

Fertility Treatment Leave Policy

Version 1.0

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Responsible committee/Individual	Trust Board
Author	HR Manager
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Brighter Futures Learning Partnership Trust

Fertility Treatment Leave Policy

1. Introduction

ACAS states, **'there's no legal right for time off work for IVF treatment or related sickness. But your employer should treat your IVF appointments and any sickness the same as any other medical appointment or sickness.**

The Brighter Futures Learning Partnership Trust recognises the emotional and physical challenges which may arise from undergoing fertility treatments and is committed to supporting employees who wish to undertake fertility treatment. This policy outlines the provisions for employees who require time off for fertility treatment and is intended to assist eligible employees in the logistical and emotional aspects of undergoing treatment.

2. Scope

This policy applies to all employees of the Trust with effect from their first day of employment (i.e. there is no qualifying length of service).

It does not apply to casual workers, agency workers, or contractors.

3. Confidentiality

We will endeavour, as far as is practicable, to maintain the confidentiality of employees undergoing fertility treatments, and normally only those with a legitimate need to know will be informed.

4. Eligibility and entitlement

Investigations regarding infertility, consultations exploring treatment options, and medical interventions aimed at assisting conception, should normally be regarded as **medical appointments**. Entitlement to time off to attend medical appointments is outlined in our Annual Leave and Leave of Absence policy.

In addition, any employee (regardless of gender) who is undergoing fertility treatment is entitled to take up to 2 working days (**this must be taken at a minimum of half day blocks**) of paid Fertility Treatment Leave in any rolling 12-month period.

This might be used, for example, to allow the individual some time to deal with the logistical or emotional effects of fertility investigations or interventions.

Whilst all forms of fertility treatment are covered by this policy, there are some specific legal provisions related to In Vitro Fertilisation (IVF). In the case of IVF, a person is deemed legally to be pregnant once a fertilised egg has been implanted in their uterus. From that time, they are legally protected from unfavourable treatment related to their pregnancy for the duration

of their pregnancy and are entitled to time off for antenatal care as outlined in our Maternity, Paternity, Adoption and Shared Parental Leave policy.

In the unfortunate event that the IVF cycle is not successful, the employee will remain legally protected for a further 2 weeks.

5. Requesting leave

In accordance with this policy, an employee should not book time off for Fertility Treatment without **prior authorisation** from the Headteacher/Principal or CEO.

You are encouraged to discuss your situation with your Headteacher/Principal or CEO as early as possible. We will endeavour to treat such information with sensitivity and confidentiality.

In common with other leave options, you should request Fertility Treatment leave in advance where possible, although we recognise that in some circumstances you may require unforeseen time off before or after fertility treatment.

Where possible, appointments should be made for times that will cause the minimum disruption to your normal working day, and where feasible, with preference for any procedures being given to school closure periods. We do also ask that you provide as much notice as possible of the days and times on which time off is required.

We may ask you to provide a statement from a qualified medical practitioner to confirm that fertility treatment has been recommended and/ or approved. We may also, in some instances, request copies of appointment cards for each occasion on which time off is required.

Leave for fertility treatment is designed to be flexible, and the Headteacher/Principal or CEO is advised to discuss the leave options available with the employee, and to grant leave at their discretion and with sensitivity. The Headteacher/Principal or CEO should bear in mind the usual Health and Safety procedures associated with employees who are, or who may be pregnant, and should ensure that an appropriate risk assessment is completed at the earliest opportunity.

6. Extended Leave

If in exceptional circumstances the fertility treatment is likely to exceed the 2 days leave allocation within this policy, **unpaid** leave may be considered by the Headteacher/Principal or CEO subject to operational circumstances. However, the employee must apply for any additional leave in advance, stating the reasons for why this extended leave is required, and why the fertility treatment cannot be scheduled within a school closure period. **(The school/UTC or Trust is not obliged to authorise the absence).**

Teaching staff:

Employees could consider aligning the 2 days leave allocation for fertility treatment, either prior to, or at the end of a school closure period.

Associate staff:

Where applicable (**full-time staff only**) employees may apply for annual leave in compliance with the Trusts' Annual Leave and Leave of Absence policy.

7. Monitoring and review of this policy

This policy will be reviewed regularly and will be updated to ensure compliance with any statutory requirements. Any queries or comments regarding this policy should be addressed to the Central HR Team.

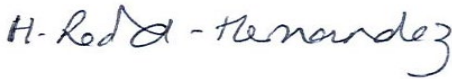
8. Related policies

We also have the following related policies:

- Equality and Diversity
- Flexible Working
- Maternity, Paternity Adoption and Shared Parental Leave
- Annual Leave and Leave of Absence

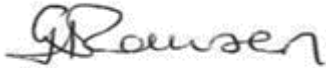
Fertility Treatment Leave Policy agreed: September 2024 (Version 1)

Signed Co-CEO of BFLPT – Helen Redford-Hernandez:



Date: September 2024

Signed Co-CEO of BFLPT – Garath Rawson:



Date: September 2024

Signed – Chair of BFLPT – Pippa Dodgshon:



Date: September 2024

Policy created: September 2024 (Version 1)

Revised:

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