

Student Pregnancy, Maternity, Paternity and Adoption Procedure

**Following Guidance from the
Equality Challenge Unit**

January 2017

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Version Control History

Version Number	Date of Change	Summary of Revisions Made
1.0	January 2017	First published to formalise the support procedures for students experiencing pregnancy, maternity, paternity or adoption.
1.1	December 2018	Change of role to Quality Manager. Footer updated.

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Student Pregnancy, Maternity, Paternity and Adoption Procedure

1 Purpose

- 1.1 This document describes the Perth College UHI Student Pregnancy, Maternity, Paternity and Adoption Procedure that is to be followed when students and applicants disclose and are experiencing pregnancy, maternity, paternity or adoption.

2 Scope

- 2.1 This procedure applies to all College staff with responsibility to ensure the effective and consistent operation of the procedure and to students and applicants who have disclosed and are experiencing pregnancy, maternity, paternity or adoption.

3 Definitions

3.1 Pregnancy

The condition of being pregnant or expecting a baby.

3.2 Maternity

The period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

3.3 Paternity

The legal declaration of one particular individual as being the father of a child/children. Equality of opportunity will also need to be given to a female student in a same sex relationship whose partner is expecting a child.

3.4 Adoption

Where the legal obligations and rights of a child toward the biological parents are terminated and new rights and obligations are created between the child and the adoptive parents.

3.5 Embryo and Foetus

These are scientific terms used to describe the process of development of the fertilised egg. During the first 8 weeks the cells are referred to as an embryo. The term foetus refers to developments from 9 weeks onwards. Scientifically, a foetus is not considered to be a baby until birth. Using the term embryo or foetus if a woman miscarries, has a still birth or terminates their pregnancy for reasons relating to their health or the health of the baby may in these circumstances however cause offence.

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3.6 **Still Birth, Miscarriage and Neonatal Death**

Still births occur when a baby dies in the womb or is born dead after 24 weeks of pregnancy. Miscarriage is the natural loss of a pregnancy that happens during the first 23 weeks. Neonatal deaths occur shortly following birth.

3.7 **Abortion**

Abortion, also sometimes known as a 'termination' is the medical process of ending a pregnancy so it does not result in the birth of a baby.

4 **Responsibilities**

- 4.1 The Head of Human Resources and Organisational Development has overall responsibility for the procedures and is named as the owner of the procedures. The Head of Human Resources and Organisational Development is also the owner of the impact assessment for the procedures.
- 4.2 Sector Development Directors are responsible for the effective and consistent implementation of the procedures in relation to the activity undertaken by teaching staff, Sector Managers, Subject Leaders and Personal Academic Tutors (PATs) in their respective areas (see flow chart).
- 4.3 The Head of Student Experience is responsible for the effective and consistent implementation of the procedures in relation to the Pregnancy, Maternity, Paternity and Adoption Support Form activity undertaken by Student Services staff.
- 4.4 The Additional Support Team Leader or Student Support Team Leader is responsible for the effective and consistent implementation of the procedures in relation to the Student Support Form activity.
- 4.5 The Health, Safety and Wellbeing Advisor responsible for an effective and consistent approach to the assessment of any health and safety risk and the completion of the Risk Assessment in conjunction with the student, PAT, Sector Manager, Subject Leader, Additional Support Team Leader or Student Support Team Leader, as appropriate.
- 4.6 The Equality and Diversity Adviser is responsible for reviewing and updating the procedures and supporting any convened panel decisions where required.
- 4.7 All staff have a responsibility to adopt an inclusive approach in their work with students and to contribute where possible to the effective and consistent implementation of the procedures.
- 4.8 Students who are covered by the procedure are responsible for disclosing their status in relation to pregnancy, maternity, paternity and adoption and then engaging with College staff on the effective operation of this procedure.

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- 4.9 Quality approval check of the procedures is the responsibility of the Quality Manager who will arrange for the procedures to be published on the College website.

5 **Pregnancy**

Procedure and Guidance

5.1 **Disclosure of Pregnancy**

- When a student informs the College that she is pregnant, it is important that she receives consistent, unbiased support and advice to enable her to make informed choices. Not all advice relating to pregnancy, can be provided by the College, and it is important that staff are aware of other sources of advice and support. Students will be informed through the induction process and the Student Portal of the importance and benefits of disclosing.

5.2 **Who Should a Student Inform about her Pregnancy?**

Students should inform their Personal Academic Tutor, Lecturer, or a member of the Additional Support Team or Student Support Team of their pregnancy.

The member of staff to whom the student has disclosed their pregnancy must complete sections 1-7 of a Student Pregnancy and Maternity Support Form, in conjunction with the student.

The form must then be forwarded to a member of the Additional Support Team or a member of the Student Support Team who will ensure the student is fully aware of the support available to them and co-ordinate the agreed support arrangements.

5.3 **Use of Language**

Staff will need to be mindful of the language that they use to refer to a pregnancy depending on the circumstances of the student concerned ie if a student chooses not to proceed with their pregnancy. Staff are advised to take their lead of terminology from the student.

5.4 **Establishing a Student's Pregnancy**

The Additional Support Team or Student Support Team must take into consideration the impact of the student's pregnancy on their course attendance or attainment and will request evidence of appointments and letters from the student's GP, midwife or health worker.

Evidence or supporting information in relation to their pregnancy is required in order to allow reasonable adjustments to be made and support put in place. Students must be advised of the nature of the evidence/information as soon as possible and generally during preliminary discussions.

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5.5 Informing Staff and Fellow Students about Pregnancy

Not all students will want to continue with their pregnancy, and some may miscarry or have to terminate the pregnancy due to their health or the health of their baby. Consequently, information concerning a student's pregnancy will be treated sensitively and should be passed on only with the student's consent.

When and who informs staff and fellow students about pregnancy will be agreed with the student and recorded in section 8 of the Student Pregnancy and Maternity Support Form.

▪ Students' Decisions

Members of staff contacted by a student must not give an opinion or should not attempt to influence her decisions or assume that the pregnancy is unwanted or unplanned. Assumptions should not be made about whether the student intends to proceed with her pregnancy on the basis of her age, disability, gender identity, race, religion or belief, socio-economic status, sexual orientation, or stage of study or research. If a student's pregnancy is unplanned and she seeks advice from a member of staff on whether or not she should continue with her pregnancy, members of staff who are not suitably qualified to counsel women during pregnancy should refer the student to the Additional Support Team or Student Support Team and must not attempt to advise her themselves.

Students who are unsure about continuing with their pregnancy for reasons relating to their course or support in College, students who are considering leaving their course because of their pregnancy, and students who plan to continue with their pregnancy should also be referred to a member of staff in the Additional Support Team or Student Support Team who has knowledge of the support available to pregnant students and student parents in College. Following an initial meeting with a member of the Additional Support Team or Student Support Team, supported referrals can then be made if required to external agencies. Information should be provided on eg:

- Financial implications and entitlements, including student loans, benefits and maternity pay, if any.
- Implications for course completion, including arrangements that could be made for assessments, catching up on missed workshops and lectures, course placements, time to attend healthcare appointments, maternity-related absence, etc.
- Childcare facilities on campus or in the local community.

Evidence of meetings held, information given and agreements made must be recorded in the appropriate sections of the Student Pregnancy and Maternity Support Form.

