

University of Kent Pregnancy and Parental Leave Policy

Appendix 1

Guidance for Staff

This Guidance Document is designed to be referenced alongside the University of Kent Student Pregnancy and Parental Leave Policy and its accompanying appendices: Appendix 2; Guidance for Students, Appendix 3: Summary of Help and Advice and Appendix 4: Risk Assessment Guidance.

The Student Pregnancy and Parental Leave Policy and its appendices covers the support process for students who disclose a pregnancy, have recently given birth or declare an intention to adopt or foster a child and students whose partners are pregnant, whose partners have recently given birth or who are declaring an intention to adopt or foster a child, or who are seeking or undertaking fertility treatments such as IVF.

Please note that the most appropriate source of advice and support for a student will vary from Division to Division. In most cases this will be the Student Support teams within each Division. It is the Division's responsibility to clearly advertise via their website and other appropriate materials whom the appropriate point of contact is.

The student may disclose their pregnancy in the first instance to another individual within the Division who may not be best placed to support the student. In all cases the support process should be explained to the student and the appropriate individual within the Division informed. This individual will be responsible for the implementation of the support process.

Divisions must ensure that:

- The policy and appendices are widely publicised and available to staff and students
- Students are made aware of the policy and are strongly advised to disclose a pregnancy or intention to adopt a very young child in confidence at an early stage, ***particularly where elements of their programme of study might result in a risk to the health and safety of the student or unborn child***
- Staff are aware of the policy so that they can respond appropriately when a student discloses their pregnancy or intention to adopt a very young child and seeks support to continue their programme of study
- As soon as a student discloses a pregnancy or an intention to adopt a very young child, the designated Health and Safety Officer within the Division is informed so that a risk assessment, or series of risk assessments, are undertaken to ensure that there are no elements of the programme of study that present a risk to the health and safety of the student or the unborn child. Advice and guidance is provided in Appendix 4: Risk Assessment Guidance.
- Wherever practicable, accommodation is made to ensure that a pregnant student, or student with a very young child, is able to complete their programme of study.
- Any time away from study under 28 days that is related to pregnancy or parental leave can be logged as an authorised absence.
- Time away from study over 28 days may need to be taken as an intermission. If this is the case then the student should be made aware of potential implications with regards to Student Finance England, external funding bodies related to postgraduate study or Visa implications.
- If requested, a female-identifying member of staff is identified with whom a pregnant student can discuss their support needs
- The student is given information on other sources of advice/support (particularly immigration advice for international students, available from the [Kent Union Advice Service](#) or [GK Unions Advice Service](#))

Individual staff members

All individual staff members are **advised to**:

- Familiarise themselves with this document and the University's responsibilities towards students who are pregnant or have very young children

Individual staff members to whom a pregnancy is disclosed are **responsible for**:

- Reading the policy and, in particular, becoming familiar with the procedure for supporting pregnant students
- Treating any disclosure of a pregnancy seriously and making students aware of appropriate sources of support
- Respecting a student's right to confidentiality and verifying in writing that a student has no objections to their pregnancy being discussed with others – particularly when information needs to be passed on to other staff members to arrange any agreed accommodations to the programme of study or adjustments to fees
- Signposting current and prospective students to the [Student Services webpages](#) which outline the availability of support for students who are pregnant or have very young children
- Seeking advice from colleagues or central support services within the University if they are unsure of how best to support the continued study of a pregnant student

1) Process for students and Divisions where a pregnancy has been declared

This section outlines a series of steps for students and staff to follow in order to discuss and respond to the requirements of an individual student who is pregnant. A simplified version can be located in the Student Guidance and specific advice for Postgraduate Research Students and International Students with regards to Tier 4 Visa's can be found in Appendices 2a.

Step 1: The student is strongly advised to consult the [University Medical Centre](#) or their GP to discuss medical issues relating to their pregnancy prior to approaching their Division. *It is particularly important to take advice at an early stage if there is any possible health and safety risk.*

Step 2: Taught Students: The student has the right to request a meeting with a member of their Divisional Student Support team or other trusted staff member. Some Divisions may choose to identify another member of pastoral support staff for students to contact to discuss these issues. Any Division taking this route must publicise the appropriate point of contact to all students – e.g. on its website and in Divisional handbooks. If requested, the Division will identify a female-identifying member of staff to discuss the implications for the continuation of the student's study.

The student and the relevant staff member must meet to discuss and agree a plan for them to either intermit (if an absence will be longer than 28 consecutive days) or continue with their studies (with authorised absences for time away related to pregnancy or parental leave under 28 consecutive days). This can be an in-person or virtual meeting.

Whenever possible, the member of staff should contact the student within 5 working days of the request being received from the student and meet them as soon as possible thereafter. Where the agreed accommodations fall under extenuating circumstances, the relevant form should be completed and submitted as normal. Note that any pre-existing ILP / extenuating circumstances should also be taken into consideration.

