

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

A brief overview of the history, legal status and aims of the organisation or body:

Pregnant Then Screwed is a Charity (CIO), official name: The Motherhood Plan (1188643). Our aim is to end the motherhood penalty. We operate predominantly in England, but we have also delivered services in Scotland, Wales and Northern Ireland. We have existed since 2015 and became a registered charity in March 2020.

PTS Mission

We are the voice of working mothers in the UK. We have a strong and deep connection with our beneficiaries. We provide world-class advice and support to mothers helping them improve their confidence and giving them the tools they need to challenge discrimination in the workplace. We encourage them to find work that works for them. We advocate for change and raise awareness of the specific challenges faced by working mothers. We challenge deeply entrenched stereotypes about the role of mothers in society. We work with employers, politicians, women and men to make change happen. We publish compelling research to educate, inform and lead the debate.

PTS Vision

Our vision is for a society where care is valued and in which pregnant women and mothers in all their diversity are enabled to fulfil their potential; creating a stronger, happier, better future for us all.

Our Principles

We want radical change: Constantly striving for an overhaul of the way we live and work - we don't believe small tweaks work. We will work with politicians, employers, collaborators and the public to achieve this.

We translate complexity and make it simple: Ensuring our beneficiaries understand complex legal language, policy, data, research and legislation that could impact them both positively and negatively.

The lived experience of the people we support provides insight and informs everything we do: Leaving ourselves room to be reactive to issues, opportunities and campaigns as they arise is critical. Our experience and expertise ensure we can identify important campaigns and projects.

Create and nurture a deep and strong connection with our beneficiaries/community: Not only providing our beneficiaries but ensuring we include them in every element of our work. Ensuring PTS feels like a friend and confidant, and makes our beneficiaries feel as though they are part of the team. Talking to our beneficiaries as we would talk to a friend.

To be the voice of working mothers we need to listen, always: Being willing to adapt and iterate based on feedback from our beneficiaries, and we always listen no matter how uncomfortable it may be. We don't think we always know best!

We will challenge and be provocative to create change: Not being afraid to show our anger. We believe anger is a mechanism for change. We will, on occasion, campaign on and talk about the issues that others are too nervous to discuss.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

Our Core Activities:

1. Free advice line giving pregnant women and parents advice and answers for queries related to parenthood and work. Including: Redundancy, Flexible working, childcare, leave and pay. The advice line is staffed by CIPD level 7 HR professionals and is operational 60 hrs per week.
2. A legal referral service providing women with one hour pro-bono employment advice supplied by our legal partner, Primas Law. They advise on cases where discrimination is evident, the woman feels as though they are being pushed out of their job, they are appealing a redundancy, or may need support when settling an agreement.
3. A mentor scheme which supports those who experience pregnancy or maternity discrimination to take legal action against their employer. Offering peer-to-peer support throughout the tribunal process.
4. Events which help mothers and pregnant women rebuild confidence and find work that works for them.
5. Campaigning for changes to legislation which reduce the gender pay gap and improve workplace equality for pregnant women and mothers.
6. Changing public attitudes through traditional and social media outlets.
7. Developing research on issues related to the motherhood penalty - including data collection and case study documentation.

A brief description of the group(s) which the organisation or body supports or represents.

Pregnant Then Screwed supports pregnant women and mothers.

A brief overview of the work of the organisation or body in supporting or representing the relevant group(s) between January 2020 and Spring 2022 as it relates to the response to Covid-19.

All of our work specifically related to responses to COVID-19 of the UK Government.

As an organisation which works with pregnant women and new mothers, and defends their right to workplace equity and wellbeing, through free legal advice and support, mentoring, and campaigning work, we were on the front line during COVID-19 which had a major impact on our beneficiaries. We rapidly adapted our support services and channelled our resources into priority areas for women's safety and the protection of their livelihoods.

During the early days of the pandemic, Pregnant Then Screwed worked on several key areas due to a lack of consideration for pregnant women and mothers in Government planning, guidance and policy.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

These include:

- a) Providing legal guidance and advice to pregnant women who felt unsafe and unsure of their legal rights at work due to fear of infection. A lack of Government guidance for this cohort left pregnant women in an extremely vulnerable position. We also collected qualitative and quantitative data relating to their experiences*. Our surveys revealed huge issues with communication and significant health and safety issues for this group of women, amplified by a lack of clear communication from the Government.
- b) We campaigned for changes to policies, or the implementation of new policies, including: The rule of two, Furlough and how it interacted with statutory maternity pay, The isolation grant, The self employed income support scheme and childcare bubbles.

Not included in this report is our work in relation to:

- c) Campaigning for changes to maternity services to ensure perinatal, birthing and postnatal mothers were well-cared for and were accompanied by a birth partner
- d) Advising pregnant women on the risks and benefits of the Covid vaccine and campaigning for pregnant women to be placed in the priority group to receive the vaccine.