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5.6 Health and Safety

Pregnancy should not be equated with poor health. However, there are health and safety considerations that arise during pregnancy and breastfeeding, and the risks to which students could be exposed need to be assessed.

The highest risk of damage to the baby is during the first 13 weeks of pregnancy. Consequently, students should be encouraged to notify the college as early as possible of their pregnancy so that a risk assessment can be conducted. Where a student is unsure whether she will proceed with her pregnancy, it will still be appropriate to conduct a risk assessment. Following disclosure, a risk assessment must be carried out by the Health and Safety Officer in conjunction with the student, a member of the Additional Support Team or Student Support Team and the student's Personal Academic Tutor or lecturer.

Relevant information in relation to a risk assessment must be recorded (sections 9-10) of the Student Pregnancy and Maternity Support Form.

The Risk Assessment will be held by the Additional Support Team or Student Support Team alongside the Student Pregnancy and Maternity Support Form. Where it is identified during review meetings that for any reason there are changes to the student's level of risk, a further Risk Assessment will need to be carried out.

The level of risk to which a student is exposed will depend on the requirements and nature of her course. For many courses the risks will be low. Consideration should also be given to the risks that may arise during examinations (see Assessments and Examinations). Where risks are identified during a health and safety assessment, the student and, if necessary, her midwife or GP should be consulted on ways to alleviate or minimise the identified risk.

▪ **Resting**

Where a student may be experiencing fatigue during pregnancy, particularly in the later stages, they can be directed to and supported in the use of the First Aid room (section 11 Student Pregnancy and Maternity Support Form). This is a reasonable adjustment that is currently made for students who experience fatigue. Invariably a member of teaching staff that notes the student is fatigued will suggest rest and use of the First Aid room though a student can also 'self-refer'.

In the event that the First Aid room is required for an emergency, the first aider attending the emergency will make a decision as to who should access the resource. To help manage this, as and when a first aid room is required, the reception staff (who invariably calls first

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aiders) must be informed to the use and potential duration of use by the student.

Quiet Rooms are also available for students who may require a peaceful space in which to rest.

Quiet Rooms: 214a Brahan Building/506 Goodlyburn Building

5.7 Pregnancy-Related Absence

The student will be required to attend regular antenatal appointments. **Dates and times of appointments must be recorded in the Student Pregnancy and Maternity Support Form (sections 12-14) and in particular, the impact such appointments may have on the student's study and the arrangements that have been made to enable the student to catch up.**

In some circumstances, the student may develop pregnancy-related illness that affects their ability to undertake their course.

This must be discussed with the student and arrangements to enable the student to catch up, recorded in the Student Pregnancy and Maternity Support form (sections 12-14).

5.8 Assessments and Examinations

If a student is due to give birth near to or during assessment deadlines or the examination period, and wishes to complete her assessed work or sit her examinations, she must not be prevented from doing so.

In examinations, pregnant students may require rest breaks and may need to visit the toilet more frequently than those who are not pregnant. They may also require a more comfortable and supportive chair. Consequently, the student may need to sit the examination in a location separate from other students. The Additional Support Team or Student Support Team will consider the types of standard adjustment they can make for a pregnant student taking examinations, and agree this with the student concerned.

If a student is concerned about sitting examinations or meeting assessed work deadlines, or if she has a pregnancy-related health condition that is exacerbated by stress, she should be advised to seek advice from her midwife or doctor. If the student's midwife or doctor advises against her sitting an examination or trying to meet the assessed work deadline, an alternative method of assessment should be explored.

If a student is unable to undertake an alternative method of assessment, or if she experiences significant pregnancy-related problems in the course of an examination or when undertaking assessed work, the College will need to make arrangements for her to re-sit the examination at the earliest possible opportunity or agree an extension for resubmitting coursework. Resits of examinations should be considered as the student's first attempt.

All information and agreements made in relation to assessments must be recorded in the Student Pregnancy and Maternity Support Form (sections 15-17).

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Maternity

5.9 Maternity-Related Absence

Students' entitlements to maternity leave and pay are outlined below. However, very few students are entitled to such leave and pay as these are entitlements that only exist under employment law. For this reason, this procedure refers primarily to maternity-related absence, but it draws upon employment law, as many protocols established by employment law will assist the College in ensuring consistent student support.

The College's arrangements for maternity-related absence should apply equally to live births and still births after 24 weeks.

▪ Starting Maternity-Related Absence

Students must be allowed to decide when they start their maternity-related absence, in agreement with the College. If students wish to, they will not be prevented from studying up to their due date, or from starting their maternity-related absence a full term or semester before their due date, where practicable.

Where a student is close to her due date and unable to study as planned, the College may, in consultation with the student, start her maternity-related absence earlier than planned or, if appropriate, explore alternative methods through which she can meet the course requirements.

When the student intends to start maternity related absence must be recorded in the Student Pregnancy and Maternity Support Form (section 19).

▪ Notification of Maternity-Related Absence

Students must inform the college of the following information which must be recorded in the Student Pregnancy and Maternity Support Form (sections 18-24):

- The date on which they intend to start maternity-related absence.
- The length of maternity-related absence that they intend to take and the date on which they intend to return.

It is recommended that students advise the College of the above in writing at least 15 weeks before the baby is due. This is in line with employment law and will allow sufficient time for the College to liaise with the student, review the student support plan, make any necessary arrangements, and ensure information is communicated as required.

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Students may find it helpful, when deciding how much maternity-related absence they would like to take, to be put in touch with other students who have become parents.

A member of the Additional Support Team or Student Services Team will support such a request and record any agreements made, in section 45 of the Student Pregnancy and Maternity Support Form.

▪ **Length of Maternity-Related Absence**

All students must be allowed to take maternity-related absence following the birth of their child. How long a student will take will be determined by her personal circumstances and the structure and content of her course. The College will not automatically require students to interrupt for a year, but will work with the student to establish a suitable return-to-study date. In such circumstances a panel will be convened to make this type of decision ie Head of Curriculum, PAT, Equalities Adviser, Student Services representative and Quality Manager. The PAT will inform Student Records should a student decide to suspend their studies.

While the length of maternity-related absence students prefer to take will vary, it is recommended that, at a minimum, students are required to take 2 weeks' compulsory maternity-related absence, or 4 weeks if they are on placement in a factory. This is in line with employment law, and is to ensure the health and safety of the mother following birth.

NHS Student Bursaries recommends a minimum of 12 weeks' maternity absence, but allows students to return earlier if they have approval from their GP or health worker.

All agreed Maternity-Related Absence must be recorded in the Student Pregnancy and Maternity Support Form (sections 18-20) along with evidence of any panel decisions.

If the College is concerned about a student's health in relation to her proposed return date or her course requirements, the student will be asked for their GP's or health worker's confirmation of their fitness to return to study.

Confirmation evidence must be recorded in the Student Pregnancy and Maternity Support Form (sections 18-20).

