

# Protected Characteristics Profile: Pregnancy and Maternity

## Purpose

This profile is one of nine, presenting quantitative (mainly through the Census) and qualitative (through locally run focus groups) data alongside desktop research. The purpose is to inform discussions about our local community.

## Background

The Equality Act 2010 legally protects people from discrimination and unfair treatment in Britain; this is because of the Protected Characteristics they have. The Protected Characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

It is against the law to discriminate against someone because of a Protected Characteristic. Pregnancy and maternity discrimination is when a person is treated unfavourably (differently) because they are pregnant, breastfeeding or they have given birth, in one of the situations that are covered by the Equality Act.<sup>1</sup>

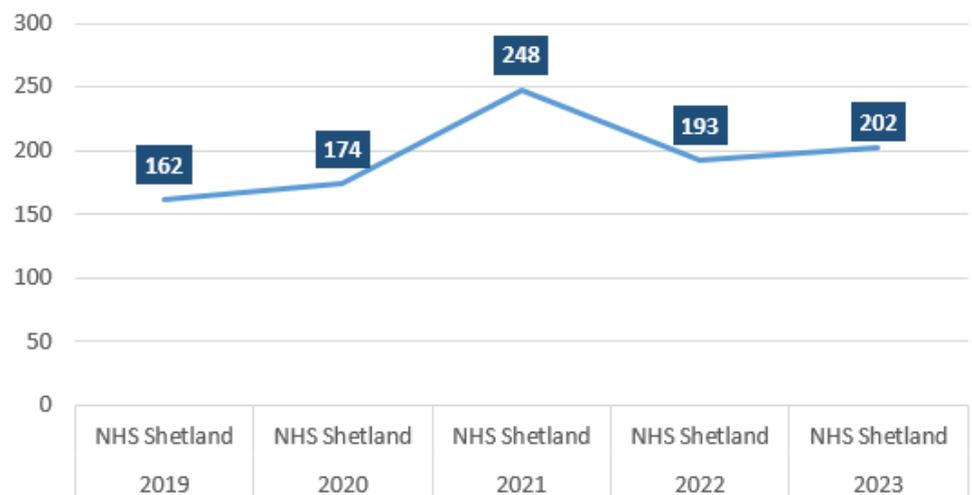
## Key Points

1

In 2021, NHS Shetland experienced a notable increase in the number of pregnancies booked.

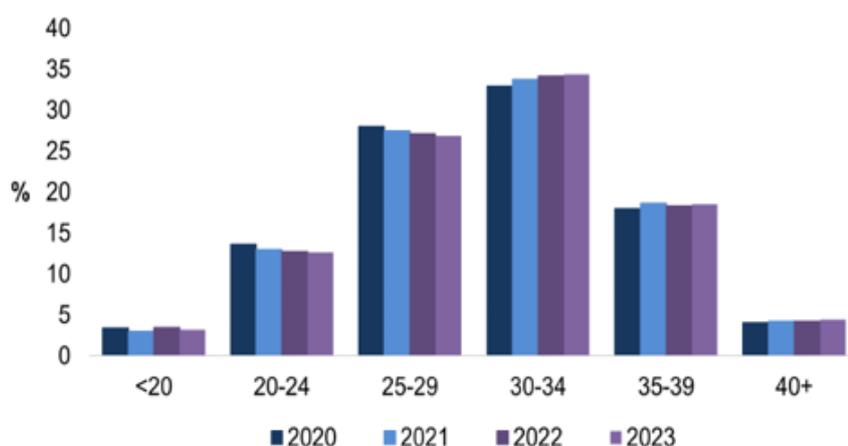
While this trend was consistent across most Scottish health boards, Shetland saw the largest percentage increase in booked pregnancies in 2021.

Number of booked pregnancies at NHS Shetland



A booked pregnancy is defined by the first midwife appointment before 10 weeks of pregnancy.

Percentage of pregnancies booked, by age



2

Across Scotland, between 2020-2023, there has been an increase in pregnancies booked by women aged 30 years and older, with a decrease in pregnancies booked by younger women.

<sup>1</sup> [Pregnancy and maternity discrimination | EHRC \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/pregnancy-and-maternity-discrimination)

Data Sources: Public Health Scotland (2019-2024); Public Health Scotland. (2024). Percentage of pregnancies booked, by age. In: *Antenatal Booking in Scotland*. [online] Public Health Scotland, p. 8. Available at: <https://publichealthscotland.scot/og/> [Accessed 1 August 2024].

## Summary of Other Publications

Desk-top research of discrimination faced by individuals during pregnancy and maternity highlights several key findings:

### Workplace Discrimination

Research from the Equality and Human Rights Commission found that 73% of Scottish women had a negative or possibly discriminatory experience at work while pregnant, on maternity leave or on return to work; one in five mothers experienced harassment or negative comments related to pregnancy or flexible working from their employer and /or colleagues. The study showed there are barriers to raising complaints about discrimination in the workplace due to fears of negative consequences and not being taken seriously.

### Mental Health and Disability

Evidence suggests that women with mental health issues or learning disabilities suffer discrimination during pregnancy within the UK health system, which negatively impacts their engagement with healthcare. These findings come from the Scottish Government Equality Outcomes:

### Pre & Post Natal Care

Evidence showed that when using healthcare services in Scotland, teenage mothers often face negative stereotypes during prenatal and postnatal care regarding their parenting abilities. Young expectant fathers were more likely than expectant mothers in the same age range to report negative experiences of healthcare. These findings come from the Scottish Government Equality Outcomes: Pregnancy and Maternity Review.

### Health Disparities

Research from the Scottish Government Equality Outcomes: Pregnancy and Maternity Evidence Review shows that obese women experience discrimination accessing maternity and post-natal care. There is an identified stigma associated with obesity in pregnancy which impacts negatively on maternal healthcare experiences.

### Unfair Dismissal

In 2017, the Power to the Bump campaign research showed that young mothers are significantly more likely to experience pregnancy and maternity discrimination, with mothers under 25 years old, six times more likely to report they were dismissed at some point between informing their employer of their pregnancy and participating in the survey.

### Migrant & Asylum Seeker Status

Research from the Royal College of Obstetricians and Gynaecologists found that Migrant pregnant women often face multiple barriers to care, such as language barriers, trauma from previous experiences, and lack of knowledge about their rights and the healthcare system; they are more likely to access antenatal care later than recommended.

### Ethnic Minority Background

Pregnant Minority Ethnic women are subjected to discrimination throughout the UK healthcare service. Research from BMC Public Health shows that discrimination is often rooted in stereotypes, cultural insensitivity and inequalities in healthcare treatment with significant disparities in quality of care compared to others.

### Education Barriers

Research from the Scottish Government Equality Outcomes: Pregnancy and Maternity Evidence Review Studies of the experiences of pregnant students show learning environments can be unsupportive and discriminatory. Teenage pregnancy can have a severe impact on the education of mothers, possibly hindering returning to school or continuation on to post-school education.

## Summary of Feedback from Local Focus Groups

A focus group facilitated by colleagues from Shetland Islands Council took place in December, with participants able to attend in person or online. However, as the findings specifically relate to Council staff and issues of discrimination within the Council, the Focus Group findings are not relevant to these profiles.