Evidence in relation to this work will be supplied as part of Module 3, should we be asked to contribute.

A list of any articles or reports the organisation or body has published or contributed to, and/or evidence it has given (for example to Parliamentary Select Committees) regarding the impact on the group(s) which the organisation or body supports or represents of the response to Covid-19:

Parliamentary evidence:

- MRS 0329, April 2020: [The Unequal impact on those with protected characteristics](#), Written evidence to the Women and Equalities Select Committee.
- CVG 0032, July 2020: [Women and Equalities Select Committee: The gendered impact of Covid19](#), plus supplementary evidence [here](#)
- HC 429, 14th July 2021: [Impact of Covid19 on new parents, one year on](#) Petitions Select Committee, oral evidence, and [Petitions Committee written evidence](#)
- LBC 0261, 31st August 2020: [Life Beyond Covid inquiry](#), written evidence to Parliamentary Select Committee.
- September 2020: [The backlog in tribunals caused by Covid19](#)
- EMP 0044, 10th September 2020: [The Employment and Covid Inquiry](#), written evidence to Parliamentary Select Committee.
- 29th June 2022: [Maternal Health Committee](#) and [here](#), Evidence to the London Assembly.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

Other articles / reports:

- 24th November 2021, Doughty Street Chambers: [Court of appeal confirms that the self employed income support scheme indirectly discriminated against new mothers](#)
- [House of Commons, how has Covid19 impacted women differently to men?](#)
- Guardian: [UK woman Dies from Coronavirus, 8 days after giving birth](#)
- [Working Mums experience Covid related redundancies](#)
- BBC: [Pregnant women placed on sick pay](#)
- The Times: [Nurseries and parents are facing problems on both sides of the fence](#)
- Guardian: [The Coronavirus Backlash: How the pandemic is destroying women's rights](#)
- [Telegraph: If we ignore what is happening to working mothers now, we will be screwed for generations](#)
- Guardian: [UK working mothers are the sacrificial lambs in the coronavirus childcare crisis](#)
- [The Mirror: husbands heartbreaking plea after pregnant NHS nurse wife dies](#)
- Women's Budget Group: [Childcare, gender and Covid19](#)
- World Economic Forum: [Covid19 is highlighting the Global neglect of pregnant women and midwives](#)
- Financial Times: <https://www.ft.com/content/7e147d57-050e-405c-a334-75a5ea748e2a>
- Guardian: [UK Government urged to protect pregnant women in second wave of the pandemic](#)
- Guardian: [Furlough refused to 71% of working mothers](#)
- [Huge mental health toll of Covid on mothers is laid bare in landmark survey](#)
- [56% of pregnant women working outside of the home do not feel safe](#)
- [46% of Covid redundant mothers blame a lack of childcare](#)

Letters sent to MPs and other officials and template letters for parents:

- 19th March 2020: [Template letter provided to parents to send to their MP regarding parents being unable to work due to childcare and schools closing, and the impact of childcare costs](#)
- 30th March 2020: [Template letter for pregnant women to send to their employer](#)
- 22nd April 2020: [Letter sent to the Health Minister regarding the safety of pregnant women](#)
- April 2020: [Letter sent to all MPs about the safety of pregnant women](#)
- 29th April 2020: [Letter sent to Edward Morris, President of the Royal College of Gynaecologists, on regarding guidance issued to pregnant women working outside of the home](#). Correspondence had been sent to Mr Morris previously on 23rd March 2020, 3rd April 2020 and 27th April 2020 with responses from him on: 1st April 2020, 24th April 2020 and 3rd June 2020
- 7th May 2020: [Letter sent to: The \[Name Redacted\], Secretary of State for Business, Energy and Industrial Strategy, The Rt Hon Thérèse Coffey MP, Secretary of State for Work and Pensions, The Rt Hon Rishi Sunak MP, Chancellor of the Exchequer, The Rt Hon Matt Hancock MP, Secretary of State for Health and Social Care, The Rt](#)

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

[Hon Elizabeth Truss MP, Minister for Women and Equalities regarding the impact of Covid19 on pregnant women](#)

