

# UK Research and Innovation

## STAFF UNDERGOING FERTILITY TREATMENT

### Contents:

Guidance statement

Management Statement

1. [Principles](#)
2. [Time off for medical appointments and treatment](#)
3. [Sickness absence](#)
4. [Confidentiality](#)
5. [Additional support](#)
6. [Review of guidance](#)
7. [Amendment history](#)

Appendices:

- A. [Document Control Sheet](#)

### References

[Equality Act 2010](#)

[Maternity, Adoptive, Maternity Support and Parental Leave](#)

[Sickness Absence Management](#)

[Flexible Working](#)

## EMPLOYEES UNDERGOING FERTILITY TREATMENT

### **Guidance statement**

The guidance sets out the UK Research and Innovations approach for employees who are undergoing fertility treatment.

The TU Side have been consulted about the contents of this guidance.

The guidance is for all UKRI employees undergoing fertility treatment. This includes those employed on temporary or fixed term contracts but does not include visiting workers, students or those workers provided by a third party agency.

Whether a worker is deemed to be a worker or employee is not always clear under employment legislation. In cases where managers or employees have any doubt as to whether the Fertility Treatment Guidance should apply, advice should be sought from the UKRI HR team.

The UK Shared Business Services Ltd (UK SBS) provides HR Services across UKRI. However some employees are deployed at establishments/facilities/ships that do not access services from UK SBS. In these cases references to the UK SBS or System (Employee Self Service) will not apply and employees should refer to their UKRI HR team for assistance.

### **Management Guidance**

UKRI is committed in creating a positive culture of respect for all employees. The intention is, as required by the Equality Act 2010, to identify, remove or minimise discriminatory practice in the nine named protected characteristics. As an organisation we promote positive practice and value the diversity of all individuals and communities.

This document provides guidance for managers, employees and HR when dealing with queries relating to fertility treatment.

## **EMPLOYEES UNDERGOING FERTILITY TREATMENT**

### **1. Principles**

- 1.1. UKRI is committed to providing a fair, consistent and effective approach to the application of leave provision in relation to fertility treatment such as in vitro fertilisation (IVF). The organisation acknowledges the emotional impact that fertility treatment can have on employees who are undergoing treatment, resulting from the underlying fertility issue, the physical and emotional stress of the treatment, the wait to see if the procedure has worked and the potential distress if it is unsuccessful.
- 1.2. Although employees do not have a statutory right to take time off, paid or unpaid, for fertility treatment UKRI is committed to supporting its employees where possible by the use of flexible working, annual leave, flexi time etc.
- 1.3. Fertility treatment involves regular medical appointments. Time off work is likely to be needed for investigative appointments prior to the start of treatment and during the course of treatment.
- 1.4. Employees undergoing fertility treatment is deemed to be pregnant from the point of implantation of fertilised ova. From this point they will be entitled to the same employment rights as all pregnant employees. Employees should refer to the UKRI Maternity, Adoptive, Maternity Support and Parental Leave policy.

### **2. Time off for medical appointments and treatment**

- 2.1. Whilst there is no statutory right for an employee to take time off work in connection with infertility investigations or treatment before the stage at which the employee is pregnant, UKRI will support employees who are undergoing treatment.
- 2.2. All appointments for investigations and treatment will be treated in the same way as time off for any other medical appointments. Employees should refer to the Sickness Absence Management Policy.
- 2.3. To apply for time off, employees are required to give as much notice as they can and, wherever possible, should arrange appointments at the start or end of the working day. Managers have the right to ask for proof of attendance for medical appointments. It is recognised that employees undergoing fertility treatment may need to attend some longer medical appointments i.e. for an initial consultation, egg collection, embryo transfer. To cover appointments of this type employees will be granted paid time off for up to three full day appointments. Any other full day appointments can be taken as annual leave, flexi leave or as unpaid leave; it is the employees responsibility to manage their time.
- 2.4. The nature of fertility treatment and the demands of the treatment may mean that the employee may need additional time off around the appointments. This can be taken as annual leave, flexi leave or as unpaid leave.
- 2.5. Employees involved in fertility treatment are likely to need time off. Employees who wish to take time off to support their partner's treatment would be required to take annual leave, flexi leave or unpaid leave it is the employees responsibility in making time back in agreement with the line manager.

## EMPLOYEES UNDERGOING FERTILITY TREATMENT

2.6. Employees have the option to submit a request for a flexible working arrangement. This would need to be discussed between the line manager and employee to ascertain the needs of the individual and the workplace. Arrangements might include altering the hours worked on a temporary basis, part-time working or working from home for some or part of the employee's hours. Employees should refer to the UKRI Flexible Working Policy.

### 3. Sickness Absence

3.1. If an employee is unable to work due to the effects of the treatment and is signed off by their doctor, this will be treated like sickness absence for any other reason and an employee's entitlement to statutory sick pay and occupational sick pay will be paid in accordance with normal rules. Refer to the UKRI Sickness Absence Management Policy.

### 4. Confidentiality

4.1. Managers will treat information relating to an employee who is undergoing fertility treatment with respect and confidentiality and will not share any such information except where absolutely necessary for business purposes.

### 5. Additional support

5.1. The manager will remind the employee about the Employee Assistance Programme, and/or other welfare or occupational health support which is available. Details of the programme can be obtained from the UKRI HR team.

### 6. Review of Guidance

6.1. This guidance will be regularly reviewed to incorporate any legislation changes. The TU may request that this guidance is reviewed.

Amendment history	Date	Comments/Changes
Draft V1.2	11/12/2018	Management Guidance included, Research Council replaced by UKRI.
V1.2	01/04/2019	Policy approved and published.