At a minimum, students will be allowed to take one year out of study. Where there is concern about her knowledge of the field being affected by the length of time that she takes, the student's department will take steps to ensure she is kept up to speed with developments in the field. For example, she could be sent lists of key reading and new research, and dates and transcripts of departmental lectures, and steps can be taken to ensure she can access key journals. In line with a staff

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initiative, students undertaking maternity-related absence should also be informed about Keeping in Touch (KIT) days which will allow them to access specific lectures/workshops or to meet with key staff. The number of days and the days on which keeping in touch days are undertaken are agreed between the student and the PAT. The PAT may request that the student undertakes a keeping in touch day. The student is not obliged to attend any keeping in touch days during maternity-related absence if they do not wish to.

The student will not suffer any detriment should they choose not to attend on any of these keeping in touch days and similarly, where the student makes a request, the College is not obliged to provide them with the opportunity to undertake keeping in touch days.

Requests to attend a keeping in touch day should be made in writing to the PAT at least 7 days prior to the requested day.

Information provided to the student, and by whom, must be recorded in the Student Pregnancy and Maternity Support Form (sections 21-24).

In exceptional circumstances, students may need to extend the length of maternity leave that they take beyond the standard time allowed, for example in cases of postnatal depression, serious illness or loss of a baby, or where there is no available childcare. The College will take steps to enable students to complete the requirements of their course or module before they take maternity-related absence. In some cases, the student may want to sit examinations or submit alternative forms of assessment during her maternity-related absence. Where a student is unable to complete her course or module before taking maternity-related absence, if possible she should be allowed to complete the course or module on her return. In these circumstances a panel will meet to consider reasonable funding options should student wish to return to study the following academic year. Students studying at HE level will need to send an appeal to the external funding body.

Extensions to maternity leave, agreed course or module completion requirements and any agreed panel decisions must be recorded in the Student Pregnancy and Maternity Support Form (sections 18-24).

- **Returning from Maternity-Related Absence**

The date when a student intends to return from maternity-related absence must be discussed and agreed with the student prior to commencing the period of absence (see above). However, this date may change during the course of the absence, and students should be

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encouraged to notify the College as soon as possible of any change in their expected return date.

The PAT will need to review the Student Pregnancy and Maternity Support Form (section 20) and agree a new return date with the student in writing.

Before a student returns from a period of maternity-related absence, consideration must be given to her requirements on return. The student's study options and the continued support provided by the College should be discussed with the student in developing her **Student Pregnancy and Maternity Support Form (sections 21-24)**, and must be confirmed with the student prior to her return; examples include the following:

- **Varying the mode of study** – Students must be made aware of any options that exist to resume their course on a part-time or distance-learning basis. If a student requests to study part-time rather than full-time, the request should not be declined unless it can be justified, and the justification should be provided in writing.
- **Ensure a smooth return** – Formal welcome-back meetings must be offered with key staff, for example the PAT and a member of the Additional Support Team or Student Support Team **and recorded in section 45 of the Student Pregnancy and Maternity Support Form.**
- **Continued contact** – The student's key contact (**as identified in the Student Pregnancy and Maternity Support Form section 4**) if they encounter any difficulties, should be made clear.

5.10 Financial support for students during pregnancy and maternity

This section focuses on sources of support for UK home students. EU and international students should be advised to contact their home government and sponsor for information on pregnancy and maternity entitlements.

All funding agreements must be recorded in the Student Pregnancy and Maternity Support Form (sections 25 -27) and must include evidence of any panel decisions.

Regulations on student financial support in England, Scotland, Wales and Northern Ireland contain provisions for discretion when determining if all or part of a student's grant or loan is payable when a student is absent from their course for reasons other than illness. When deciding whether it would be appropriate to pay all or part of the bursary, grant or loan, consideration will be given to:

- The reasons for the student's absence.

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- The length of the absence.
- The financial hardship caused by not paying all or part of the bursary, loan or grant.

Students will require support from the College if they want to continue receiving their bursary, grant or loan when they take maternity-related absence. Further information should be sought on the process for continuing payments from the Student Funding Adviser.

Student support regulations also allow the College to use their Discretionary Fund to support eligible students where they are absent from their course for reasons other than illness and would be unable to return due to hardship. However, the funds are increasingly being relied upon, and are limited and use of the funds is at the discretion of the college.

Many students will be entitled to government welfare benefits and grants, and these should be explored in the first instance as, unlike student loans, they do not need to be repaid. However, it is important to be aware that the interaction between student support entitlements and benefits is very complex, and students need tailored advice from their local benefits office and the Student Funding Adviser. Consequently, the NUS recommends that student services teams establish strong links with their local benefit offices. www.nus.org.uk/en/advice/money-and-funding/can-i-claim-government-benefits-as-a-student/

- **FE Students:** A panel will meet to discuss reasonable adjustments for bursary ie maximum 4 weeks absence via self-certification. Bursary would be suspended for the 12 weeks maternity absence period and will resume on the student's return to study. Alternatively funding options can also be considered should the student wish to return to study the following academic year. Advice should be sought from the Student Funding Adviser.
- **HE Students:** There are no attendance criteria for SAAS therefore loans would continue as long as the student is still a current enrolment.

For HE students who are experiencing pregnancy or maternity and who are in receipt of a funding opportunity through the university, advice and guidance should be sought through the central university Student Support Team.

Research Council UK – funded postgraduate students:
Research council-funded students are entitled to maternity, paternity, shared parental and adoption leave and pay. Provision will be made for additional stipend to be paid where appropriate. Students are also allowed to study on a part-time basis. For further information see research council terms and conditions of funding: www.rcuk.ac.uk/funding/

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The College's Student Funding Adviser can advise on potential benefits and grants available.

Information is also provided by antenatal clinics and on the government's website: www.direct.gov.uk

Information about sources of financial support, potential benefits and any follow-up required must be recorded in the Student Pregnancy and Maternity Support Form (sections 25-27).

5.11 Baby Feeding

▪ Breastfeeding

Students are welcome to breastfeed in College public places, particularly if these are areas within or close to buildings and services they use frequently.

Students wishing to express breast milk should be directed to the First Aid room in the Brahan or Goodlyburn Buildings. Expressed milk is the responsibility of the individual student and should be stored appropriately eg in a portable cooler.

Students should inform the Additional Support Team or Student Support Team prior to their return if they intend to breastfeed. This is so that suitable facilities can be identified and that the student's initial health and safety assessment is reviewed by the Health, Safety and Wellbeing Advisor in consultation with the student and their PAT/lecturer to ensure she will not be exposed to risks that could have an impact on breastfeeding and therefore on the health of her baby.

The College welcomes students who are breastfeeding or have with them a baby under 26 weeks old to access the College's facilities or services. Baby changing facilities are currently available in the Webster Building along with a Childrens' Room which current student and staff parents can use with their young children.

Should tensions arise where other students feel uncomfortable, for example for religious reasons, when women breastfeed in public, the needs of breastfeeding women will take precedence.

Babies under 26 weeks old are permitted in certain spaces (which will be agreed in advance with the Health, Safety and Wellbeing Officer but it is the responsibility of the student to 'remain with and supervise the child for the whole time they are on College premises ie they should be close enough to the child to react immediately to prevent accidents'.

Information regarding a student's intention to feed their baby on college facilities must be recorded on the Student Pregnancy and Maternity Support Form (sections 28-30).

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5.12 **Childcare**

Everyone who is keen to build on their education should have the opportunity to come to college, even if they are a parent with young children.

Parents of young children can take advantage of the College's on-site nursery offering childcare for children aged between one and five years old.