- 8th May 2020: [Letter sent to MPs regarding how we must adequately protect pregnant women during the pandemic](#)
- 12th May 2020: [Letter to MPs regarding the impact of the SEISS Scheme on self employed mothers](#)
- 20th May 2020: [Letter to the members of the Women and Equalities Select Committee regarding the impact of the SEISS scheme on women](#)
- 23rd June 2020: [Letter to Jacob Rees-Mogg to ask that hybrid working models remain for MPs](#)
- 22nd July 2021: [Letter sent to the Minister of State for Health with recommendations as to how to keep pregnant women safe, signed by a number of MPs, medical professionals and charities. Letter was also sent to Ministers: Kwasi Kwarteng, Nadhim Zahawi, Jo Churchill, and Paul Scully.](#)
- 22nd September 2020: [we release a joint statement with the Fawcett society, CBI, CMI, TUC and other industry leaders calling on the Government to provide an emergency bailout for the childcare sector](#)
- 30th October 2020: [Letter sent to all MPs asking that parents who have a child who has contracted Covid19 are eligible for the test and trace grant](#)
- 3rd November 2020: [Letter sent to the Prime Minister regarding the safety of pregnant women](#)
- 21st November 2020: Ahead of the Chancellor's Spending Review, we launch the #SaveOurNurseries letter writing campaign and urge our followers to contact their MP and call on the government not to withdraw the existing funding for childcare settings. (The government had been funding maintained nurseries at pre-pandemic registration levels until that point). The template letter is sent 11,000 times.
- 15th September 2021: [Letter sent to Minister of State for Health with recommendations on how to keep pregnant women safe following announcement of the booster vaccine](#)
- Tuesday 15th December 2021: [Letter sent to Sajid Javid and \[Name Redacted\] about the vaccine for pregnant women and their safety.](#)

Responses from the Government:

- 1st of June 2020, Laura Ferris MP emailed to say that she had spoken to Kemi Badenoch about the guidance for pregnant women.
- 16th of March 2021, meeting with Minister Paul Scully to discuss: SEISS scheme, increasing furlough to 100% for pregnant employees to encourage employers to suspend them on full pay, proposed a right to 'shared furlough' and discussed funding for nurseries
- 11th of May 2020, Response from Helen Whately office (Minister of State for Care) to say our letter had been received and a response would be sent soon.
- 13th May 2020, Keir Starmer used one of our case studies to raise the issue of parents being told they had to go into work but couldn't because they don't have any childcare.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

He asked the Prime Minister what parents are meant to do, to which the Prime Minister responded that they should be 'understanding'.

- 16th June 2020, Stella Creasy MP uses our research in Parliament to ask the Government to do more to support parents with childcare.
- 1st of March 2022, response received from Minister Maggie Throupe following our letter on the 22nd of July 2021.

The view of the organisation or body as to whether the group(s) it supports or represents was adequately considered when decisions about the response to Covid-19 were made

All of our work specifically related to responses to Covid-19 of the UK Government.

Pregnant women:

Pregnant women were not adequately considered in safety guidance, despite being at greater risk of death and severe disease should they contract COVID-19. Although it was made clear that, as the disease was so new, health experts could not determine whether pregnant women were at greater risk, we did already know that respiratory diseases can be particularly dangerous for those who are pregnant.

Pregnant women were first recognised as 'vulnerable' by the Chief medical officer during the daily statement on 16th March 2020. This caused alarm amongst this group, particularly as no information was offered as to what this would mean for pregnant women who work outside of the home. Our phone lines were awash with concerned pregnant women who were expected to go to work the following day, on busy transport, or to work in environments where the risk of transmission was high. Initially, many of the women that we spoke to were either placed on statutory sick pay by employers (despite them not being unwell), made to take annual leave or unpaid leave, or made to start their maternity leave before 36 weeks, *data on this is detailed below. Suspension on these terms is unlawful. In all cases, the government's announcement on the 16th of March and the subsequent lack of guidance for both employees and employers resulted in severe financial detriment and emotional stress for many pregnant workers.

Following consultation with several independent employment barristers and solicitors, including The Good Law Project and Gorrins, we determined that the rights of pregnant workers during this crisis were protected by section 16 of The Management of Health and Safety at Work Regulations 1999 which provides pregnant employees and new mothers with the right to a risk assessment of their workplace. This legislation states that employers must consider the risks to this protected group including that of infectious diseases and alter a woman's working conditions accordingly. In the context of COVID-19, and per government advice, this means that employers must ensure that pregnant women can socially distance while at work.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

Where this isn't possible, alternatives might include remote working, and where that's not possible, then an employer must by law suspend the woman on full pay until the risks to her and her baby no longer exist.

We instructed employment solicitors, Gorvins, to draft a template letter¹ outlining these rights and the employer's legal obligations and we made this available as a template on our website for women to use. Alongside this, we opened a dedicated COVID-19 helpline to support women and ran weekly online legal advice clinics.

The Government failed to publish any guidance for pregnant women until the 11th of May 2020 (2 months after the start of the pandemic). And even then, this was buried in guidance for specific sectors, rather than being included in the more general: 'Guidance for Employers and Business on COVID-19' and it was not included in the health/social care specific guidance. The guidance was inconsistent and it did not go far enough to promote a clear and coherent approach to employers, leaving pregnant women vulnerable. The guidance fails to address the tension between the message in the "Stay Alert / Social Distancing" guidance for clinically vulnerable people (take extra care to minimise all interactions outside the home) and the back-to-work guidance which suggested that clinically vulnerable people can still travel to and from work, and work within a workplace.

