



YOUR FERTILITY FRIENDLY  
**WORKPLACE**  
*Toolkit*

TinySeeds  
tinyseeds.je



# EMPLOYER TOOLKIT

## CREATING A FERTILITY FRIENDLY WORKPLACE

This toolkit contains help, guidance and resources to support your organisation to become a Fertility Friendly Workplace. It has been developed by Tiny Seeds in collaboration with High Tide HR Consultancy and supported by our workplace partners for 2024, Jersey Electricity. The legal considerations contained within have been kindly provided by Ogier.

The legal information contained within this toolkit is intended for general guidance only and should not be considered an authoritative statement of the law. For advice tailored to your specific circumstances, you are encouraged to consult with a qualified legal professional.

Disclaimer: This toolkit has been developed specifically for employers in Jersey and provides guidance, help, and resources related to fertility issues in the workplace. It is important to note that if you are an employer operating in multiple jurisdictions, the applicability of the contents may vary, especially where the information pertains to legislation specific to Jersey.

Rights to this document (and the accompanying 'Fertility Policy Template' document): Tiny Seeds Jersey owns the intellectual property rights to this document (and the accompanying 'Fertility Policy Template' document). You must not use these documents in any way that infringes those rights. These documents are intended for internal use by employers. You may download and print these documents which you may then use, copy or reproduce for your own internal non-profit making purposes. However, under no circumstances are you permitted to use, copy or reproduce these documents with a view to profit or gain. In addition, you must not sell or distribute these documents to third parties who are not members of your organisation, whether for monetary payment or otherwise, please refer them to the Tiny Seeds Jersey website.



SCAN HERE TO JOIN OUR PRIVATE  
FACEBOOK SUPPORT GROUP



OR VISIT OUR WEBSITE FOR MORE INFORMATION  
ABOUT TINY SEEDS AND THE SUPPORT WE OFFER

 [tinyseeds.je](https://www.tinyseeds.je)

# CONTENTS

Welcome	05
Message from our workplace partners	06
Background	07
Core objectives	08
Introduction	09
Accessing treatment from Jersey	11
IVF timeline	12
The cost of IVF	13
Toolkit purpose	15
Key considerations	16
Pledge	20
Accreditation	21
Writing your policy	22
Policy framework	23
Template policy	32
Final words	33



# WELCOME



## DEAR EMPLOYER

I would like to thank you for taking an interest in creating a fertility friendly workplace. This toolkit will provide you with all the resources, knowledge and guidance needed to set you on your way to ensuring your employees feel supported with fertility struggles at work. It has been developed in collaboration with Melanie Grandfield of High Tide HR Consultancy and we are extremely grateful for her advice, guidance and input. We would also like to thank Jersey Electricity - our workplace partners for 2024 - for enabling us to make the development of this toolkit possible.

We hope that you will find the information we have provided in this toolkit useful and enlightening, to enable you to be better prepared to support a member of your staff who is experiencing fertility challenges. We also hope that after reading the resources contained within this toolkit you will pledge to join us on our mission to ensure that all local employees can feel comfortable disclosing fertility related struggles within their workplace, safe in the knowledge that they will be supported and understood on what can too often be a long, difficult and heartbreaking journey.

## **Chloé Fosse**

Founding Director, Tiny Seeds



# A MESSAGE

## FROM OUR WORKPLACE PARTNERS

We are delighted to have come onboard as the Tiny Seeds workplace partner for 2024 and to have joined forces with the charity to produce this toolkit, a guide for businesses wanting to develop a fertility friendly workplace.

At JE, we are committed to supporting our people and aim to be an employer of choice, where people are engaged, supported and developed.

As a responsible employer to a diverse workforce, supporting our teams and enabling a safe and inclusive workplace culture is at the forefront of our agenda. We recognise the importance of continually developing our policies and procedures and ensuring that these are representative of the people they support.

It's important to us that our working environment is supportive of all JE colleagues and that we recognise their needs at an individual level. We are eager to develop our policies through our partnership with Tiny Seeds and are in the process of implementing our own Fertility Policy.

We hope that this toolkit and support from Tiny Seeds can support you in your journey to creating a fertility friendly workplace of your own.



Jersey Electricity

# BACKGROUND



Infertility is classified as a disease by the World Health Organisation, it affects as many as 1 in 6 individuals, men and women, and has a complex and significant impact on the mental, physical and financial health of those going through it on various levels, often over a sustained period of time. As a result this can significantly affect wellbeing and productivity at work. Currently it is common place that employees either struggle to or do not feel able to disclose what they are going through. The primary aim of this toolkit is to provide a framework for employers to optimise support for their employees during their journey and to cement a fertility friendly culture in the workplace that benefits both the employer and the employee.

Tiny Seeds is a registered charity (number 438) first established in 2020. It is the only charity in Jersey focused on raising the profile around the reality of fertility struggles, supporting those undergoing fertility issues and continuing to lobby and strive for better services for those requiring treatment.

Tiny Seeds has had to progress rapidly over the last few years in order to meet these objectives and the Charity has really started to raise the profile and awareness of fertility within the local community, accelerating and expanding its services to meet the continual needs of those it supports. In 2023 we were extremely proud to be awarded the Jersey Charity Award for Outstanding Achievement from a Small Charity.

