significant life event and they will put measures in place to support people back to work. So, we've heard from a few employers and staff who've already used those policies and found it really effective particularly the guidance for managers, I think, has been really helpful, empowering them to be able to provide that support and guidance on how to have conversations with people, what helps and what doesn't, these kinds of things. Perhaps the policies have now been published independently. Sometimes we've found previously that employers might have had reference to pregnancy loss, but might have combined it in a family policy or a maternity policy.
- And really, you know, that would be one of my main takeaways for people. Please don't do that. You know, if someone has experienced a loss, the last place they want to go and seek information about what they do next is the maternity or paternity policy. It's not a good place for people to have to go searching for information. So, yeah, one key takeaway, please keep your policies separate or put your policy within the sickness policy or the bereavement policy if you want to combine them. But yeah, please keep it away from the maternity policy.
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- Ellie:** Yeah, that's a really good point. And on that note, Vicki, I'd just like to finish by exploring some of the other key do's and don'ts when supporting someone who's affected by pregnancy loss. And as you mentioned, you know, training managers on what to say or what not to say to someone, because it is so personal and sensitive.
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- Vicki:** Yeah, so do's. **Do** acknowledge their loss if they've told you about it, obviously. Acknowledge their loss and do say that you're sorry. **Do** support them to take the time off that they need to start that recovery process. **Do** recognise that partners are just as affected and ensure that they are offered the same level of support. And when someone is ready to come back to work, **do** ask them what would help and try to be as flexible and responsive as you can be. And back to the policy. **Do** have a policy around pregnancy loss and **do** offer training or guidance for your managers. In terms of don'ts, there are a few key things really. So **don't** pressure them to come back to work too soon. Have a conversation with them and agree, you know, how and when you're going to keep in touch. And that might be once a week. We had heard previously from people whose employers insisted they call in every day. You know, that's... really, really not helpful to people who are already going through a really stressful experience. So if you can manage and be flexible around some of those existing rules, that would be really helpful for people. On that, **don't** get the rules around pregnancy related leave wrong. People are entitled to take pregnancy related absence without it impacting their sickness record. We've heard from a lot of people whose sickness records were wrongly impacted. and then have found themselves in disciplinary hearings and such, and that shouldn't be happening. That isn't what the law says. **Don't** avoid people because you don't know what to say to them or are worried about upsetting them. Pregnancy loss can already be a very lonely experience without that. And on that as well, **don't** say things like, "at least you can try again", or "at least you know you can get pregnant", or... "at least you already have a child". I know these things are well-intentioned. I really know that it doesn't come from a bad place, but all they do is really minimise that person's loss and make them feel that their loss isn't valid. And I guess finally, **don't** assume because someone is back at work that they're now somehow over it, that it's all over.
- There will be ongoing triggers like due dates, other anniversaries, you know, when people around them announce pregnancies and things like that. So just recognise that, yes, they're back at work and hopefully they'll be able to get back on with their work, but this isn't really over for them. As we said earlier, it's, you know, it's often something that stays with people for a long time.
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- Ellie:** Yes, and for more support and resources on pregnancy loss, a perfect place to start is the [Miscarriage Association](#) website. You can also get information from [Tommy's](#). And going back to at the beginning, Vicki mentioned termination for medical reasons. For support and information on that, do go to [Antenatal Results and Choices](#) because that provides specific support for those who are in that sad situation.
- Well, thank you so much, Vicki, for joining me today. As we've heard, although the law doesn't look set to change anytime soon, around time off, for those who've suffered a miscarriage, there are a range of measures that employers can take to support their people at what can be an incredibly distressing time. As Vicki said, supporting someone in the right way can really make all the difference to that person's experience at work not only protecting their wellbeing, but can really frame how they perceive their employer and ultimately whether or not they stay. So thank you so much, Vicki.
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- Vicki:** You're welcome.
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**Ellie:**

And finally, we are really excited to announce that we'll be publishing a deep dive series around mental health and work with some incredible guests. Mental health is an issue that has really weaved its way through many of our Work Couch episodes, including today's episode. So we thought we'd take this opportunity to take a deep dive, explore people's lived experiences more closely, take a look at the law across different jurisdictions, understand the intersectional nuances, and share stories of some remarkable people who are taking action and innovating to protect people's mental wellbeing at work. So do watch out for this!

If you would like to revisit anything we discussed today, you can access transcripts of every episode of The Work Couch podcast by going to our website, [www.rpc.co.uk/theworkcouch](http://www.rpc.co.uk/theworkcouch).

And if you do have any questions for me or any of our speakers, or indeed suggestions of topics you'd like us to cover in future, please get in touch by emailing us at [theworkcouch@rpc.co.uk](mailto:theworkcouch@rpc.co.uk). We'd love to hear from you. And finally, if you enjoyed this episode, please, please spare a moment to rate, review and subscribe.

Thank you all for listening and see you again in a few weeks.



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