If a student decides to intermit, the usual process should be followed with due care and consideration given to the Risk Assessment and support process for the student up to the point where they intermit.

At the meeting, it is essential that urgent consideration is given to undertaking a risk assessment (see Appendix 4: Risk Assessment Guidance). In addition, careful consideration must be given to the variety of ways in which the student can be enabled to continue their studies during their pregnancy or after the birth if they so desire. For example, these might include:

- agreeing periods of absence and making arrangements for the student to catch-up on lectures/tutorials where missed for pregnancy/birth related reasons to ensure that they are not at an academic disadvantage, where possible and appropriate
- adjusting timescales/deadlines for assessed coursework or exam submission deadlines within annual cycle constraints if the pregnancy or birth prevents compliance
- consulting the Concessions Committee about the potential for flexibility in relation to the way in which credits are scheduled/distributed
- seeking approval, as appropriate, for alternative means of assessment for the student (for example, a written assessment instead of a physical performance) if the pregnancy or birth prevents the normal methods of assessment
- allowing the student first attempt re-sits at future examination periods, for example in a situation in which the pregnancy or birth prevents the student from taking an examination at the normal time for their programme of study via the [Application to be Absent from Board of Examiners' Meeting Process](#)
- the student taking some time out from their studies which would involve the student completing a [Leave to Intermit application form](#) (taught students) or speaking to their Research Supervisor to discuss suspension/extension of study (research students), normally for a pre-determined amount of time. The period of temporary leave may be extended if the time required to complete the programme of study will still fall within the maximum time limit allowed for the programme either by the University (and/or, where applicable, professional bodies)
- consideration of a transfer to part-time study (information on the financial support available to part-time students is available from the Student Finance Office and [Financial Aid Office](#) within The Registry)

As well as covering the student's longer-term plans that relate to their studies, the continuation of study plan should also:

- accommodate the student's ante and post-natal care
- include a break from attending University of at least two weeks after giving birth (or 4 weeks in the event of a factory work placement) for health reasons, and
- include provision for re-integrating the student to the programme of study on return from any prolonged absence.

The staff member overseeing the support process should refer to the guidance below when considering what flexibility might be appropriate in any given situation.

Step 3: As soon as a student discloses that they are pregnant, the designated Health and Safety Officer within the Division is informed so that a risk assessment, or series of risk assessments are undertaken to ensure that there are no elements of the programme of study that present a risk to the health and safety of the student or the unborn child. Advice and guidance is provided in Appendix 4: Risk Assessment Guidance.

Advice can be sought from [Student Support and Wellbeing](#) if required.

For some students – for example, those participating in field trips, studying a laboratory-based subject, working with equipment which poses a danger to the health of a pregnant student or unborn child (e.g., equipment producing radiation) or taking a programme of study which involves high levels of physical activity – it will be even more important that the health and safety implications of pregnancy are given serious consideration.

If it is not practicable to alter the study conditions to respond to the risk(s) highlighted by this assessment, or if such an alteration would not avoid any identified risk(s), the student may need to take time out from their study to ensure they avoid them – although a concerted effort should be made by the Division to manage the health and safety risks and find alternative ways of allowing a student to continue their course.

- Any time away from study of 28 consecutive days or less can be logged as an authorised absence.
- Any time away from study of more than 28 consecutive days may need to be taken as an intermission and the implications of this should be explored with the student, including in relation to funding or Visa's.

Step 4: A student who is considering suspending studies or changing the mode of study from full time to part-time should explore this at an early stage with their Division and the Student Finance Office to identify any potential impact that the flexibility proposed may have in terms of payment of tuition fees and the implications on any student funding.

An appointment should also be made with the [Kent Union Advice Service](#) or [GK Unions Advice Service](#) to discuss potential benefit entitlement and other applicable financial considerations.

In the event that a student needs to suspend their studies, every effort will be made to ensure that they are not financially disadvantaged e.g., if studies are suspended, the tuition fee would be reduced pro rata for the current year and would normally be at the same rate on return (subject to a small inflationary increase).

Students should discuss with the [Kent Union Advice Service](#) or [GK Unions Advice Service](#) the potential implications that suspending studies or changing their mode of study from full time to part time due to pregnancy could have on a student's eligibility to receive funding from Student Finance for future years upon their return to university. This would need to be clarified with Student Finance England on a case-by-case basis.

Please note that, if the student is in receipt of a bursary or scholarship or other student funding (e.g., student loan, PCDL, research council funding etc.) they must also discuss the implications of any absence with the funding body.

Step 5: The student and staff member should meet to discuss and agree a written plan for the

student's continuation of study (detailing any specific flexibility agreed to allow the student to continue their studies. A copy of this written plan should be held by the student and the Division. Where the agreed accommodations fall under extenuating circumstances, the relevant form should be completed and submitted as normal.