We offer regular counsellor attended support sessions, a private online support group, podcast channel, practical and clinical webinars, Q&A events and more. We connect with Government of Jersey and the Health Assisted Reproduction Unit. We also provide travel bursaries to assist with the financial burden of needing to travel off-island for IVF. One key priority where Tiny Seeds really has been making big steps, is in raising support and awareness within the workplace and the creation of this toolkit is one element of this.

Tiny Seeds has offered a safe space for a community of people in Jersey going through the same or similar issues to me. Which makes me realise that I am not alone on the days when it is such a struggle.



# CORE OBJECTIVES

The core objectives of Tiny Seeds are to:

1. Improve the mental and physical health and well-being of those experiencing infertility or needing the help of fertility treatments to conceive;
2. Work on behalf of fertility service users with the health service where possible, ensuring that the best service is provided whether publicly or privately funded and regardless of financial status, relationship status, race or sexual orientation;
3. Minimise the social stigma surrounding infertility by raising awareness about the disease and its effect on those going through it;
4. Work with other organisations and charities to provide support and relief services to those who need them.






# INTRODUCTION

Creating a fertility friendly place to work is not simply about implementing a policy, or providing paid leave to employees for fertility appointments. It is about creating a culture of understanding and recognition for fertility and its related struggles within the workplace. It is important for everyone, particularly line managers, to understand why this support is so important and its relevance at work.

As many as 1 in 6 individuals of working age will experience a fertility struggle of some kind (World Health Organisation, 2023) and with infertility recognised as a disease - with physical, emotional and financial impacts - it is vitally important that support is available at work. Infertility does not discriminate and can affect anyone irrelevant of their race, relationship status, gender or sexual orientation. It is also important to note that it is not the only reason people may seek treatment; same sex couples, single people and cancer patients may all need access to fertility treatment to help them grow their families and/or preserve their fertility.

The results of a Tiny Seeds mental health and wellbeing survey in 2022 demonstrated that 87% of respondents thought about their fertility struggles either daily or all of the time, with 69% reporting feelings of depression, 88% anxiety and 71% feeling isolated as a direct result of what they were going through. A 2022 Fertility Network UK study found that as many as 42% of respondents reported suicidal feelings due to their fertility struggles. This is not something an individual can simply leave at the door when they come into work, yet many people do not feel able to disclose what they are going through to their employer - 31% of respondents to our 2023 social media survey did not tell, or did not feel like they could tell their work that they were going through fertility treatment.

One key reason for this, is for fear of how their employer will react and not knowing whether they will be supportive or understand what they are going through. This is evidenced by 42% of employees who underwent fertility treatment saying that it slowed their career progression (Fawcett Society, Employers Guide 2023), with 36% of people thinking that their career had been damaged as a result of what they had gone through (Fertility Network UK).



My work did not have a fertility policy. As I was not "pregnant" or did not have a medical condition that was recognised by my work, I was not entitled to attend appointments during work time which left me with no real option but to lie to enable me to go, as the Assisted Reproduction Unit was only open during my working hours. I'd frequently sit in meetings stressing as I knew it was time to take medication yet felt unable to take them without questions.

When I knew IVF treatment was looming, I'd continually stress knowing I was organising meetings, client lunches etc which I would be unable to attend and working silly hours to ensure I had covered everything and no one could criticise my work when I would be off last minute. All in all it's an experience I wouldn't wish on anyone. I've recently moved jobs and with one embryo still frozen, I do not feel I will be able to use the embryo anytime soon and subsequently feel that my chance is now over.

The level of awareness, understanding and support that is in place greatly impacts on the organisation's culture around fertility. Recognising the implications and taking steps to make positive changes will benefit not just those going through fertility struggles, but the organisation as a whole. Indeed there are many benefits to ensuring your organisation is a fertility friendly place to work, including;

- Reducing unplanned absence and overall absence levels
- Improving staff wellbeing and motivation
- Improved productivity from employees
- Improvement in recruitment, retention and progression of talent
- Improvement in employee loyalty
- Demonstrating adherence to core values and wellbeing at work initiatives/culture

In fact, 74% of employees who have been through fertility treatment having had a positive experience at work said the support they received strengthened their loyalty to their employer (Fawcett Society, Employer Guide 2023).

Crucially and positively, it is largely down to a lack of awareness rather than unwillingness to take action, when it comes to insufficient fertility support in the workplace. Tiny Seeds has certainly found that once organisations understand the need for and relevance of, fertility support at work, they have been quick to take action and this toolkit can provide a key foundation to working towards optimising fertility support within the work place.

# ACCESSING TREATMENT FROM JERSEY

**In 2023, 68 unique cycles of IVF were facilitated for 51 unique couples or individuals by the island's Assisted Reproduction Unit. Between 2008 and 2017 the average number of cycles facilitated per year was 129.**

It is important to be aware that in Jersey higher level fertility treatments, such as IVF, are only available off island. During the weeks leading up to IVF egg collection and fertilisation procedures, there are frequent monitoring appointments on island between the hours of 8am-5pm. Appointment dates are normally time sensitive linked to the menstrual cycle and can be at short notice. There is therefore no flexibility in appointment times and in addition, these appointments can be longer than anticipated and very emotional. It is appreciated the impact this can have on the work productivity for the employee around these times but is unfortunately the reality of the situation. The island's Assisted Reproduction Unit is based at the Enid Quenault Centre at Les Quennevais, which depending on where you live or work, travel time will need to be factored in for appointments as well.

