

Birth partners

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This factsheet describes your rights in relation to birth partners during normal times.

If you need information about your rights during the Covid-19 pandemic, please see our [Coronavirus FAQs](#).

Who is a birth partner?

A birth partner is someone you choose to have with you during your labour. They are with you in addition to the health professionals caring for you.

You can choose your partner, a family member or friend to be your birth partner. You can choose a professional birth partner such as a doula. You can usually have a professional birth partner as well as a birth partner from your family or friendship group.

You can decide not to have a birth partner, or you can have more than one.

If you don't have anyone who can be your birth partner, you can ask your midwife if there is a charity or support service near you which offers volunteer (free) support for birth.

Am I allowed to choose my birth partner?

Yes. The healthcare professionals who look after you should respect your choice of birth partner/s. They should treat your birth partner with respect.

They should not refuse your choice or make rules that limit what your birth partner can do, unless they have a good reason for this. Their decision must be about your individual case.

In rare circumstances, such as your birth partner having a history of violence, midwives may say that your birth partner cannot be with you. Hospitals and birth centres do not usually allow children to stay with you.

If you change your mind before or during labour, you can ask your birth partner to leave. You can also tell your midwife if you don't want visitors after the birth.

Article 8 of the [European Convention on Human Rights](#) protects every person's right to make choices about their private life. This includes your right to choose your birth partner.

You can read more about your Article 8 rights on our factsheet *Human rights in maternity care*.

What if the hospital's policy says I can't have more than one birth partner?

Hospitals sometimes have a policy that says how many birth partners are allowed in the labour room or in theatre if the space is too small to accommodate additional people.

Even if your hospital has such a policy, healthcare professionals must make an exception if you need the support of more than one birth partner. They must listen to you and take account of your personal needs.

For example, if you experience anxiety and you would like your partner and your mother with you.

Or if a friend drives you to hospital and stays with you until your birth partner arrives.

The [Equality Act 2010](#) says that healthcare professionals must take special care to ensure that people who are disabled or use languages other than English have the support they need. This means that if you need support from, for example, a carer or an interpreter (spoken or signing), they should not be counted as a birth partner.

How many birth partners can I have at my home birth?

If you are having a home birth you can choose how many birth partners you wish to have with you.

If you transfer to hospital at any point, you may only be able to have one or two partners come with you.

Can I have a professional birth partner?

You can choose a professional birth partner, who is known as a doula. They can give you emotional support and be your advocate during labour. Being an advocate means that they can help you to communicate your wishes during labour.

You should usually be able to have a professional birth partner (doula) as well as your chosen birth partner from your family or friends.

Doulas have usually been trained to support people in childbirth. Their role is to offer physical and emotional support during labour. They are not midwives and must not take on the role of a midwife. If they do, they may be committing a criminal offence.

You can read more about the law and what 'taking on the role of a midwife' means on our factsheet *Unassisted birth*.

If you are giving birth at home, you could also choose to be looked after by a private or independent midwife. This is most common in situations where you are choosing private care for a home birth. In this situation if you transfer to an NHS hospital then the hospital midwives will take over your care but your private or independent midwife may be able to stay as a birth companion.

You can read more about choosing private care on our factsheet *Your right to choose your midwife and doctor*.

Can my birth partner consent to treatment for me or my baby?

Only you can consent to your treatment. Your birth partner cannot give consent for you. However, they may be able to help you to make your wishes known by speaking up for you to health professionals.

In an emergency, if you cannot say what you want, for example because you are unconscious, health professionals can give you treatment to save your life or stop your condition from getting much worse. If there is time, the healthcare team should talk to

your next of kin about any decisions. Your next of kin cannot consent to treatment for you but healthcare professionals should listen to them and respect what they say about your care.

[The Patients' Association](#) has information about next of kin

Once the baby has been born then only someone with parental responsibility for your baby can consent to its medical treatment. This may be your birth partner, or it may not.

You can find a summary of who has parental responsibility on the [UK government's website](#).

You can read more about consent on our factsheet [Consenting to treatment](#).

Can my birth partner stay with me after the birth?

Hospitals sometimes have rules (a policy) about whether your birth partner can stay with you after the birth, and for how long.

There can be good reasons to limit how many people there are on postnatal wards, for example, if the ward is small.

However, healthcare professionals should apply their rules flexibly and sensitively.

They should give you time to explain if you have particular reasons for wanting your birth partner to stay. These could include that you had a c-section, your baby is ill, or because you have had twins.

They should listen carefully to your reasons and allow your birth partner to stay unless there is a good reason not to. They could consider whether there are ways to allow your partner to stay even if this is against the usual policy, for example, by providing a room off the ward.

If you need your partner to stay as a 'reasonable adjustment' because you have a disability or long-term health condition, you should discuss this with your midwife during your pregnancy and plan the support you need.

You can read more about reasonable adjustments in our factsheet, [Disability, and long-term health conditions: your right to reasonable adjustments in maternity care](#).

If you need to make a complaint you can read more about this in our factsheet [Making a complaint](#).

About Birthrights

Birthrights factsheets give you information about your human rights when you are pregnant and giving birth. Contact Birthrights for help on our [advice form](#) or by emailing advice@birthrights.org.uk.

Birthrights champions respectful care during pregnancy and childbirth by protecting human rights. We provide advice and information to women and birthing people, train doctors and midwives, and campaign to change maternity policy and systems.

We are a charity, independent of the government and the NHS.

www.birthrights.org.uk

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