Pregnant students and those undergoing maternity must be informed about childcare facilities on campus or in the local community.

The Student Funding Adviser can advise of any funding available to students to help towards the cost of registered childcare.

For further information please refer to the Childcare Fund Income Eligibility Criteria.

Information regarding Childcare must be recorded in sections 31-32 of the Student Pregnancy and Maternity Support Form.

5.13 **International Students and those on Placement/Studying Abroad**

▪ **Travel**

Unless they are advised not to do so by their doctor or midwife, students should be able to travel during pregnancy. However, there are some considerations.

- Airlines have different policies and may not allow travel beyond 36 weeks or, in the event that the pregnancy is complicated or multiple, beyond 32 weeks. Students will need to check individual airline policies before travelling, and be aware that airlines will ask students for proof that it is safe for them to travel.
- UK students who are on placement or studying abroad will need to check their visa terms and conditions as they may need to extend their stay or return to the country at a later date.
- As pregnancy is considered a pre-existing condition by insurance companies, students who are pregnant prior to commencing a field trip or their placement or study abroad will need to check whether their insurance covers them for pre-existing conditions.

▪ **UK Student Visas**

At present students who require a visa to study in the UK cannot extend their visa for reasons relating to pregnancy or maternity. The Home Office will allow up to 60 days suspension of studies but the student would be unable to extend their visa to complete studies if additional time was required. All visas allow for a short period of stay in the UK in addition to the time spent on a course.

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At the time of writing this guidance, the period allowed was as follows:

- Students on main and pre-sessional courses lasting 12 months or longer can remain in the UK for the length of their course plus 4 months.
- Students on main and pre-sessional courses lasting more than 6 months but less than 12 months can remain in the UK for the length of their course plus 2 months.
- Students on main and pre-sessional courses lasting 6 months or less can remain for the length of the course plus 7 days.

The additional time allowed may not be sufficient for some students to take maternity-related absence. Staff in the International Centre will provide any international student who becomes pregnant while studying in the UK with the latest information on the visa implications of:

- Taking maternity/paternity-related absence.
- Returning home to have the baby.
- Having a dependant to support in the UK.

Given visa restrictions, in exceptional circumstances and in consideration of health and safety, the College may need to be flexible when requesting that international students take a minimum of 2 weeks' maternity-related absence.

Further information on student visas can be found on the Home Office website: www.ukba.homeoffice.gov.uk/studyingintheuk/student-visitors

- **Liaison with Study Abroad or Placement Provider**

If a student is studying or on a placement abroad during her pregnancy or maternity, staff in the International Centre will liaise with the host institution or placement provider to ensure, where possible, that her needs are met. In addition, staff in the International Centre will share with the host institution or placement provider their policy on supporting students during pregnancy and maternity.

Information regarding possible airline restrictions, visa implications or extended stay due to pregnancy and maternity must be recorded in section 33 of the Student Pregnancy and Maternity Support Form.

5.14 Students on Placement

Where a student discloses and is experiencing pregnancy, or maternity and is on placement or is due to undertake a placement, the PAT must liaise with the placement provider to ensure that where possible the student's needs are, or can be met.

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The student must agree to the placement provider being informed of the pregnancy/maternity and this will be recorded in **section 8** of the Student Pregnancy and Maternity Support Form.

The PAT must liaise with the Placement Provider to ensure that they are aware of the College's policy on supporting students during pregnancy and maternity and that a health and safety assessment is conducted and with the student to clarify responsibility for further liaison with the Placement Provider. **Information regarding a Student's Placement must be recorded on the Student Pregnancy and Maternity Support Form (sections 34-39)**

5.15 Mitigating Circumstances

Mitigating Circumstances are defined as unforeseen and unpreventable circumstances outside the control of the student, which have significantly affected performance and/or attendance in a summative assessment and could not have been remedied in the time available. These are normally circumstances relating to the health and/or personal life of a student which are sufficiently serious and significant in nature to result in them being unable to attend, complete or submit an assessment on time, or attend an examination.

Pregnancy and maternity **should not** be considered as valid examples of mitigating circumstances as they are defined as:

- Any ongoing situation known to the student.

Where however circumstances are such that a pregnant student/student undergoing maternity cannot complete assessments to the best of their ability, or are unable to attend an examination, or are unable to meet an assessment dead-line **due to adverse circumstances beyond their control**, they can request that these circumstances are taken into consideration by the College.

Refer to **Mitigating Circumstances Procedure** for further details.

Information regarding any Mitigating Circumstances must be recorded on the Student Pregnancy and Maternity Support Form (section 40).

5.16 Student Accommodation

Students will not be asked to leave their existing College accommodation because they are pregnant, and will be supported in finding suitable accommodation prior to the arrival of their baby or prior to their return from maternity-related absence – whatever is most appropriate for the student.

To support students during maternity and improve retention, a Student Support Worker will help existing students find suitable privately rented or local authority housing.

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College contracts for our own or contracted halls of residence allow students to end the contract early because of pregnancy or maternity without penalty. Where a student is in private accommodation, support and advice will be given by the Student Support Worker on terminating their contract.

All information relating to Student accommodation for students who are pregnant must be recorded in sections 41-44 of the Student Pregnancy and Maternity Support Form.

5.17 Return to Study

Students returning to study following a period of absence due to pregnancy or maternity will require a welcome-back meeting with key staff eg their PAT and a member of student services.

Students will need to be made aware of any options that exist to resume their course on a part-time or distance learning basis. Requests for alternative modes of study should not be declined unless clear justification is provided. A student's key contact should be made clear to them so that should the student encounter difficulty in attending classes or completing course work – they are clear on who to contact.

Some returning students may wish to be put in contact with other student parents – this offer should be made available to them.

Information and advice given regarding a student's Return to Study must be recorded on the Student Pregnancy and Maternity Support Form (section 45).

5.18 Further Information

Any other information or comments including evidence of meetings held, information given and agreements must be recorded in section 46 of the Student Pregnancy and Maternity Support Form.

▪ Abortion or Termination of Pregnancy

A student may decide to have an abortion for many reasons – for example, because of personal circumstances, because of risks to their health, or because there is a high probability the baby will have a serious medical condition.

Students may need time off from study for tests before, and to recover after, an abortion. This time off will be treated in line with the College's usual authorised absence policy for students. Consideration must be given to the impact of an abortion on a student's ability to meet deadlines and sit examinations.

Evidence of meetings held, information given and agreements must be recorded in section 46 of the Student Pregnancy and Maternity Support Form.

The charity Antenatal Results and Choices (www.arc-uk.org) provides specific advice to students who are considering an abortion for reasons relating to antenatal test results.

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- **Miscarriage, Still Births and Neonatal Death**

The College must be mindful of the support students will need if they miscarry or have a still birth, or if their baby dies shortly after it is born. Students must be encouraged to inform a member of the Additional Support Team or Student Support Team if this happens, and a meeting should be organised with the student to establish the support they are receiving from their healthcare provider and the support available from the College.

Evidence of meetings held, information given and agreements must be recorded in section 46 of the Student Pregnancy and Maternity Support Form.