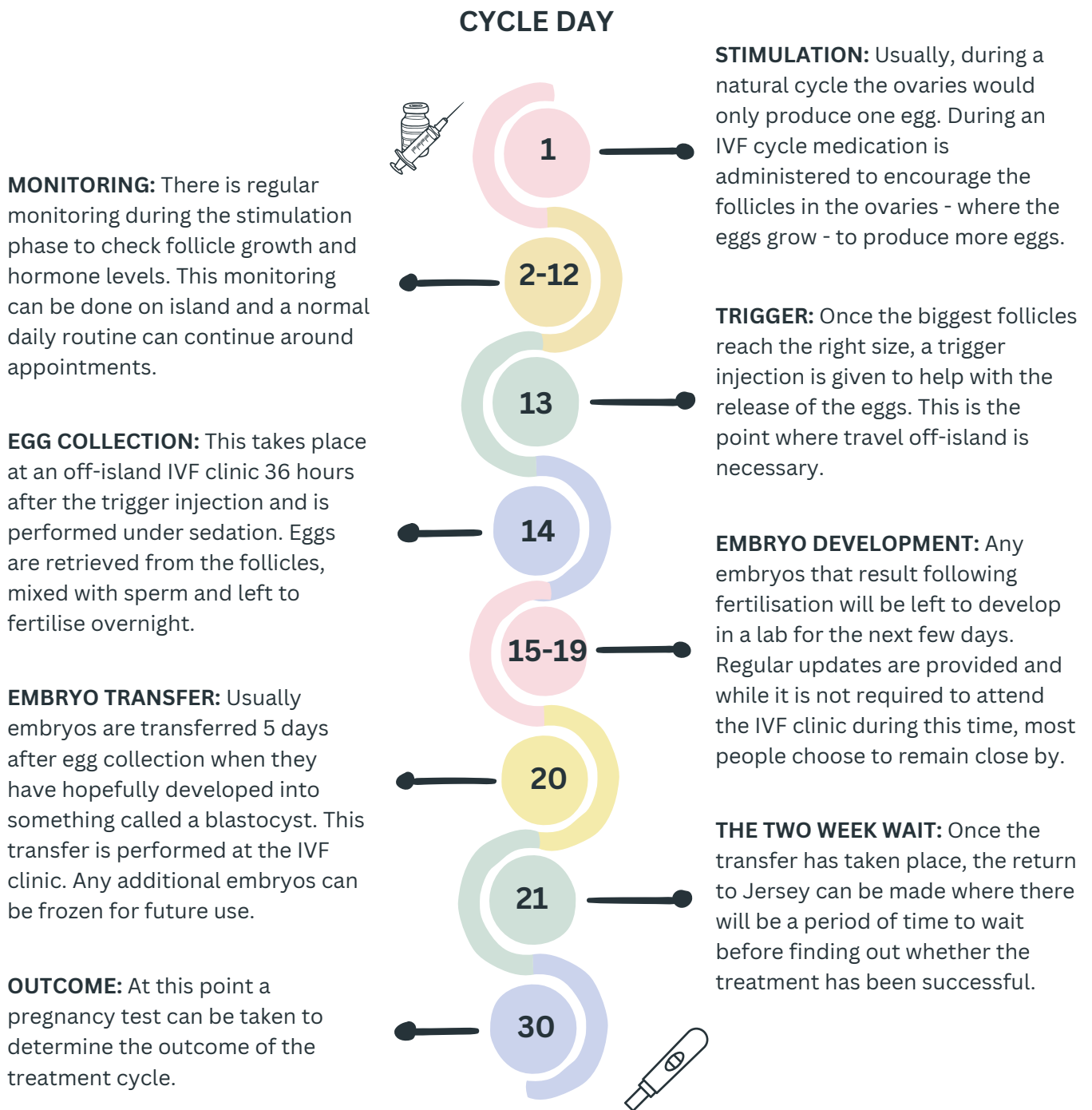
At these appointments couples will be advised when they will need to travel off island, this is last minute and can be particularly stressful, therefore if their employer can appreciate and accommodate the need for short notice leave requests this can be a vital support measure.

Couples may need to be in the UK for up to six days for egg collection, sperm production, fertilisation, embryo development and implantation. Whilst away from the island, there will be days in-between clinic appointments, where if remote working is an option, employees may wish and be able to continue working during this time. However, this can be a very stressful and emotionally draining experience, therefore being open to employees taking the time off is encouraged. It is important to be aware that it takes an average of three full cycles of IVF to achieve a successful pregnancy and that sadly, some never will. A supportive and understanding workplace can make all the difference during this time.



# IVF TIMELINE

There are many factors that determine the course of an IVF cycle, but typically a straight-forward, full cycle, takes around one month from start to outcome and would look something like this...



# THE COST OF IVF



"As a couple we both have well paid jobs, however the cost of IVF alongside a lack of salary increase to match the rising cost of living has left us doubting whether we can afford IVF "

We have talked about the physical and mental toll a fertility struggle takes, but the financial impact of needing IVF treatment is also great.

Traditionally IVF treatment for Jersey residents has been self-funded by individuals. Funding for medication costing an average of £1,000 a cycle has been available for up to 3 cycles of treatment, however an average starting point for the cost of an IVF cycle (excluding medication) would be between £4,500 to £6,000 and with additional "add-ons" this can quickly increase. It also takes an average of 3 full\* cycles of IVF to hopefully bring home a baby.

