

Report to:	Employment and Staffing Committee 09 Nov 2023
Lead Cabinet Member:	Cllr John Williams- Lead Cabinet Member for Resources
Lead Officer:	Jeff Membery- Head of Transformation, HR and Corporate Services

Fertility Treatment Policy & Manager Toolkit

Executive Summary

1. In November 2022, [The Fertility Treatment Bill](#) was introduced in Parliament. The Bill will require employers to allow an employee to take paid time off work to attend fertility treatment appointments. In addition, an employee who has a "qualifying relationship" with a person receiving fertility treatment would be entitled to take unpaid time off work to accompany the person to the appointments. The next stage for this Bill, second reading, in the house of commons is scheduled to take place on Friday 24 November 2023.
2. In the interest of being a proactive employer, we have drafted the Fertility Treatment policy and manager toolkit to support those who are undergoing fertility treatment, both with paid time off for appointments and links to support including external organisations and charities
3. The policy and toolkit have been approved by Leadership team to be taken forward to ESC and has been sent to Trade Unions for feedback.

Key Decision

4. No

Recommendations

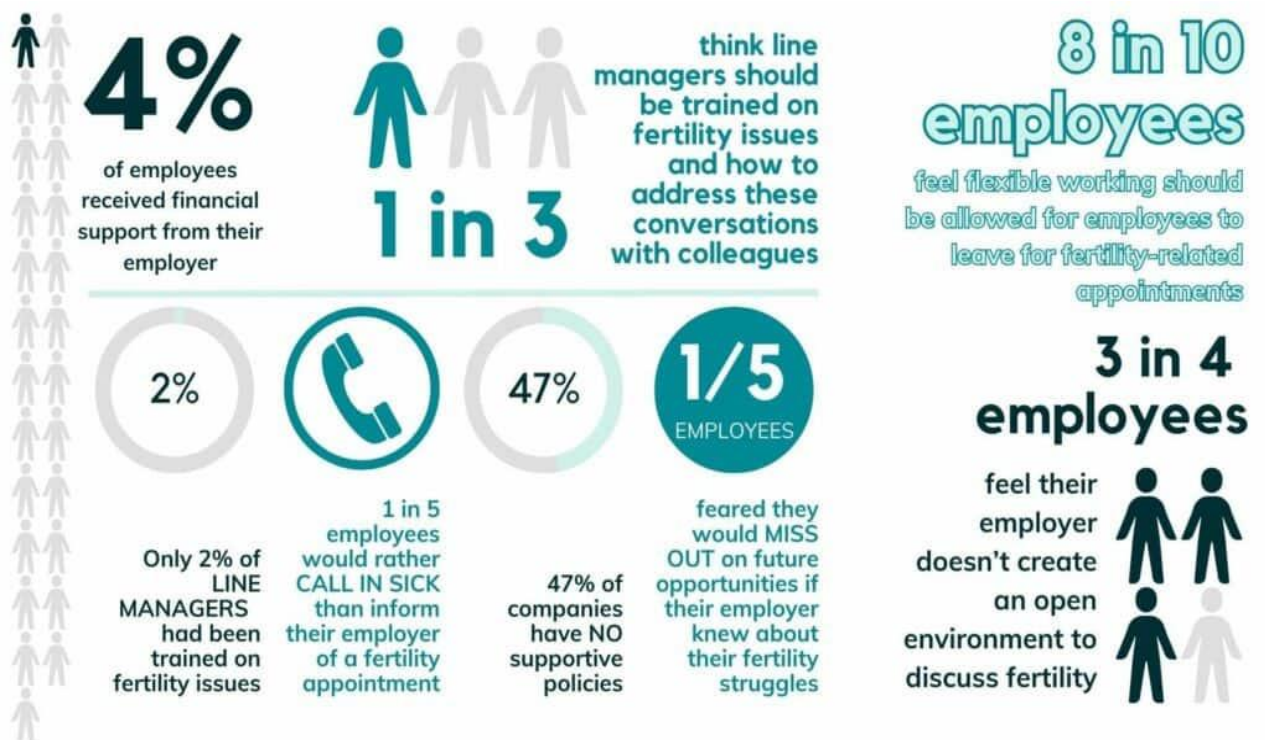
5. It is recommended that Employment and Staffing Committee approves this policy and toolkit.

Reasons for Recommendations

6. "IVF's emotional impact is immense: Fertility Network's Impact of Fertility Problems survey (2016) revealed 90 per cent of people were depressed and

42 per cent suicidal. But not only is IVF extremely distressing, it is also time-consuming and time-sensitive with multiple appointments at often distant clinics and a need for flexibility as last-minute adjustments to appointments are often required. The result is women and men having fertility treatment experience conflict between the demands of work and the time and emotional demands of treatment. Workplace support is crucial for managing this conflict but sadly this is typically lacking.” (1)

7. “Many couples will also be going through some financial strain as a result of infertility. There’ll be pressure to keep working to pay bills for fertility treatments. For example, IVF is only available on the NHS if certain criteria are met. But yet our survey found that only 1 in 25 people (4%) get financial support from their employer”. (2)



Details

8. Infertility is defined as a disease by the World Health Organisation (WHO) who state that 15% of the world population experience it, with it impacting one in six couples in the UK according to Fertility Network UK. As of 23/08/2023 we have 668 employees, which in theory would mean around 111 of our employees will be affected by infertility at some point in their lives (either directly or through their partner).