- **Miscarriage**

Miscarriage is a common occurrence, and one in 4 pregnancies ends in miscarriage. Miscarriage is most likely to occur in the first 3 months of pregnancy. If a student miscarries, she is likely to need time off study for tests and to recover. Consideration should be given to the impact of a miscarriage on a student's ability to meet deadlines and sit examinations.

Evidence of meetings held, information given and agreements must be recorded in section 46 of the Student Pregnancy and Maternity Support Form.

- **Still Birth and Neonatal Death**

A student who has a still birth or whose baby dies shortly after birth will be entitled to the same length of maternity-related absence and financial and wellbeing support as a student whose baby is not stillborn.

Evidence of meetings held, information given and agreements must be recorded in section 46 of the Student Pregnancy and Maternity Support Form.

SANDS publishes a number of free booklets that can be ordered at www.uk-sands.org/Publications/Support-and-information-leaflets.html

6 Paternity

Procedure and Guidance

6.1 Disclosure of Paternity

Students whose partners are pregnant should inform their PAT or a member of the Additional Support Team or Student Support team who will take steps to ensure students are aware of the support available to them during paternity and of the need to create an environment where students feel able to talk about paternity. Students will be informed through the induction process and the Student Portal of the importance and benefits of disclosing. A Student Paternity Support Form must be put in place to ensure the student is fully aware of the support available and to coordinate the agreed support arrangements.

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In line with a staff initiative, students undertaking paternity absence should also be informed about Keeping in Touch (KIT) days which will allow them to access specific lectures/workshops or to meet with key staff. The number of days and the days on which keeping in touch days are undertaken are agreed between the student and the PAT. The PAT may request that the student undertakes a keeping in touch day. The student is not obliged to attend any keeping in touch days during paternity-related absence if they do not wish to.

The student will not suffer any detriment should they choose not to attend on any of these keeping in touch days and similarly, where the student makes a request, the College is not obliged to provide them with the opportunity to undertake keeping in touch days.

Requests to attend a keeping in touch day should be made in writing to the PAT at least 7 days prior to the requested day.

Evidence of meetings held, information given and agreements must be recorded in sections 1-6 of the Student Paternity Support Form.

6.2 Paternity-Related Absence

Entitlement to paternity leave and paternity pay exists within employment law, and consequently very few students are entitled to such leave or pay however, under the Equality Act 2010, if a male student is treated less favourably because of his female partner's pregnancy, this may constitute discrimination by association on the grounds of sex. For example:

- If a student is unable to meet a coursework deadline because of their female partner's pregnancy and is not given an extension, this may constitute sex discrimination. Reasonable adjustment will therefore be considered by a panel convened and consisting of the student, SDD, PAT, SL, Equality and Diversity Adviser and a representative from Student Services.
- If a partner of a new mother who is male can take paternity leave, but a female student in a same-sex relationship whose partner is expecting a child cannot take paternity leave, this may constitute discrimination because of sexual orientation. Reasonable adjustment will therefore be considered by a panel convened and consisting of the student, HOC, PAT, SL, Equality and Diversity Adviser and a representative from Student Services.

Time Off for Antenatal Appointments and in Cases of Pregnancy-Related Illness

The College will be flexible in allowing students to attend their partner's antenatal appointments, and, in addition, take time off if their partner has complications with her pregnancy or a serious pregnancy-related illness (see also Assessments and Placements). This would be considered acceptable as an authorised absence for funding purposes.

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- **Notification of Paternity-Related Absence**

If a student wants to take paternity-related absence, they should inform their PAT or a member of the Additional Support Team or Student Support Team of their partner's pregnancy at least 15 weeks before the baby is due, but a degree of flexibility may be required. The Funding Team will require an authorised absence form signed by the student's PAT. Early notification should be encouraged as partners may need to attend antenatal appointments. This information would be recorded on the Student Paternity Support Form.

- **Length of Paternity-Related Absence**

The College will allow students paternity-related absence in line with entitlements that exist in employment law for paternity leave. This is currently a maximum of 2 consecutive weeks within 56 days of the child being born. This will be communicated to the student during completion of the Student Paternity Support Form. There is no requirement to advise external bodies eg SQA bodies of this unless it is likely to have a significant impact on the student's course, ie that they would not be able to complete the course. In England, Scotland and Wales, extended paternity rights for fathers or partners of new mothers which came into force on 6 April 2011, have been introduced under the Work and Families Act 2006. Under the new regulations, employed fathers or partners of new mothers are entitled to take up to 6 months' additional statutory paternity leave in the second 6 months of their child's life as long as the mother has returned to work. This is in addition to the 2 weeks' statutory leave to which they are currently entitled following the birth of their child. Students may also have expectations surrounding the new entitlements and may wish to interrupt their study when their partner returns to study or work. Where fathers or partners of new mothers request an interruption to their study this will be considered by a panel convened and consisting of the student, HOC, PAT, SL, Equality and Diversity Adviser and a representative from Student Services.

- **Support During, and On Return from, Paternity-Related Absence**

The College will ensure students on paternity-related absence are provided with materials from lectures missed. If students have been granted extended paternity-related absence as above, consideration will need to be given to the support provided to the student. (For further information on the types of support to consider, see Maternity-related absence)

Evidence of meetings held, information given and agreements in relation to paternity-related absence must be recorded in sections 8-17 of the Student Paternity Support Form.

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6.3 Assessments and Placements

If a student chooses to sit an examination while their partner is in labour or during their paternity-related absence, they should be made aware of the College's **Mitigating Circumstances Procedure**. If a student is unable to sit an examination or submit coursework on time because of their partner's pregnancy or labour, they should be allowed to re-sit the examination at the earliest possible opportunity or should be given an extension. Such arrangements may also be appropriate if the student's partner has a serious pregnancy-related illness.

Internal Exams:

Where a student requests time off which would mean that they were likely to miss an internal exam, the student will require a supporting letter from the PAT as to the necessity of their attendance.

External exams: Any student is expected to attend an exam that is timetabled for them. A mitigating circumstances claim must therefore be submitted whenever a student is unable to attend a timetabled exam.

If, following a contextualised assessment of need, a Student Paternity Form were to specifically exempt a student from all timetabled written exams, the student's non-attendance would not be unexpected, and alternative assessment arrangements would already be in place.

In other compulsory elements of courses, such as field trips or work placements, the College can consider the feasibility of students undertaking them at an alternative time. Where this is not possible, justification should be provided in writing.

Evidence of meetings held, information given and agreements in relation to assessments and placements must be recorded in sections 18-20 of the Student Paternity Support Form.

6.4 Financial Support

The Student Funding Adviser can advise about sources of financial support or can refer students to an external organisation that can do so.

The College Funding Team currently allows 2 weeks absence for Paternity, for which they would expect the student to provide an authorised absence form signed by their PAT.

Evidence of meetings held, information given and agreements in relation to financial support must be recorded in sections 21-23 of the Student Paternity Support Form.

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7 Adoption

Students who have been matched for adoption should inform their PAT or a member of the Additional Support Team or Student Support team who will take steps to ensure students are aware of the support available to them during adoption and of the need to create an environment where students feel able to talk about adoption. Students will be informed through the induction process and the Student Portal of the importance and benefits of disclosing. A Student Adoption Support Form will be put in place to ensure the student is fully aware of the support available and to coordinate the agreed support arrangements.