As part of a Tiny Seeds Cost of Living and IVF Impact survey from 2023 we found that our respondents had spent an average of £15,011 on IVF, excluding the associated travel and accommodation costs.

More than 80% of those who responded said that they may still require further IVF in the future.

As part of the same survey people shared the difficult choices they were having to make to have treatment, including delaying their weddings and choosing between treatment and saving for deposits for houses.

At the time of the publication of this toolkit, the funding for IVF in Jersey is due to change. Pending a final States Assembly vote due to take place in November 2024, from January 2025 couples who meet certain criteria set by the government will be able to access between one and three funded cycles depending on their household income.

Those with income below £82,300 a year will be able to access three fully funded cycles, under £200,000 two cycles and everyone else one cycle. Women under 40 can access up to three funded cycles, women aged 40-42 one.

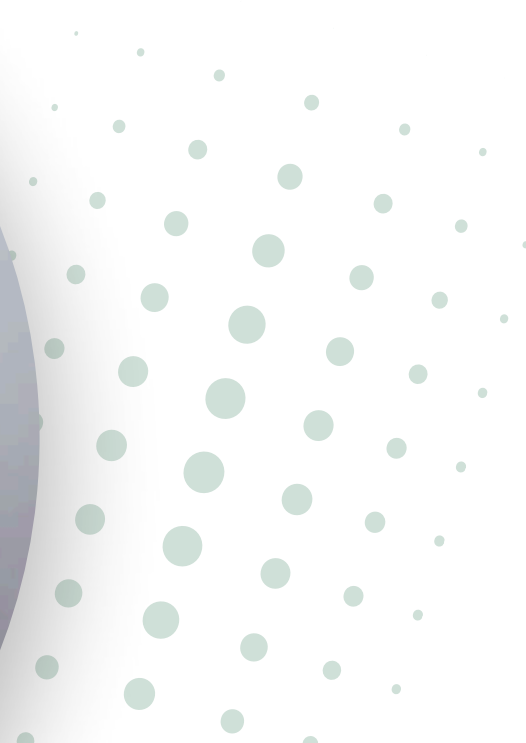


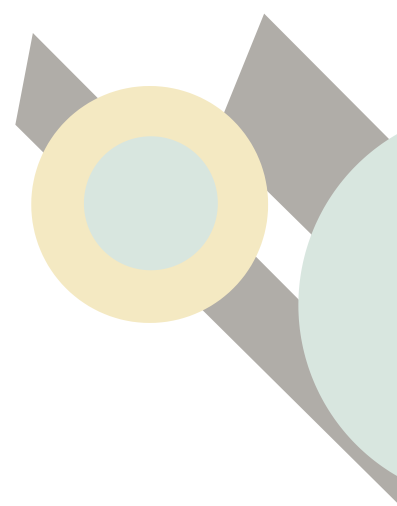
Age is not the only limitation within the access criteria, however, and as a charity we are aware of a number of gaps which mean many Islanders will still be required to self fund if they need treatment.

These include stipulations around not having previous children (including step children), BMI and relationship status. Single women are not covered by the funding, nor are costs associated with the use of donor eggs or sperm and only the use of certain clinics are likely to be covered.

Travel and accommodation expenses will still need to be covered by individuals for all cycles, even if they are government funded.

\*A full cycle of IVF is defined by the National Institute of Health and Care Excellence (NICE) guidance as one episode of ovarian stimulation followed by the transfer of any resultant fresh and frozen embryos. A fresh cycle ends when either every available embryo has been transferred or one results in pregnancy. This means one "full" cycle can include the cost of not just a fresh round of treatment, but the transfer of multiple frozen embryos as well (costing roughly £2,500 per transfer, not including the associated travel).





# TOOLKIT PURPOSE

Here at Tiny Seeds, we know first-hand that when fertility treatment is needed, particularly when resident in Jersey, the journey can be emotionally and physically challenging - but having the support of your employer can make all the difference. It has always been our ambition to provide resources to employers for this reason and therefore we have developed this toolkit to:

- Provide useful information and guidance to employers regarding fertility treatments and the struggles that employees can face so they are better equipped to support individual employees.
- Empower employers to put a number of effective measures in place to meet the requirements of our Pledge and become a Fertility Friendly Workplace.
- Encourage employers to work through the steps of Tiny Seeds' Pledge to gain our Fertility Friendly Workplace accreditation, enabling you to use our unique Kitemark on any of your internal or external publications.
- Enable employers to implement a Fertility Policy.





# 10 KEY CONSIDERATIONS

## FOR CREATING A FERTILITY FRIENDLY WORKPLACE

One of the most common reactions we hear from those who attend our Fertility in the Workplace presentations is how surprised they are to learn what seeking fertility treatment actually involves and how challenging it can be.

Over the next few pages we have put together a summary guide of some key ways your organisation can work towards becoming fertility friendly. Please absorb this information and if you are an employer, consider what you can do to support those employees who might be going through their own, very personal fertility journey.