At this point, 5 pregnant women have died of Covid in the UK. All 5 were Black, Asian or from an ethnic minority.

Prior to this, any Government reference to pregnant women, signposted people to guidance issued by the RCOG, which contravened legal advice. Full guidance for pregnant women was not published until the 23rd of December 2020.

In our view, specific guidance for pregnant workers should have been published on the Government website at the outset, both for employers of pregnant workers and the workers themselves. This guidance should have explained the legal rights of pregnant employees both in terms of safety, but also in terms of finances. This could have resulted in fewer deaths of pregnant women and their babies, whilst also ensuring they were properly recompensed during this period.

Further detail of the guidance and the timelines is provided in the next section.

Division of childcare responsibilities:

Until the furlough scheme was expanded (two weeks after schools closed) to include those with caring responsibilities, it was women that were taking unpaid leave, resigning from jobs or left trying to juggle both unpaid and paid labour when schools and childcare facilities closed.

¹ <https://pregnantthenscrewed.com/covid-19/write-to-your-employer-risks-for-pregnant-women/>

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

Even with the expansion of the scheme, many employers still refused to furlough those with caring responsibilities, and where it was offered, for the most part, it was the mother that stepped back from her job. Research by the TUC found that [7 in 10 requests](#) for furlough, due to caring responsibilities, were turned down. The majority (78%) had not been informed by their employer that they could apply for furlough due to caring responsibilities. 2 in 5 (40%) mothers were unaware that the furlough scheme was available to parents affected by school or nursery closures.

In July we published the results of a survey we had conducted with over 19,000 parents which found that 46% of employed mothers that were made redundant or expected to be made redundant, said that a lack of childcare provision played a role in their redundancy. A huge 72% of mothers had to work fewer hours because of childcare issues. The IFS found that mothers were 47% more likely to have lost their job or to quit and 14% are more likely to have been furloughed.

*See below for a detailed breakdown of our data.

We welcomed both the Job Retention Scheme (JRS) and the Self-Employment Income Support Scheme (SEISS), but found that where gaps existed these largely penalised women.

Financially penalised:

In addition to these issues, during the first lockdown, when childcare providers were asked to remain open for keyworker children only, many were still charging all parents their usual fees. Parents contacted us as many were unable to work (due to the increase in caring work) or they had lost their job due to the pandemic, but they were still being charged fees by their childcare provider. Fees which they couldn't afford to pay. This was because nurseries still had to pay their staff and many still had to remain open for key workers, but with limited income. Most were unable to make a claim on their RSA5 insurance as this demanded that a confirmed case of Covid-19 had to be identified in the setting for a claim to be made due to closure for public health reasons.

Keyworker parents:

According to research by the Institute of Fiscal Studies (IFS) key workers are more likely to have childcare responsibilities with 42% having at least one child under the age of 16 as opposed to 39% of other workers.² Additionally, 28% of key workers have a partner who is also a key worker while 16% have no partner with whom to share childcare responsibilities.

While schools and childcare settings were allowed to stay open for these workers, many nurseries were unable to do so in a way that was financially viable due to much smaller numbers. Consequently, some key workers were unable to carry on working due to a lack of provision. Those that rely on grandparents for childcare were often unable to do so due to the risk of infecting vulnerable family members. Additionally, many key workers, particularly those in

² <https://www.ifs.org.uk/publications/14763>

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

healthcare roles, faced a substantial increase in childcare costs due to working longer shifts in response to the pandemic.

Timings of announcements by the Government:

- The Government announced the [re-opening of workplaces](#) and told employees to get back to work, just as schools broke up for the Summer holidays on 11th July 2020, adding additional pressure on working parents. 51% of mothers stated that they do not have enough childcare in place to be able to work. But also increasing transmission, resulting in a further lockdown.
- The Prime Minister encouraged people to '[get back to the office](#)' on 5th October 2021, just before October half term.
- In January 2022, parents were promised that schools would be open, only to close them with very short notice, adding additional pressure on working parents.

We, therefore, believe there were a number of issues:

1. **Failure to introduce part-time furloughing as a day-one option led to an unfair division of domestic labour.** While this later became an option under the 'flexible furlough scheme', we believe that had it been an option from the outset, we would have seen a fairer division of domestic labour. Additionally, making it possible for women to maintain their jobs and career momentum, albeit on a part-time basis, reducing the risk of those women being earmarked for redundancy.
2. **The late introduction of furlough for those with caring responsibilities caused financial hardship predominantly for women.** The JRS was eventually expanded to include those with caring responsibilities. However this came too late for those parents who were forced to take unpaid parental leave, dependents leave or annual leave in order to cope with the closure of schools and childcare settings. We know from the reports of callers to our advice line that some employers have refused to furlough parents on this basis. Single parents, 90% of whom are women, were particularly impacted by a loss of income in those intervening weeks and by the refusal of their employers to furlough them.
3. **The Government should have called on employers to offer furlough to those with caring responsibilities and they should have considered 'Shared furlough'.** During Parliamentary Questions, the Prime Minister was asked what parents were meant to do if they had to work but couldn't access childcare to which he responded, employers should be "understanding". The Government should have gone further, and on a number of occasions the narrative from the Government was to undermine those who were working from home and to tell them to get back to the office, without any consideration of their childcare issues. A right to shared furlough, so that both parents had time to do the home schooling whilst also continuing their paid labour, as was implemented in Portugal, would have reduced the damage done to women's career and earnings and would have reduced child poverty.
4. **The biggest enabler of maternal employment - childcare - was a mere afterthought in the government's response to the pandemic.** The childcare sector was already

