

Fertility Treatment Support Policy and Procedure

Document Control

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This policy will be reviewed periodically to ensure compliance with changes in employment law and equality and diversity legislation. In the event that this policy or procedure is not compliant, the relevant legislation shall prevail.

Changes to this policy will be subject to consultation with the University's recognised Trade Unions before implementation

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1. INTRODUCTION

Brunel University London values the diversity of all its employees and is fully committed to developing supportive working practices and employment policies that promote a positive work life balance.

In particular, this Fertility Treatment Support Policy and Procedure sets out the assistance that the University will provide to employees who are undergoing or wish to undergo fertility treatment and who may require time off work.

2. SCOPE

This policy and procedure is applicable to all Brunel University London employees who are undergoing IVF treatment or other medical intervention/procedures in relation to fertility treatment.

3. GENERAL PRINCIPLES

The following general principles apply:

- All fertility treatment leave requests will be treated in the strictest confidence.
- The University will act sympathetically in situations envisaged by this policy and recognises the benefits to both the University and employees in applying this policy in a fair and reasonable manner.
- Operational needs and individual attendance records will be taken into account when considering fertility leave requests but fertility leave will not be withheld unreasonably.
- In cases where the Manager/Head of Department and/or employee require assistance with the interpretation of this policy, advice should be sought from Human Resources.
- Agreed fertility leave will be pro-rata for part-time employees.

4. FERTILITY TREATMENT AND LEAVE

4.1 Leave for employee receiving treatment

Employees undergoing fertility treatment will be entitled to **up to five days paid leave per year**, limited to 15 days over a 3-year continuous period.

Fertility Leave will be granted for the purpose of receiving and recovering from fertility treatment and to attend appointments specifically associated with the process. For example, pre-booked consultant appointments, collection of eggs, monitoring tests, etc.

4.2 Leave for employee wishing to support their partner

Where an employee is not undergoing fertility treatment themselves but has a partner who is receiving fertility treatment, the University will grant the employee **up to two days paid leave per cycle of treatment** so that they can attend appointments with their partner. Leave will be limited to a maximum of three cycles in total.

For the purposes of this policy, 'partner' refers to the partner of the employee undergoing treatment, and includes same sex partners. This leave also applies to an employee whose surrogate is undergoing fertility treatment.

4.3 Taking time off work

Where possible, appointments for the investigation of and testing for fertility treatment should be arranged outside of normal working hours and will be treated in the same way as all other medical appointments.

The University recognises that appointments and subsequent time off during fertility treatment may be required at short notice and Managers/Heads of Departments are asked to be considerate of this and allow flexibility in leave wherever possible.

Managers/Heads of Departments may require evidence to confirm medical appointments where necessary.

In the event that an employee exhausts the time off allowed under this policy, discussion with the employee will help to establish whether annual leave or any other type of leave or flexible working arrangements would be the most applicable. The operational needs of the University will be taken into account.

5. APPLYING FOR FERTILITY LEAVE

5.1 What should the employee do?

Initial Notification

Employees are encouraged to speak to their Manager/Head of Department as soon as they find out that their treatment, or their partner's treatment, has been approved. Managers are expected to handle fertility notifications with sensitivity and to treat the information as confidential.

Formal Notification

Employees should submit their request for Fertility Leave to their Manager/Head of Department for consideration and provide as much notice as possible and ideally **no later than two weeks before the start of treatment**.

The employee will also need to:

- provide written confirmation from a qualified medical practitioner that fertility treatment has been recommended and approved; and
- at the request of their Manager, produce written confirmation from the fertility clinic for each occasion on which time off is requested.

It is important that all Fertility Leave request is notified to Human Resources in a timely manner for example, prior to an employee's leave taking place, so that Payroll can process the leave accordingly.

6. HEALTH AND SAFETY CONSIDERATIONS

6.1 Vitro Fertilisation (IVF)

Vitro Fertilisation (IVF) is a process of fertilisation that happens outside a person's body to help them become pregnant. It can typically take between 4 to 7 weeks for one cycle of IVF treatment. Sadly, IVF does not always result in a pregnancy.

In the final stages of IVF, embryos (the combination of sperm and egg) are placed inside the person's body. This step is called embryo transfer. Once this stage has been reached the employee may become pregnant and should tell their Manager that they have had an embryo transfer and may become pregnant.

If after the embryo transfer, one of the embryos attaches itself inside the employee's body, this is called implantation and this is when the employee will legally be regarded as pregnant. The complication here, for both the employee and University, is that the employee will not actually know whether implantation has taken place and that they are pregnant until the employee can take a pregnancy test, two weeks after implantation.

On this basis, and because of the uncertainty in the early days, whether the employee is pregnant or not, the University will treat the employee as being pregnant from the stage of embryo transfer. During this early stage (called a 'protected period') appropriate support will be provided to the employee. Section 7 of the [Maternity Leave Policy and Procedure](#) "Support During Pregnancy" should be referred to for guidance.

If the employee's pregnancy test proves positive, she should confirm her pregnancy in writing and follow the Maternity Leave Policy and Procedure for guidance.

In the very sad event that an employee's pregnancy test is negative, the protected period will end two weeks after the employee is told that the implantation (pregnancy) has proved unsuccessful.

6.2 Fertility Treatment and Sickness

Should an employee require time off work because of the side effects of their fertility treatment, this will be subject to the University's normal sickness absence procedure, including the requirement to certify absences.

Where absences during the 'protected period' are a result of the effects of IVF treatment, these absences will not count towards the sickness trigger points for absence management purposes.

6.3 Workplace Adjustments and Referral to Occupational Health

If an employee receives medical advice informing them that adjustments are needed to their work duties, or pattern, whilst they are undergoing treatment, their Manager should contact Human Resources to arrange a referral to Occupational Health so that recommendations can be made and considered.

7. SUPPORT

The University recognises the physical and emotional and in some cases financial stress of undergoing fertility testing and treatment and understands the impact this can have on employees. Employees can access internal or external support should they wish to talk to someone about the treatment which they are undertaking or intending on taking.

7.1 Internal Support

Our Equality, Diversity and Inclusion Partner can be contacted for support at:

Beatrice.Otudeko@brunel.ac.uk

7.2 External Support

Employees undergoing fertility treatment may like to take advantage of the Employee Assistance Programme, which provides free access to a 24 hour, independent counselling and advice service. The helpline is run by Carefirst. Carefirst can be contacted by telephone on 0808 168 2143 or visiting www.carefirst-lifestyle.co.uk. 'Brunel' should be quoted as the username and 'employee' for the password.

In addition, the Fertility Network can also be contacted for free advice and information about fertility issues: <https://fertilitynetworkuk.org/>