Investing in employees during tough or key moments - such as when they are trying to start a family - sows the seeds for greater engagement, loyalty and retention in the long term. In fact, 74% of those who received fertility support at work said it strengthened their loyalty to their employer

*The Fawcett Society (2023), Navigating Fertility at Work*





# 1. Introduce a fertility policy

Show your commitment to becoming a Fertility Friendly Workplace by introducing a dedicated fertility policy - and introduce it before an employee asks if you have one. Consider the sensitive and personal nature of fertility struggles and make sure that it is not embedded in the maternity or parental leave policies.

## 2. Ensure you are inclusive

Make sure your policy, other resources and support measures are inclusive. Fertility is not just a women's issue, it affects both men and women and can impact the LGBTQ+ community, those embarking on solo parenthood as well as same sex and heterosexual couples. Ensure that you recognise partners in the policy and provide equal support, irrespective of differences in employees personal circumstances.

## 3. Create a safe space

Help to break the taboo around talking about fertility treatment and work towards a workplace culture where employees feel safe to talk and share what they are experiencing.

## 4. Enable flexible working

Trusting those accessing fertility treatments to manage their time and workload through the ability to work flexibly during this time is probably one of the most effective and supportive measures you can introduce.

## 5. Introduce dedicated time off

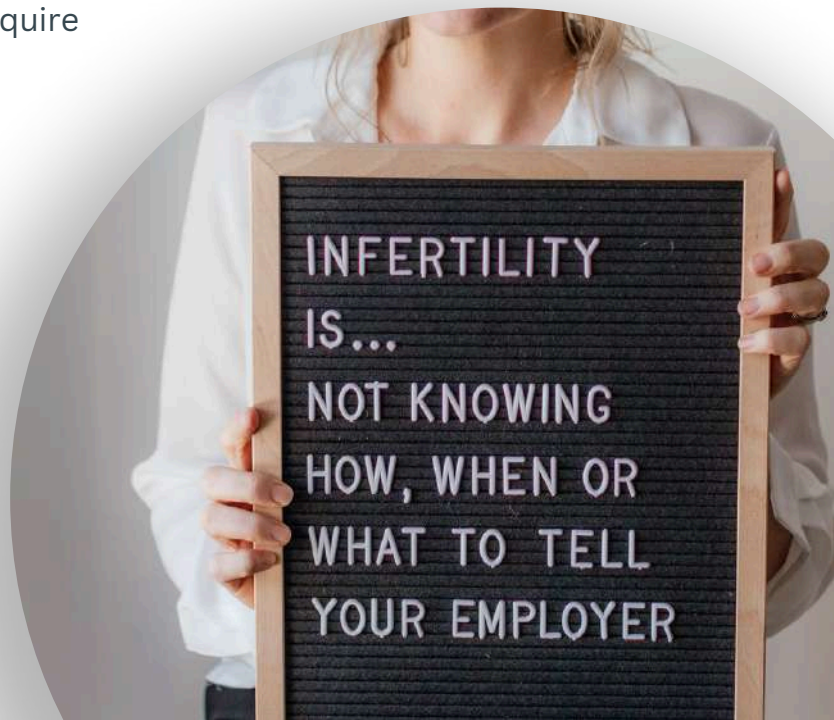
Providing paid leave for appointments and off-island treatment is a significant support measure. Individuals may be facing significant financial challenges, particularly if undergoing IVF treatment and knowing that they have access to paid leave will provide peace of mind and relief.

## 6. Recognise the sensitivity and ensure confidentiality

To allow for a safe space, you will need to recognise that the journey can be emotionally and physically challenging and therefore sensitivity is vital. Treat any information shared in keeping with your data protection policy and be aware of your obligations around 'special category data'.

## 7. Introduce a quiet room

To support good wellbeing and good mental health, if your premises allow it, introduce a dedicated quiet room for employees to use when they need to. A quiet room can be a useful introduction for so many scenarios, including those needing to take a quiet moment or break, and making or receiving phone calls that require a private space.



## 8. Have a dedicated fridge

Fertility treatment medicines may need to be administered at work and therefore be stored at work at a cool temperature. A dedicated fridge allows for privacy and hygiene.

## 9. Provide training

Always implement your policy with some overview training for line managers and employees. This ensures that everyone has a good understanding of the issues and line managers can provide meaningful support or signpost where appropriate. Tiny Seeds can help with this.

## 10. Review your policy and measures

Regularly review your policy and other fertility friendly workplace measures. Gather feedback from those who have accessed them, what worked well and what could be improved.



I'm really lucky to have a close knit team at work and felt comfortable enough to tell my employers about my IVF treatment from the start. I found it easier this way as I didn't have to make up excuses for unexplained absences and didn't have to put on a front when times were hard. My team at work actually ended up being a huge part of my support network during IVF.

# PLEDGE

## TO CREATE A FERTILITY FRIENDLY WORKPLACE

---

By signing this pledge we commit to:

- Treating infertility and the need for fertility treatment with the same level of seriousness, care and support as we do with other physical and mental health conditions and diseases. In turn helping to create a culture of openness and understanding surrounding talking about and sharing fertility struggles and treatment at work.
- Taking an individual approach to fertility support, recognising that everyone's journey is different and should be considered on a case-by-case basis.
- Considering Tiny Seeds' 10 steps to becoming a Fertility Friendly Workplace, including the review or implementation of our own standalone fertility policy with introductory training from the Charity.
- Including fertility support in our long-term wellbeing / diversity and inclusion strategy.
- Recognising fertility awareness week (generally observed at the end of October/start of November each year), demonstrating our commitment to and recognising the importance of fertility support in the workplace.