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

under immense financial strain due to a £660m shortfall in funding before the pandemic. It was fed a 'one-size fits all' financial support package that did little to meet the bespoke challenges it was facing. Indeed, we now know that, according to Government data, there was an overall loss of 442 nurseries between April 2020 and the end of March 2021, while more than 2,185 childminders left the sector. We believe the Government should have provided additional funding to the childcare sector during this period to ensure nurseries could remain open and to give key workers access to free childcare so that they could continue working. Whilst the pandemic has demonstrated how central childcare is to both families and the country's economy, HMG's response only served to deepen the sector's crisis. According to research by the Early Years Alliance, 75% of childcare providers believed that they would have access to the JRS based on initial guidance (24th of March) and be able to furlough their staff.

By the time the Department of Education had clarified its guidance (17th April 2020) 71% had already furloughed staff. Almost half of these employers (47%) said they might now need to make their workers redundant while 37% said they would retract offers to top up wages to 100%. In the case of those providers who have been eligible to furlough staff (those not already in receipt of government funding for subsidised provision), a 20% cut to wages saw many childcare workers, 94% of whom are female, face severe financial difficulties. Previous research by Nursery World found that half of all childcare workers already earn poverty wages.

SEISS

The Self-employed income support scheme discriminated against new mothers in the way it was calculated. Self-employed women were unable to exempt periods of maternity leave from the calculation method used to work out their average income, which is what the SEISS payments were based upon. This meant that women who had taken periods of maternity leave in the tax years, 2016-17, 2017-18 or 2018-19 received significantly less financial support than if they had not taken maternity leave, and the amount received bore no relation to their usual trading profits. It is believed that this had a negative financial impact on over 75,000 women.

Mothers in general face career disadvantages compared to fathers which are well-documented, and self-employed mothers already face a number of disadvantages compared to their employed peers. They are already likely to suffer reduced incomes after having children, even after their maternity leave period is finished.

Unlike their employed peers, self-employed mothers on maternity allowance are not allowed to do any work beyond their 10 keeping-in-touch days, making it difficult to retain clients while on mat leave. [Research](#) by Parental Pay Equality in 2018 showed that only 20% of self-employed

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

women were back to their pre-baby earnings by the time their child was 2. Compared to 26% of employed mothers working full-time by the time their child was 2.

In families where both parents are self-employed, only the mother can claim maternity allowance, there is no paternity leave or shared parental leave for families where both parents are self-employed. This means that the primary carer role almost always falls to the mother, so even mothers who are higher earners or want to go back to work earlier often don't have this option.

The decision to allow past periods of maternity leave to further reduce the income of these women was unnecessary and discriminatory and has had a long-lasting effect on families.

Whether the organisation or body raised any concerns about the consideration being given to the group(s) which it supports or represents

All of our work specifically related to responses to Covid-19 of the UK Government.

Pregnant Women timeline of incidents and contact with Government and other officials:

On the 30th of March 2020, the Royal College of Obstetricians and Gynecologists published information on their website that states that those in their third trimester are more likely to become seriously unwell should they contract COVID-19 compared to those who are not pregnant. The RCOG suggests that any pregnant woman who is less than 28 weeks can continue to work should a risk assessment support this, but they suggested that any pregnant woman over 28 weeks should do office duties or be suspended from work. This contravenes the Government guidance on social distancing measures which simply places pregnant women in the vulnerable category, it does not distinguish between those in the first and second trimester.

The initial guidance also set out that it was the 'choice' of the pregnant woman to work. The language of 'choice' placed the burden for health and safety on the employee and put many NHS workers in the very difficult position of having to choose between their own health or duty to their profession during a public health emergency.

This resulted in reports of pregnant NHS workers feeling shamed by line managers and colleagues when opting not to work in patient-facing roles, or feeling forced to continue working in unsafe environments out of guilt. We feel that this initial guidance from the RCOG placed pregnant NHS workers at unnecessary risk.

The Government, rather than producing its own guidance explaining the protections pregnant women have in law, referred to the RCOG guidance, creating further confusion.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

The Government was delegating its responsibilities for the employment rights of pregnant healthcare workers to the RCOG, a body which has no remit over these matters.