When a student informs the College that they are going to be adopting it is important that they receive consistent, unbiased support and advice to enable them to make informed choices. Not all advice relating to adoption can be provided by the College, and it is important that staff are aware of other sources of advice and support.

If a student has a stipend, NHS bursary or research council funding, they are likely to be allowed a period of paid adoption leave. Students should be advised to familiarise themselves with the terms and conditions of their award.

In line with a staff initiative, students undertaking adoption-related absence should also be offered Keeping in Touch (KIT) days which will allow them to access specific lectures/workshops or to meet with key staff. The number of days and the days on which keeping in touch days are undertaken are agreed between the student and the PAT. The PAT may request that the student undertakes a keeping in touch day. The student is not obliged to attend any keeping in touch days during adoption-related absence if they do not wish to.

The student will not suffer any detriment should they choose not to attend on any of these keeping in touch days and similarly, where the student makes a request, the College is not obliged to provide them with the opportunity to undertake keeping in touch days.

Requests to attend a keeping in touch day should be made in writing to the PAT at least 7 days prior to the requested day.

7.1 Establishing a Student's Intention to Adopt

The Additional Support Team or Student Support Team needs to take into consideration the impact of the student's intent to adopt, on their course attendance or attainment and will require evidence of appointments and letters from the student's social worker. Evidence or supporting information in relation to the adoption is required in order to allow reasonable adjustments to be made and support put in place. Students will be advised of the nature of the evidence/information as soon as possible and generally during preliminary discussions.

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- **Who Should a Student Inform about their Intention to Adopt?**

Students should inform their Personal Academic Tutor, Lecturer, or a member of the Additional Support Team or Student Support Team that they are going to be adopting so that a Student Adoption Support Form can be put in place. This will be necessary to enable the College to ensure the student is fully aware of the support available and to coordinate arrangements.

- **Informing Staff and Fellow Students about Adoption**

Information concerning a student's intention to adopt will be treated sensitively and should be passed on only with the student's consent. When and who informs staff and fellow students about their intent to adopt will be agreed in writing with the student and recorded on the Student Adoption Support form.

The member of staff to whom the student has disclosed their intention to adopt must complete sections 1-7 of a Student Adoption Support Form, in conjunction with the student.

7.2 Adoption-Related Absence

Where the student is the primary adopter, the student will be allowed time off from studies in line with the advice for pregnancy-related absence in section 5.7.

If the student's partner is the primary adopter, upon formal adoption of the child, the student will be allowed time off from studies in line with the advice in sections above on paternity-related absence.

Evidence of meetings held, information given and agreements in relation to adoption-related absence must be recorded in sections 8-16 of the Student Adoption Support Form.

7.3 Assessments and Placements

Where the student is the primary adopter and is unable to complete any assessments due to adoption commitments, the PAT in conjunction with Student Services will make arrangements to allow the student to re-sit the examination at the earliest possible opportunity or agree an extension for submitting coursework. Resits of examinations should be considered as the student's first attempt.

If the student's partner is the primary adopter, upon formal adoption of the child, the student will be allowed alternative assessment/placement arrangements in line with the advice in the sections above on paternity-related assessments and placements.

Evidence of meetings held, information given and agreements in relation to assessments and placements must be recorded in sections 17-19 of the Student Adoption Support Form.

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7.4 Financial Support

The Student Funding Adviser can advise about sources of financial support or can refer students to an external organisation that can do so.

The College Funding Team currently allows 2 weeks absence for students who are primary adopters for which they would expect the student to provide an authorised absence form signed by their PAT.

Evidence of meetings held, information given and agreements in relation to financial support must be recorded in sections 20-22 of the Student Adoption Support Form.

The Student Pregnancy, Maternity, Paternity and Adoption Support Form (SPMPA Form) (Appendix 1)

Once a student declares their pregnancy, maternity, paternity or adoption intentions they should be referred to a member of the Additional Support Team or Student Support Team who will arrange to meet with them to begin to put support arrangements into place and to record agreed arrangements in the appropriate Student Support Form.

Pregnancy

The Student Pregnancy and Maternity Support Form (SPM Form) will help to coordinate support and ensure students' needs are met during pregnancy and on the students' return to their course. The SPM Form will be developed and agreed with the student, and will cover the following issues:

Communication about the Students' Pregnancy:

- The members of staff who will need to be informed about the student's pregnancy.
- Whether or not she also wants fellow students to know.
- When the student wants members of staff and fellow students to be informed.
- Who will be responsible for informing members of staff and fellow students

Communication with the Student During Pregnancy:

- The information that will need to be communicated to the student. What her preferred method of communication is.
- Who she should contact if she has any concerns or her circumstances change.

Greater Risks:

- Physical activity, including lifting and carrying.
- The use of chemicals, including paints and pesticides.
- Exposure to radiation.
- Working in compressed air environments.

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Where exposure to infectious disease is a possibility, including laboratory work, healthcare provision, and looking after animals or dealing with animal products. If a student is required to undertake a placement as part of her course, the College will liaise with the placement provider to ensure a health and safety assessment is conducted. If fieldwork is a requirement of the course, this will need to be considered.

Health and Safety: Details of a conducted risk assessment.

Antenatal Care: When the student's antenatal appointments will be. Any arrangements that will be made to enable her to catch up if any appointment coincides with workshops and lectures.

Examinations and Assessments: If the student's pregnancy will affect her ability to meet coursework deadlines or sit examinations, measures that will be taken to ensure the student meets the requirements of her course. For example, any appropriate alternative methods of assessment (under the procedures currently covered by Personal Learning and Support Plans).

Placements and Fieldwork: If the student is required to undertake a placement or fieldwork as part of her course, details of how her pregnancy may affect her ability to complete the required placement or fieldwork. Any measures that can be taken to ensure she can fulfil these requirements. For example, if the student could undertake the placement or field work at an earlier stage of her pregnancy, or on her return from maternity-related absence.

Study and Placements Abroad: If the student is already abroad, how she will – if she is able – complete her programme of study or placement. If she returns home, the arrangements that will be made for her to resume her programme of study placement. If the student is required to undertake a programme of study or a placement abroad that she has not started, what arrangements will be made with the host institution.

Maternity

The SPM Form will help to coordinate support and ensure students' needs are met following the birth, and on the students' return to their course. The SPM Form will be developed and agreed with the student, and will cover the following issues:

Maternity-Related Absence: The student may wish to interrupt her study for a year, or she may wish to return as soon as possible after giving birth. Details should be noted of when the student is likely to start her maternity-related absence, and when she is likely to return. To ensure arrangements can be made, students will be asked to notify the College 15 weeks before the expected birth of their child as to when they would like their maternity-related absence to commence.

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Communication with the student during maternity-related absence: Information will need to be communicated to the student of her preferred method of communication during maternity-related absence. Confirmation of her return date from maternity-related absence will need to be recorded.

The SPM Form will need to be reviewed at key stages ie when the student is 20 weeks pregnant, 30 weeks pregnant, and prior to her return to study, or at key points of the academic year, such as prior to examinations and field trips. The SPM Form will also need to be reviewed prior to the student's return to study. Regular review is important as some decisions cannot be made at the start of a student's pregnancy, for example the length of maternity-related absence that she will take. Key dates agreed with the student in the development of the support plan should be communicated to her in writing.