---

Signature

---

Organisation

---

Date

Tiny  Seeds

Please print this pledge and display it prominently within your organisation to demonstrate your commitment to becoming a Fertility Friendly Workplace

# MAKE IT OFFICIAL

## BECOME TINY SEEDS ACCREDITED

---

To become a fully accredited Fertility Friendly Workplace:

- Send Tiny Seeds an overview of the steps you have taken to commit to our pledge to becoming a Fertility Friendly Workplace, including a copy of your fertility policy along with details of how employees will be made aware of its existence and how they can access it.
- Arrange for Tiny Seeds to deliver free “Creating a Fertility Friendly Workplace” training to managers and staff within your organisation.
- Receive our accreditation logo.

Tiny Seeds will:

- Display a public list on our website along with promotion on our social media platforms and within local media of all workplaces who have signed up to the pledge and received accreditation.
- Deliver free training to all accredited workplaces to include:
  - An introduction to Tiny Seeds and the support we offer
  - Key facts and figures about infertility and its impact on those going through it
  - The practicalities of accessing treatment including funding and travel off-island as well as a guide to what a typical IVF cycles looks like
  - The importance of a fertility policy and support within the workplace
  - Guidance on what to say/what not to say to someone going through a fertility struggle
  - Signposting of information for further support
  - Keep you updated on any important legislative changes/suggested updates to policies or any further relevant information that might be helpful
- Tiny Seeds will “check in” with accredited workplaces periodically. To retain your accreditation you would need to be able to demonstrate your ongoing commitment to championing the importance of fertility support within the workplace. This should include an annual policy review and training/refresher information and guidance for all managers.
- Provide you with a logo once accredited to proudly display and demonstrate your Fertility Friendly Workplace status.

# YOUR FERTILITY POLICY



A survey published by Fertility Matters at Work in 2020 identified that 72% of respondents said that their workplace did not have a fertility policy in place. And for those employers that did have a policy, only 1.7% of respondents said that it was effective and met their needs. Introducing a policy that does meet the needs of those who use it, will provide positive benefits to not just those facing fertility struggles, but to you also, their employer.

Here at Tiny Seeds we want to provide you with the foundations to develop a robust policy that doesn't just tick a box, but goes further than that, by being both effective and tailored to meet the needs of your employees currently facing their own personal fertility journey.

Each organisation will have their own approach on how they format and draft HR policies in line with their core values and own standards. On the next pages you will find guidance together with suggested headings and information to help you to draft an effective and robust policy to best support your employees. It also allows you to bespoke elements of the policy, such as time off for treatment.

Remember to keep your policy inclusive throughout and standard across all your employees to avoid any potential for unconscious bias and therefore equal regardless of race, gender, age, sexual orientation or need/reason for treatment. Also ensure that partners are recognised in your policy, as they will be impacted and will also need time off. Check wording and be aware of the tone of the policy, is it cold or is it written in such a way that it reflects its sensitive subject?

Alongside 1 in 6 individuals of working age being impacted by fertility struggles, 1 in 4 pregnancies ends in loss. Sadly there will be people who find themselves navigating both circumstances and it is important to be aware of what pregnancy loss support and policies your organisation has in place when writing your fertility policy.

You will need to consider the level of support you can offer with the aim of ensuring that employees wellbeing at work is positive and enhanced, while also being mindful of any legal considerations.

# POLICY FRAMEWORK

## 16 KEY THINGS TO CONSIDER

### 1. Introduction

Begin your policy with an introduction. Explain why the policy is being introduced and provide an overview of why you have chosen to be a Fertility Friendly Workplace and that you recognise the positive impact a supportive employer can have on an individual's fertility journey.

### 2. Purpose

Sounds like an obvious heading but why have you decided to implement this policy? Set this out here, it may only need one or two sentences – or you may feel that your introduction has adequately covered this already.

### 3. Principles or aims

This heading is important and highlights the aims and benefits of the policy. It also tells the reader what you are hoping to achieve through the implementation of your fertility policy. What you include here, can also be useful to help measure the success of your policy once it has been implemented.



## 4. Scope

Outline the scope of the policy, for example:

- Who does the policy apply to?
  - a. Ideally all employees, regardless of whether they are permanent, fixed term or zero hours and be careful not to discriminate.
  - b. If you have offices operating across other jurisdictions then be aware that this toolkit has been drafted with Jersey primarily in mind and it may not be appropriate to roll out across your whole operation.
  - c. With regards to policy entitlements such as time-off, Tiny Seeds recommends that this is a day-one entitlement. That means that regardless of an individual's length of service, they are entitled to whatever you offer or set out in your policy.
- Date when the policy takes effect.
- Date when the policy will be reviewed.

## 5. Responsibilities

Under this heading, set out key individual responsibilities within the organisation to enable the effective implementation of the policy. For example:

- Employees are responsible for...
- Line Managers are responsible for...
- HR are responsible for...





## 6. Legal considerations

Currently, there are no express rights or protections in Jersey's employment or discrimination laws that specifically address the needs of employees undergoing fertility treatment. For example, there is no statutory requirement to provide paid time off for stages in the fertility treatment process.

A very important legal entitlement - which is available to all employees from day one of employment - is the right to request flexible working. This is discussed in more detail in the next section of the toolkit; Flexibility.