We wrote a letter to Edward Morris, President of The Royal College of Obstetricians and Gynaecologists to explain why this 28-week delineation of the risks to pregnant workers was causing confusion and safety risks for this group.

We also asked that they remove the word: 'choice' from their guidance. Details of these communications can be found in the 'letters' section above.

On the 3rd of April 2020, PTS launched a survey which was completed by over 1,840 pregnant workers. This research finds that 35% of pregnant NHS workers are working in environments they feel are unsafe. We used this to garner press attention about the issue.

On the 7th of April 2020, the Government updated their COVID-19 guidance for employers and businesses. There is no specific mention of pregnant workers. It does state that vulnerable workers are strongly advised to follow social distancing guidance, but it does not state how this should be assessed or what should happen if this is not possible. The Government guidance continues to link to the RCOG guidance which is in contrast to the legal rights of pregnant workers. We write a further letter to Edward Morris, president of RCOG regarding this issue.

On the 15th of April 2020, pregnant nurse, Mary Agyeiwaa Agyapong, tragically loses her life to Covid19. She is the first pregnant woman to die from the disease. The Secretary of State for Health is questioned by the media as to what he is doing to keep pregnant women safe.

On the 16th of April 2020, we publish our survey results which demonstrate the safety issues posed to pregnant workers and the issue with them being suspended on incorrect terms due to confusion as to their legal rights. This gathers lots of press coverage.

On the 17th of April 2020, Stella Creasy MP sends an official letter to The Secretary of State for Health, citing our campaign and research. Noting the high level of confusion amongst employers due to the lack of specific guidance and asking him to confirm what communication he has had with NHS Trusts regarding risk assessment in respect of expectant mothers and what steps he has taken to ensure pregnant NHS staff are being protected.

On the 21st of April 2020, the RCOG revised their occupational guidance which limited the language of 'choice' and made clear the legal right of pregnant workers to a risk assessment. However, the 28-week delineation remained.

On the 29th of April 2020, we write to the Secretary of State for Health, alongside a number of eminent barristers and QC's to ask that the government issue clear, unambiguous guidance on the rights of pregnant workers and enforce existing health and safety regulations.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

On the 29th of April 2020, we issued a further letter to [Name Redacted] of the RCOG to ask again that they stop using the 28-week delineation and we drew their attention to a recent study which documented the deaths of three healthy women from COVID-19 at 24 weeks gestation.

We ask that this guidance also reminds employers that forcing pregnant women into SSP, annual or unpaid leave or early maternity leave is a breach of their employment rights.

On the 4th of May 2020, the Government updated their social distancing in the workplace guidance, there is no mention of pregnant workers and no mention of health and safety risk assessments.

On the 11th of May 2020, guidance about working safely during COVID-19 concerning eight specific sectors is published. It states:

"If clinically vulnerable (but not extremely clinically vulnerable) individuals cannot work from home, they should be offered the option of the safest available on-site roles, enabling them to stay 2m away from others. If they have to spend time within 2m of others, you should carefully assess whether this involves an acceptable level of risk. As for any workplace risk you must take into account specific duties to those with protected characteristics, including, for example, expectant mothers who are, as always, entitled to suspension on full pay if suitable roles cannot be found."

This guidance is still not included in the more general: 'Guidance for Employers and Business on COVID-19' and it is still not included in the health/social care specific guidance.

We write to Parliamentarians asking that this is raised with Ministers.

On the 13th of May 2020, we publish our survey results which demonstrate the safety issues posed to pregnant workers and the issue with them being suspended on incorrect terms due to confusion as to their legal rights. This gathers lots of press coverage.

On the 14th of May 2020, we had a call with MPs Stella Creasy, Laura Ferris and Sally-Ann Hart to ask that they raise the issue of guidance for pregnant workers in Parliament. They contact Kemi Bademoch, amongst others.

On the 3rd of June 2020, we publish our survey results* which demonstrate the safety issues posed to pregnant workers and the issue with them being suspended on incorrect terms due to confusion as to their legal rights. This is covered widely in the media.

On the 25th of July 2020, we published more research* highlighting the safety risks for pregnant women and the issue with them being suspended on incorrect terms. This is covered widely in the media.

On the 23rd of December 2020, guidance for pregnant workers is finally published by the Government. It is not widely disseminated or promoted.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

In February 2021, We publish our research* which shows that pregnant women working outside of the home are now not being suspended and they feel unsafe at work, although more have now had a risk assessment conducted. This data is sent to Parliamentarians and the issue is raised in multiple press articles.

Division of childcare responsibilities

On the 20th of March 2022, Stella Creasy MP writes a letter to the Secretary of State for Education to ask what information is being provided to childcare facilities to ensure they understand their obligations during the pandemic, to ensure they are provided with safety equipment and to raise the issue of childcare facilities experiencing decreased income, whilst their outgoings remain the same.