Paternity

The Student Paternity Support Form will help to coordinate support and ensure students' paternity needs are met including on the students' return to their course following a period of absence. The Student Paternity Form will be developed and agreed with the student, and will cover the following issues:

Communication about the student's paternity:

- The members of staff who will need to be informed about the student's paternity and whether or not they also want fellow students to know.
- When the student wants members of staff and fellow students to be informed.
- Who will be responsible for informing members of staff and fellow students.

Communication with the student during paternity:

- The information that will need to be communicated to the student.
- What their preferred method of communication is.
- Who they should contact if they have any concerns or their circumstances change.

Paternity-related absence:

- The time off allowed to students to attend their partner's antenatal appointments and and/or time off if their partner has complications with her pregnancy or a serious pregnancy-related illness.

Examinations and assessments:

- If the student's paternity will affect their ability to meet coursework deadlines or sit examinations, measures that will be taken to ensure the student meets the requirements of their course. For example, any reasonable adjustments that are put in place.

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Adoption

The Student Adoption Support Form will help to coordinate support and ensure students who have been matched for adoption have their needs met including on the students' return to their course following a period of absence. The Student Adoption Support Form will be developed and agreed with the student, and will cover the following issues:

Communication about the student's intention to adopt:

- The members of staff who will need to be informed about the student's intention to adopt and whether or not they also want fellow students to know.
- When the student wants members of staff and fellow students to be informed.
- Who will be responsible for informing members of staff and fellow students.

Communication with the student upon formal adoption of a child:

- The information that will need to be communicated to the student.
- What their preferred method of communication is.
- Who they should contact if they have any concerns or their circumstances change.

Establishing a Student's intention to Adopt:

- Information on the potential impact on the student's course attendance or attainment including supporting evidence of appointments and letters from the student's social worker.

Adoption-related absence:

- The time off allowed to students to attend their partner's antenatal appointments and and/or time off if their partner has complications with her pregnancy or a serious pregnancy-related illness.

When the student's partner is the primary adopter:

- Information on the potential impact on the student's course attendance or attainment.
- Information about any agreed paid adoption leave.

8 Linked Policies/Related Documents

8.1 Perth College UHI Equality and Diversity Policy

8.2 Perth College UHI Equality Report and Mainstreaming Plan 2013-2017

8.3 Extended Learning and Support Policy

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- 8.4 Discretionary and Childcare Funds Policy
- 8.5 Further Education Bursaries and Education Maintenance Allowance
- 8.6 Risk Management Policy
- 8.7 Student Mental Health, Wellbeing Policy
- 8.8 Health and Safety Policy
- 8.9 Fitness to Study Guidelines
- 8.10 International Student Attendance and Performance Monitoring Procedure
- 8.11 BRAG Attendance and Performance Monitoring Procedure

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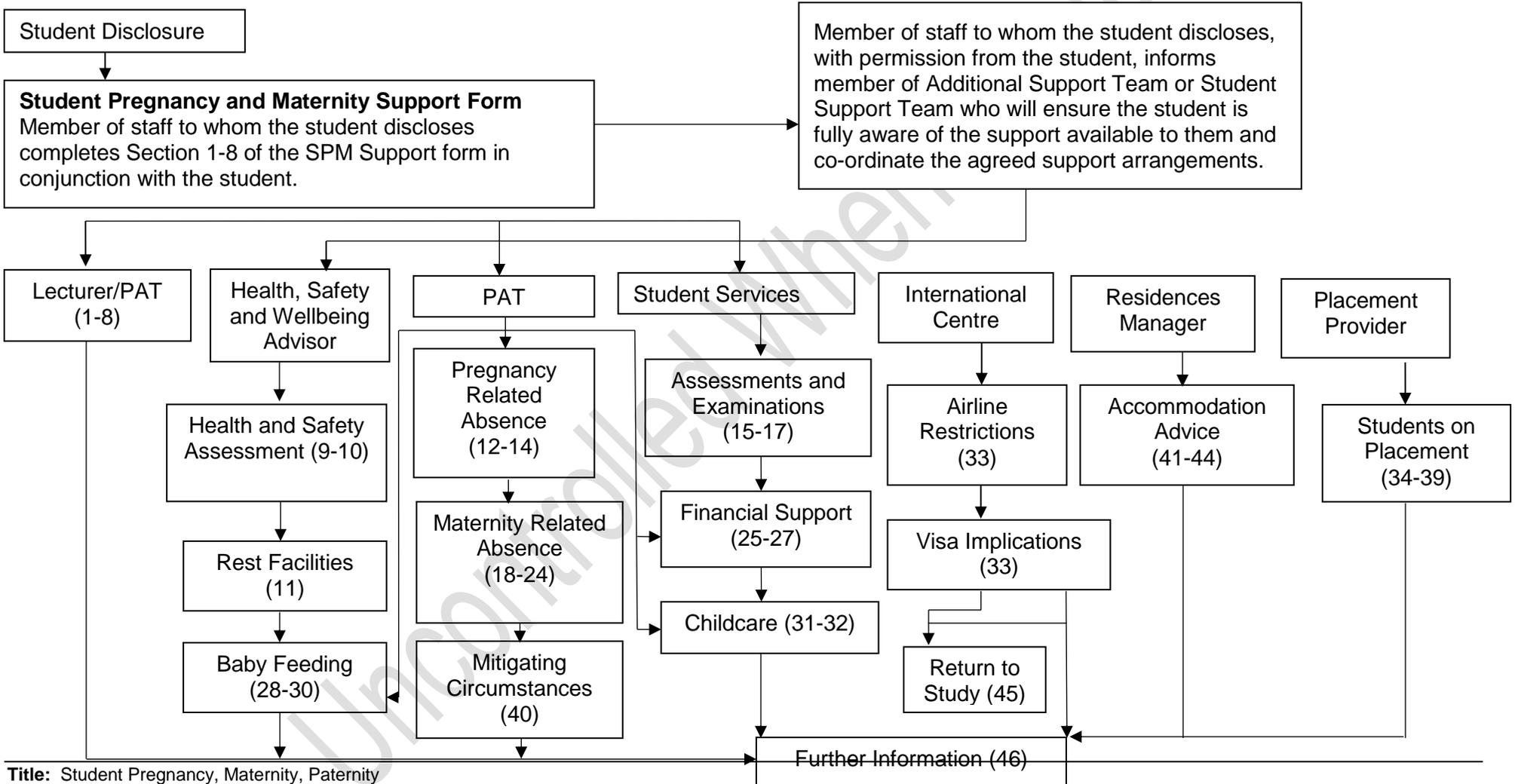
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Appendix 1