While infertility is classified a disease (as defined by the World Health Organisation), infertility, of itself, has low prospects of being deemed to qualify under the definition of 'disability' under Jersey's discrimination law.

As highlighted by the statistics in the 'Introduction' section of this toolkit, depression and anxiety frequently arise due to fertility struggles. Impairments such as anxiety, depression and other mental or physical impairments, which may be expected to last longer than six months, are covered by the discrimination law and could be considered to be a disability to the extent that those impairments can adversely affect the person's ability to engage or participate in any activity (such as work) in respect of which an act of discrimination is prohibited under Jersey's discrimination law.

Employers can take the opportunity to demonstrate in their policy that they will actively consider whether any reasonable steps can be taken to avoid substantial disadvantage to a disabled individual. This can be done regardless of any legal obligations on an employer. Many of the needs summarised in this toolkit that are often felt by employees going through fertility issues (irrespective of their gender) may be considered as 'reasonable adjustments'. Workplace measures might include extending the employer's discretion to award sick leave, offering other types of leave, or being willing to accede to short-notice requests to attend appointments or to temporarily adjust working hours.

The legal accountabilities that Jersey employers have been required to observe for several years now means that employers are generally more accustomed to considering reasonable adjustments to their policies and procedures for a wide variety of reasons and many actively aim to promote inclusive workplaces that recognise and support employees as a matter of good practice.

# 7. Flexibility



Probably the single most important element of a fertility policy is the ability for an employer to provide flexibility to individuals. We have discussed earlier in the toolkit (see - accessing treatment from Jersey), how challenging the logistics of travel and attendance at appointments can be. And therefore including a focus on flexibility in your policy will be a key measure of its success. Employees will benefit from your ability to accommodate and respond positively to flexible working requests, sometimes at short notice.

Keep an open mind and consider such scenarios as:

- Could they work remotely from a hotel room in the UK?
- Could they take a longer lunch hour to get to and from their appointment?
- In the event of weather impacting travel could they leave sooner or delay their return?

Try and think outside the box when accommodating the need for flexible working. And remember in the vast majority of cases, the need to accommodate flexible working will not be required on a permanent basis, just temporarily.

Employees can also make a formal flexible working application under Part 3A of the Employment (Jersey) Law 2003, to make a change to their terms and conditions of employment if the change relates to:

- Hours the employee is required to work
- The times when the employee is required to work, and
- The place where the employee is required to work.

Be aware that any such application is a day-one employment right and all employees, are entitled to make a request for any reason. From June 2024, employees are entitled to make two requests in a 12-month period which potentially gives individuals more flexibility to deal with changing circumstances during the IVF process.

## 8. Communication

Putting a dedicated fertility policy in place shows an employer's commitment to supporting employees experiencing fertility struggles. It also is a starting point for creating an organisational culture where individuals feel comfortable to start talking about a very personal issue.

It is important to ensure a 'safe space' to discuss fertility with either a line manager or somebody else, perhaps a member of your HR team. Or you may have an existing member of staff who has their own lived experience of fertility and would be prepared to come forward as a point of contact for informal peer-to-peer fertility support within your workplace. This is something you could explore with your workforce and sends a very strong message of support to employees.



I discussed my fertility struggles privately with my line manager, who was more than supportive and opened up to me about his own personal experience. He even still checked in on me after I had left his team. He got the balance right between being available and supportive and not asking too much.

## 9. Confidentiality

Make sure the policy sets out that confidentiality is assured at every stage of the process and that individuals are reassured that anything they discuss will remain strictly confidential and that any personal data collected will be in accordance with your organisation's data protection policy and obligations.

## 10. Time off

Consider carefully the amount of time off you can offer given the context of all of the information contained within this toolkit and the challenges individuals will face - and wherever possible make it as generous as you can.

Although data suggests that 1 in 6 couples or individuals will experience some sort of fertility challenge, not all will require IVF and therefore need to travel off-island for treatment. As previously referenced within this toolkit, last year 68 unique cycles of IVF were facilitated for 51 unique couples or individuals by the island's Assisted Reproduction Unit. Between 2008 and 2017 the average number of cycles facilitated per year was 129. It is likely that the number of employees requesting stretches of time off for fertility treatment will probably represent only a small percentage of your workforce. Those having lower level treatments, investigations of IVF monitoring appointments on-island, may still require flexibility around attending these during working hours.

Consider these questions:

- Will our policy offer paid or unpaid leave, or a combination of both? (be mindful that a typical IVF cycle will have between 3-5 on-island appointments, with typically up to 5 working days required off-island).
- How will the policy accommodate the need to attend on-island appointments during working hours?
- In the case of IVF treatment, will the policy allow for remote working during the period spent away from the island?

Outline clearly the paid or unpaid fertility leave available to your employees. This will probably be one of the first elements of the policy an individual will look for. It will be important to them.



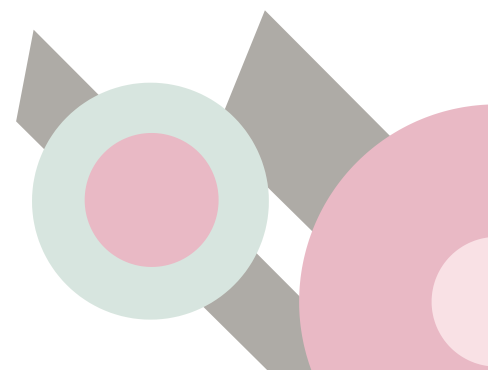
Knowing you provide dedicated time off to support their fertility journey will be of great importance and comfort. Research by Fertility Matters at Work found that 69.6% of respondents said that they had to take sick leave during their treatment, with many feeling they had no other choice. Tiny Seeds advocates dedicated time off for appointments and fertility treatments and research shows that this can reduce sickness absence and boost morale and loyalty.