On the 20th of March 2022, we send an email to Tulip Siddiq MP regarding the challenges parents are experiencing - particularly those who have lost their job but are still being charged childcare fees. Tulip's team respond to say that Angela Raynor MP has raised this with the Secretary of State for Education. We draft a letter for parents to send to their local MP outlining the issue and asking that further investment be provided to childcare facilities to ensure they can remain open without charging parents who are already out of pocket.

SEISS

On 12th of May 2020, Ellie Reeves MP raised this in Parliament as a direct question to the Chancellor, to which he responded:

"People have ups and downs and variations in their earnings for all sorts of reasons, whether because of maternity, ill health or something else. To deal with that, we have provided an average of income over up to three years on a look-back basis, to smooth out all the ups and downs in all people's incomes. That was something that stakeholder groups were keen to see at the beginning, it is something that we delivered, and I believe it provides the fairest way to treat everybody, on a level playing field, whatever their circumstances. A three-years averaging of earnings seems to me to be a reasonable approach to take."

On the 17th of September 2020, Tracy Brabin raised the issue in Parliament during a debate on: 'Self employed and freelance Workers'.

On the 5th of October 2020, Clare Hannah raised this in Parliament as part of a debate entitled: 'COVID-19: Maternity and parental leave'.

On the 6th of November 2020, Pregnant Then Screwed were granted permission for a judicial review against the Treasury for Indirect Discrimination due to the way the SEISS has been calculated.

On the 11th of February 2021, this was raised in Parliament by Stella Creasy MP as part of a Parliamentary debate entitled: 'Ministerial and other maternity allowances bill'.

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

On the 23rd of February 2021, Sarah Owen MP raised this in Parliament as part of a debate entitled: 'Coronavirus: supporting business and individuals'.

On the 24th of November 2021, the court of appeal rules that the calculation method of the SEISS scheme discriminated against new mothers in the way it was calculated.

A brief summary of the views of the organisation or body as to any lessons, if any, that can be learned from any consideration which was given to the group(s)

All of our work specifically related to responses to Covid-19 of the UK Government.

Pregnant women and mothers were an afterthought in the Government's planning. Clear guidance should have been issued on the Government website from the outset to both employers and employees which stipulated the following:

- *All pregnant women must have a detailed risk assessment which is conducted by their employer, in consultation with the employee, to demonstrate how they will be enabled to remain at least 2 metres away from others at all times. All pregnant employees must also be supplied with PPE.*
- *If it is not possible for your pregnant employee to socially distance in their current role then you must relocate your pregnant employee to a new role where they can socially distance.*
- *If this is not possible then they must be suspended on full pay.*

To encourage employers to follow this guidance the furlough programme should have stipulated that it could be used for pregnant employees who had been suspended for safety reasons, and the Government should have offered to increase this to 100% of salary for those employees.

Although it was initially unclear how dangerous COVID-19 could be for pregnant women and their unborn child, we believe it is imperative that the utmost caution is deployed for this group during scenarios such as the spread of a disease. We now know that COVID-19 in pregnancy is associated with consistent and substantial increases in severe maternal morbidity and mortality and neonatal complications.

In one study those who contracted COVID-19 during pregnancy were 20 times more likely to die than those who didn't contract the disease.

Another study found that pregnant women are twice as likely to die, should they become infected with Covid, than non-pregnant people who are infected with Covid.

New research has found that COVID-19 can exhaust the placenta and cause damage to its immune response, according to a study published in the *American Journal of Obstetrics &*

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

Gynaecology in September 2022. These changes to the placenta can impact the way the baby develops.

When the first lockdown was triggered and the schools and childcare facilities closed, a detailed impact assessment should have been conducted to ensure policy makers were considering gender when designing policy.

- Data should have been collected that was sex disaggregated to look at the impact of policy once it was implemented.
- A board of experts in gender equality should have been established to scrutinise policy and to make recommendations for changes.

These changes would have helped reduce the mental and financial impact on women:

- Part- time furlough and furlough for those who have caring responsibilities should have been available from the outset and employers should have been encouraged to deploy this for those who are doing home schooling
- Those with caring responsibilities should have been offered 10 full days paid leave to use as they wished to manage the increase in unpaid labour
- Childcare bubbles were first introduced on 22nd September 2020 after lobbying from our charity and other groups. These enabled informal childcare to continue when other restrictions on household mixing were in-place. However, formal childcare had reopened at least a month prior leaving the 1 in 3 families who rely on informal care at a disadvantage. Childcare Bubbles were very welcome and should be deployed from the outset in future emergency scenarios
- The rule of 2 people meeting outdoors initially included all children. After lobbying from our charity and other groups, children under the age of 5 years old were then exempt from this rule. Before they were exempt it meant that parents, particularly mothers with young children, were unable to meet anyone to socialise and this compounded the mental health impact on this group. The exemption of children in the rule of 2 was secured following communication with Nadine Dorries. All policies should consider the mental health impact on new mums and the gendered role of caring.
- All fiscal policies must consider those who take any form of maternity leave in their design. This is now a legal obligation following the ruling in the High Court.