¹ [Fertility Network launches Fertility in the Workplace initiative to support employers and employees | Fertility Network \(fertilitynetworkuk.org\)](https://www.fertilitynetworkuk.org/)

² [The 2023 Workplace Infertility Stigma Survey: Do UK Workplaces Offer Sufficient Support for Employees on their Fertility Journeys? | Fertility Family](https://www.fertilityfamily.com/)

9. Our current leave policy treats fertility treatment appointments as other medical appointments which are taken as annual leave, Flexi, TOIL or unpaid. Those undergoing the surrogacy route are able to take unpaid leave to attend a maximum of two antenatal appointments.
10. The new proposed policy and toolkit have been designed to be supportive and encourage open communication between those undergoing fertility treatment and their managers, to manage expectations, and look at workplace pressures which may be alleviated.
11. The new proposed policy offers employees undergoing fertility treatment up to 30 hours paid leave for appointments per treatment cycle for up to 3 treatment cycles, this is extended to the partners of those undergoing treatment, so they can support their partner. In addition to this, those undergoing the surrogacy route can attend up to 10 antenatal appointments with their surrogate.
12. The number of appointments required in a fertility treatment cycle varies person to person depending on the different procedures they might require and how well they respond to treatment. The duration of appointments will also vary depending on the type of treatment being carried out at each appointment. The average fertility treatment cycle takes between 3 to 6 weeks, though this will vary dependent on the individual needs (3).
13. Other organisations such as Manchester University have offered 5 days paid time off to those undergoing treatment and 2 days paid time off for partners of those undergoing treatment, for one cycle per 12 months and up to 3 cycles (4). This new proposed policy offers the time to be taken as hours which offers more flexibility if an appointment doesn't require a full day absence from work. The Coop do not specify the amount of paid leave which is offered in their policy and refer to it as "a reasonable amount of paid time off" which is left to the manager to decide upon (5).

Options

14. The different options which are available:
 - i) To proceed with policy as presented.
 - ii) To offer paid time off to those undergoing treatment/surrogacy and offer unpaid leave to partners of those undergoing treatment.
 - iii) To offer unpaid time off to both those undergoing treatment/surrogacy and partners of those undergoing treatment and review once the bill has been decided on.
 - iv) To put the proposal on hold and review once an update on the bill is provided.

³ [How Long Does IVF Take In The UK? | IVF Blog | abc ivf](#)

⁴ [display.aspx \(manchester.ac.uk\)](#)

⁵ [IVF and fertility treatment policy - Co-op Colleagues \(coop.co.uk\)](#)

Implications

Financial

15. The cost implication of an employee utilising this policy has been calculated out on an average salary basis:
- a. Average hourly rate of an SCDC employee - £18.20
 - b. Maximum paid time offered under the policy 30 hours x 3 cycles
 - c. $£18.20 \times 90 = \mathbf{£1,638.00 \text{ per employee}}$
 - d. Things to note, not all employees would require the 30 hours offered in each cycle, and not all employees would necessarily utilise 3 cycles.

Risks/Opportunities

16. In addition to the policy and toolkit, the general awareness of fertility treatment and the impact infertility can have on individuals, will need to be raised throughout the council. Ideally an introduction of a network of employees who have experienced/or are undergoing treatment, to offer support to each other in addition to the support options which are available to them both internally and externally.

Equality and Diversity

17. Infertility is not a protected characteristic; and case law indicates that infertility is not a disability under the Equality Act. However, we need to be mindful that infertility may be caused by a mental or physical health condition, which could be a disability. It may also occur that mental health conditions arise in connection with infertility or fertility treatments, which could be considered disabilities.

Alignment with Council Priority Areas

A modern and caring Council

18. Infertility is becoming a wider discussed topic, in the interest of being a caring council this policy is offering compassionate support which can have a significant impact, helping someone to balance work demands with their personal situation. If employees feel supported and can access helpful adjustments at work, resources and/or flexibility, they are more likely to feel able to work to the best of their ability. Making employer support available sends an important message that the organisation values employees and their health and wellbeing and recognises the difficulties they are going through.

Background Papers

1. [Fertility Network launches Fertility in the Workplace initiative to support employers and employees | Fertility Network \(fertilitynetworkuk.org\)](#)
2. [The 2023 Workplace Infertility Stigma Survey: Do UK Workplaces Offer Sufficient Support for Employees on their Fertility Journeys? | Fertility Family](#)
3. [How Long Does IVF Take In The UK? | IVF Blog | abc ivf](#)
4. [Time off for Fertility Treatment Policy – Manchester University](#)
5. [IVF and fertility treatment policy - Co-op Colleagues \(coop.co.uk\)](#)

Appendices

Appendix A: Fertility Treatment Policy

Appendix B: Manager's Toolkit for Fertility Treatment

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