We would recommend that partners are equally recognised in the policy and given the same amount of time off as the individual receiving the fertility treatment. Remember to keep language inclusive, recognising that there are many different pathways to parenthood for solo parents, LGBTQ+ individuals, same-sex couples and heterosexual couples.

Tiny Seeds recommends an entitlement of up to 14 hours paid leave for on-island appointments per year. Where off-island travel is required for IVF, the Charity recommends up to 5 days paid leave per IVF cycle for up to 3 cycles. It is important to recognise and allow for the fact that partners will likely wish to remain together during this highly emotional and often stressful time.

## 11. Requesting time off

You will need to set out the procedure to request or book any leave and who must be notified and how. In the case of attending appointments, it is sensible to include in the policy that wherever possible, appointments associated with fertility treatments should be scheduled to cause the least amount of disruption to the working day and your organisation – whilst recognising that employees may not have any control over when an appointment takes place.



Line managers should be informed as soon as possible after plans to undergo fertility treatment have been confirmed. Wherever possible as much notice as possible should be given to help the organisation to also plan for the time-off. You may wish to include in your policy that the employee should provide a statement from a qualified medical practitioner that fertility treatment has been recommended and approved if requested by their line manager.

You may wish to consider including a clause in your policy which states that any sickness absence relating to fertility treatments will not be counted towards any absence management procedures.

Note that in the event of any illness or sides affects experienced because of the fertility treatment, normal sickness arrangements will apply. If an employee becomes pregnant because of the fertility treatment, they will be eligible under the maternity/parental leave arrangements of the organisation.

## 12. Additional benefits

Aside from time off for fertility leave and accommodating flexible working, there may be other additional benefits you can offer.

This might include:

- Funding towards travel costs
- Funding towards fertility treatments
- Provision of supplementary support through third party providers for example acupuncturists and nutritionists



## 13. Support and signposting

Provide details of wellbeing support and resources available to employees both internally and externally. Depending on your organisation, examples might include:

- Access to occupational health
- Access to an employee assistance program
- In-house mental health first aiders
- Support line through your health insurance, does it have any benefits specifically relating to supporting those experiencing fertility struggles?
- Providing a quiet room to enable employees to make and receive sensitive phone calls
- Providing a separate, dedicated fridge to store medication and a quiet room to enable employees to administer the medication privately

Don't forget to signpost to [Tiny Seeds](#), as we are always available to help those who are facing fertility struggles.

## 14. Awareness and training

Ensuring your line managers and other relevant stakeholders are adequately briefed and trained before your fertility policy is implemented is essential.

You may have developed the best policy, providing superb support with everything in this toolkit covered off but if you haven't communicated its contents or provided the right training beforehand then it will not be effective.

This is particularly important around key topics such as legal considerations, the importance of communication and meaningful conversations, knowing how to respond and accommodating flexible working. Tiny Seeds can help with training and we are happy to come into any workplace to facilitate this free of charge – just reach out to us at [hello@tinyseeds.je](mailto:hello@tinyseeds.je).



## 15. Implementation

Think about how you will implement the policy and where employees will access the policy. Ensure it is not hidden away and consider with sensitivity where it should sit, coupled with parental leave is perhaps not the best place. You might also want to be recognise and give a nod to National Fertility Awareness week (generally observed during the last week of October each year) in your workplace calendar or events.

## 16. Links to other policies

Make sure you include links to other relevant HR policies you may already have in place, including:

- Flexible working
- Parental Leave
- Parental Bereavement Leave
- Bereavement / Compassionate Leave

---

# TEMPLATE POLICY

Using this framework we have put together a [template fertility policy](#) following the key considerations outlined in this toolkit . This can be used as a starting point for your own policy and adapted to make sure it is relevant and suited to your workplace.



# FINAL WORDS

We hope that the information within this toolkit has provided you with all the support and resources you will need to set you well on your way to becoming a fertility friendly workplace. We also hope that it demonstrates why a supportive workplace is so vitally important for those facing a fertility struggle and how being one can make a significant difference to an individuals fertility journey and experience. If we can offer any further input or guidance as you work your way through, please do not hesitate to get in touch by emailing [hello@tinyseeds.je](mailto:hello@tinyseeds.je).

Tiny Seeds' vision and ethos has always been to provide access to our resources and training at no cost, to ensure that we can offer the best fertility support possible to Islanders who need it without any financial barriers. To enable us to fulfil this vision we rely solely on public donations, fundraising and grants from local grant making bodies, to run this important local charity. If you feel that your workplace could support the work that we are doing, either through a donation, corporate fundraising or sponsorship then we would love to hear from you to explore any specific ideas you might have. Donations can also be made by following the QR code below.

Thank you for taking the time to read this toolkit, we hope you have been inspired to take action.



# CONTACT

E: [hello@tinyseeds.je](mailto:hello@tinyseeds.je)

W: [tinyseeds.je](http://tinyseeds.je)

Tiny  Seeds