***Relevant Data collected by Pregnant Then Screwed:**

We conducted a survey of 1,349 pregnant women that ran from 1st April - 14th April 2020.

Of those who were pregnant and could not work at home, the survey found that:

- 28% had been furloughed
- 21% were still going to work and they were worried about their safety
- 19% had been suspended on full pay
- 12% had been suspended from work and were not being paid

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

- 9% had been suspended on sick pay
- 5% had been told they must start their maternity leave early (they were less than 36 weeks pregnant)
- 4% had been told to take annual leave
- 3% were still going to work but they were not worried about their safety

A further survey was conducted from 19th April - 11th May 2020, we surveyed 2,268 pregnant women (including 506 pregnant women working for the NHS and 206 pregnant teachers).

Which found that, of those who are not working from home:

- 32% had been furloughed (as had many others in their company)
- 19% had been suspended on full pay
- 18% were still going to work and were worried about their safety
- 7% had been suspended from work and were not being paid
- 6% said they were still going to work but they were not worried about their safety and could socially distance from others
- 6% said they had been suspended from work on statutory sick pay
- 4% said they had been suspended on furlough (other people in their organisation had not been furloughed)
- 4% said they had been told to take annual leave
- 3% said they had been told to take their maternity leave early (before 36 weeks pregnant)
- Of pregnant NHS workers, 33% said they were still treating patients
- 78% of all pregnant women said their stress levels were either high or very high due to COVID-19

From the 22nd May - 2nd June 2020 we surveyed 3,686 pregnant women and parents (including 1,326 pregnant women) on employment, and childcare issues during COVID-19.

This survey found that of those pregnant women who were not working at home:

- 42% had been furloughed, as had many others in their organisation
- 11% had been suspended on full pay
- 10% were going to work and were worried about their safety
- 7% were furloughed whilst other staff were not
- 6% were suspended on sick pay
- 4% were going to work but they were not worried about their safety.
- 4% were told to take annual leave
- 4% had been made redundant
- 3% had been told to take their maternity leave early
- 5% had been suspended on no pay
- 57% of mothers said that childcare responsibilities during the pandemic have either had a negative impact on their career, or they expect they will have a negative impact on their future career

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

From the 16th - 19th July 2020 we surveyed 19,950 pregnant women and parents (including 4,844 pregnant women) on work, mental health, childcare, and health and safety during COVID-19. Which found that:

- 11% of working pregnant women either had been made redundant or expected to be in the next 6 months
- Of those, 54% said their pregnancy was a factor in them being made redundant
- Of those who were working outside of the home, 45% had not had an individual risk assessment conducted to ensure they could socially distance whilst at work
- 45% of pregnant women working outside the home also said they did not feel safe at work
- 10% said they had been suspended from work because of their pregnancy, with just over half (54%) suspended on the correct terms (full pay)
- 33% had been furloughed. The rest had either been suspended on sick pay, told to take annual leave or told to take their maternity leave early
- 74% of self employed mothers said they had to reduce their income due to a lack of childcare
- 52% of employed mothers said a lack of access to childcare had a negative impact on how they were viewed and treated at work
- Whilst 73% said that a lack of access childcare had meant they had to reduce their working hours

From the 27th October - 3rd November 2020 we surveyed 15,233 pregnant women and parents. (Including 5,131 pregnant women) on work, government communication, health and safety and hospital restrictions during COVID-19:

- 47% of pregnant women working outside of the home said that their employer had not conducted an individual risk assessment
- Of those who said their employer had conducted an individual risk assessment (53%), 27% said their employer was not following it
- 57% of pregnant women working outside of the home said they did not feel safe from Covid19
- 27% said they did not know what their employer was meant to be doing to keep them safe at work
- 54% said they did not understand their legal rights when it came to safety at work
- Only 1% of pregnant women had been suspended from work on safety grounds

From the 26th - 28th January 2021 we surveyed 7,556 women who had given birth since the 15th December or were currently pregnant about their experience in the hospital and health and safety at work:

- 56% of pregnant women who worked outside of the home said they felt unsafe at work
- 27% said their employer had not done a risk assessment
- 66% said it was not possible for them to remain 2 metres away from others at work

UK COVID-19 Inquiry: Module 2 - Rule 9 Request to Pregnant Then Screwed
Reference: M2/R9R/PTS/TJS

The above information was completed on 23rd November 2022.

Signed:

Personal Data

Joeli Brearley, Chief Executive Officer,
Pregnant Then Screwed