Student Pregnancy and Maternity Procedure



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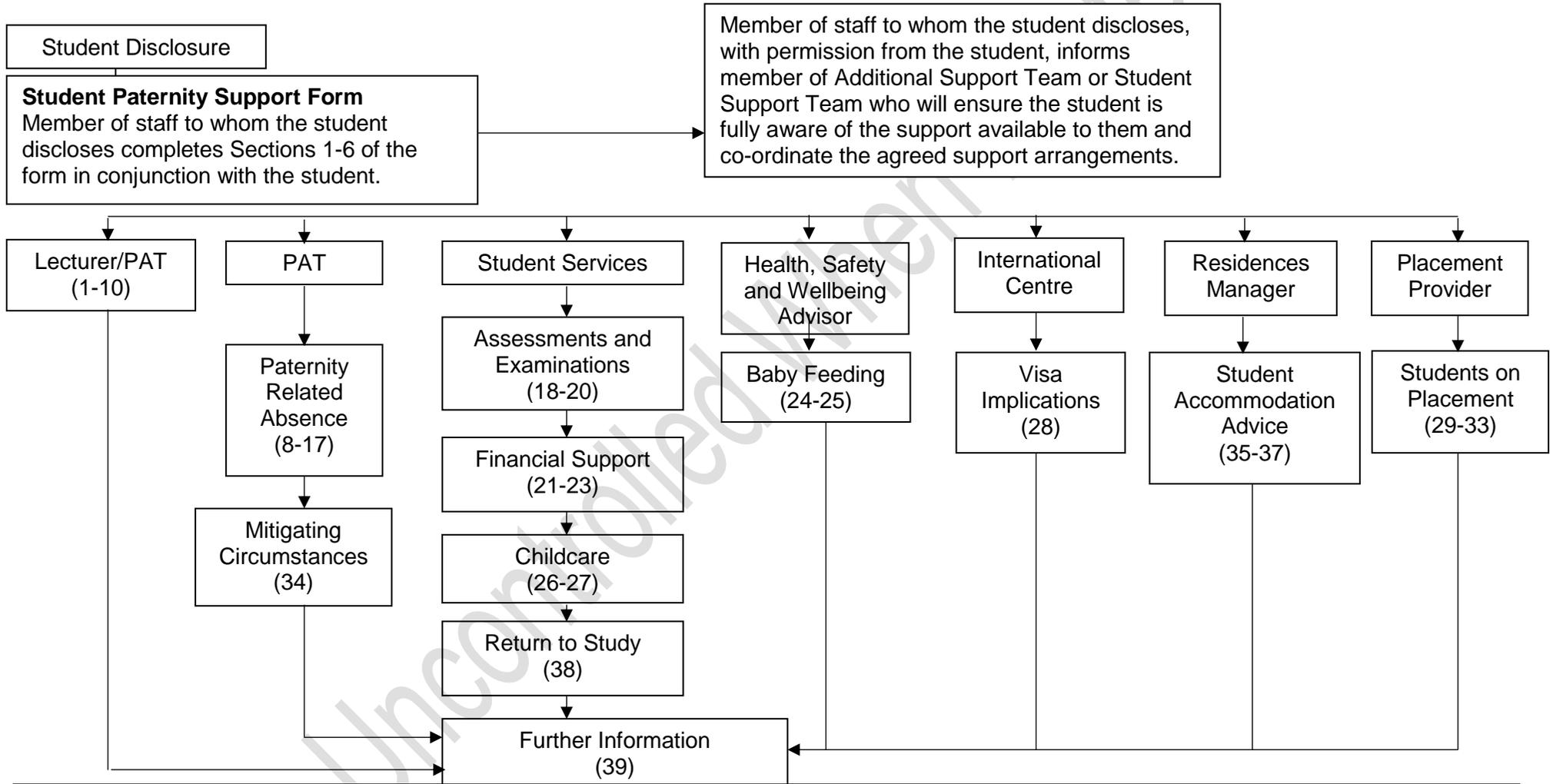
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Appendix 2

Student Paternity Procedure



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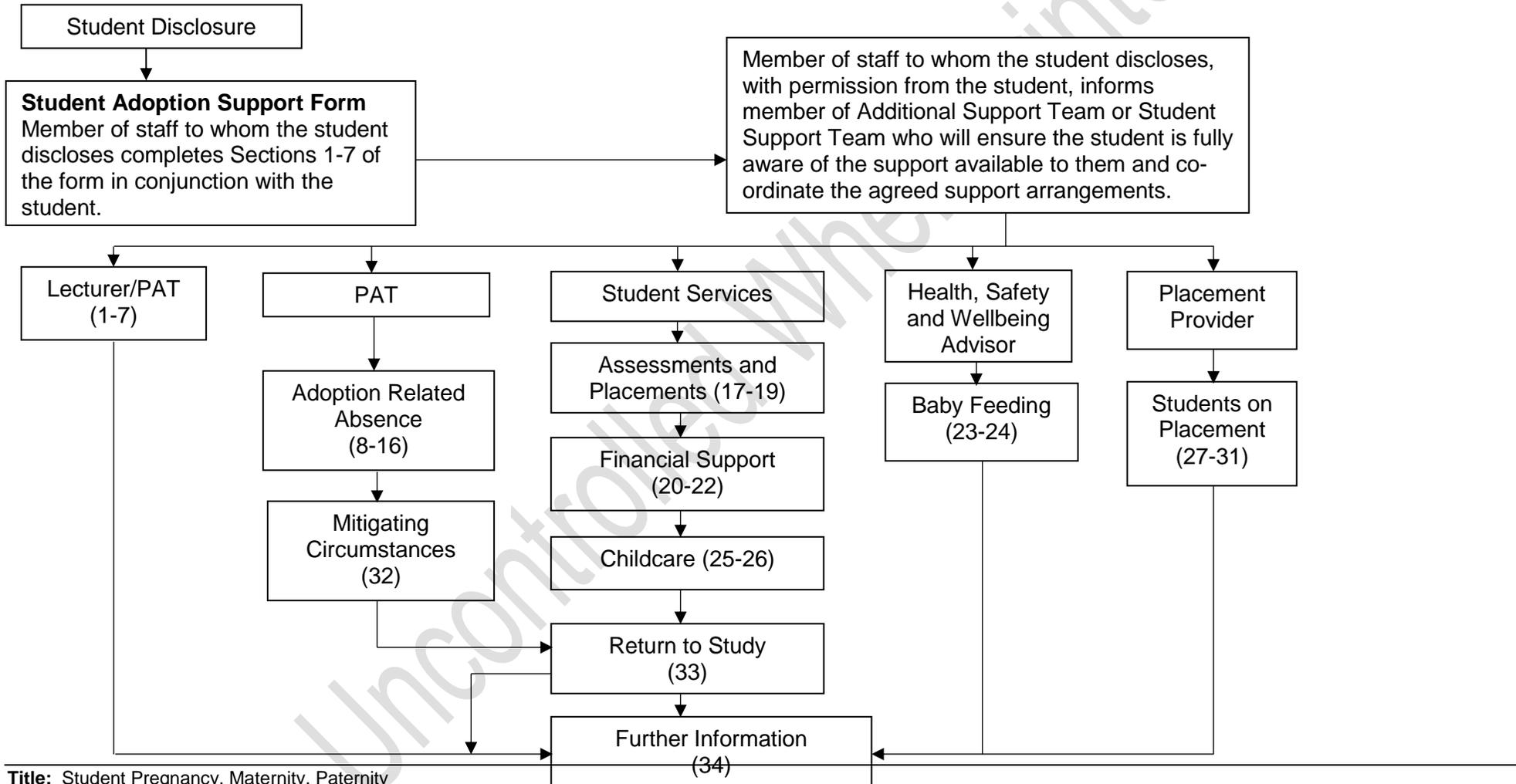
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Appendix 3

Student Adoption Procedure



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