Where a student is dissatisfied with the degree of flexibility offered, they may ask their Division for information about the [Student Complaints Procedure](#), if appropriate, in line with the [Respect](#) at Kent Policy.

Step 6: The staff member overseeing the support process should communicate the agreed continuation plan to the Academic Adviser/Research Supervisor and other relevant teaching staff and/or examination boards, as appropriate. Information should be passed on sensitively.

Step 7: The student and their Academic Adviser/Research Supervisor (or other chosen/designated staff member) should monitor the situation on an on-going basis, particularly to assess the effectiveness of any special arrangements that have been agreed to facilitate the student's continued study.

The student can request further meetings with their Division, particularly if they are experiencing any difficulties with their academic work as a result of these arrangements or experiencing unforeseen physical, emotional or mental health challenges in relation to their ongoing pregnancy.

How should a Division determine an appropriate degree of flexibility?

It is not possible to provide a definitive list of special arrangements that might be considered reasonable in every possible situation because the decisions about which arrangements are appropriate in each particular case will vary according to a wide range of factors. These factors include the student's individual circumstances, the time of year, the structure and content of the particular programme of study, restrictions imposed by professional bodies and any related health and safety matters. The relevant Director or Deputy Director of Division or their equivalent or nominee has responsibility for the decision-making process.

The relevant Director or Deputy Director of Division, or their equivalent or nominee is advised to take into account the following when considering what might be appropriate in a given case:

- A student's own views on their options are very important and it is vital that staff consult them openly on the way forward, rather than seeking to implement a predetermined set of adjustments
- At the same time, it is important to note that Divisions **do not have to agree** to any or all requests made by the student. There may be some situations in which it is impossible or unreasonable for a Division to agree to a particular request.
- To ensure best practice, and avoid any inadvertent discrimination, a Division should not decline a request from a pregnant student for particular special arrangements solely on grounds that they are too costly to implement (although this may be one factor taken into account when deciding on the overall reasonableness of meeting the request)
- If a Division decides to decline a flexibility request from a pregnant student, it is considered good practice for the Division to document its reasons for refusing the request and discuss with the student why this particular request is not considered "reasonable" in the particular circumstances

- In cases where deferring their studies would lead to a student taking longer to complete a degree programme than would normally be permissible, the Division may decline a request for further time out from studies (in order to ensure that the information gained in previous parts of the programme remains current enough to count towards the qualification in question). However, in these circumstances the Division should still strive to demonstrate a flexible approach, where practicable, in relation to this deadline for programme completion, whilst ensuring that the student does not exceed the overall time limit allowed for their programme of study by the University or a relevant professional body.
- In some cases, it may be appropriate for a Division to show flexibility in relation to which modules count towards a particular qualification to accommodate a pregnant student, providing academic standards are upheld. In such circumstances normal procedures would need to be followed in terms of gaining approval for such changes e.g. Director or Deputy Director of Division or their equivalent or nominee. In some situations, however, such flexibility could lead to a student missing a piece of work or module which is required for professional or vocational accreditation. Care should, therefore, be taken to check that any missed work will not adversely affect the accreditation of the student or, at the very least, the student should be made aware of the potential impact in terms of their future employability

Staff members are also welcome to seek bespoke advice on what might constitute appropriate flexibility in a particular case from the Student EDI Officer in Student Services or the central EDI team. Contact details are available from the [Student Services webpages](#) or the [EDI webpages](#)

Occasionally, a situation may arise in which a Division is already making allowances for an individual student for reasons not related to pregnancy (for example, for reasons linked to disability or religion). This does not mean that it is unreasonable for the student to benefit from separate/additional flexibility relating to their pregnancy. It is important that, in these situations, the Division strives to separate out these different issues and clarify with the student what flexibility relates to which reasons¹. This approach will help Divisions to ensure that the flexibility remains in place only for as long as it is required and also that they are complying with the Equality Act 2010. An Equality Impact Assessment will assist with separating out accommodations in relation to specific needs.

After a birth, a student may wish to discuss their return to study arrangements with their Division. It is appropriate for the Division to consider a range of different options, including a phased return if suitable depending on the rigours of the course and the academic requirements. Any agreed actions should be written down by both the Division and the student and revisited on a regular basis to ensure that no amendments need to be made.

As a rule, the University does not allow babies or very young children into teaching and learning spaces, including seminar rooms or lecture theatres where teaching is taking place, or lab or workshop spaces (for health and safety reasons). Children are allowed in communal areas on campus, including coffee shops and eateries and the non-silent study areas of the library. There are breast/chest feeding and baby change facilities on site. More information is available via the Student Guidance (Appendix 2) of the Student Pregnancy and Parental Support Policy

¹ If, for example, a pregnant student is already receiving reasonable adjustments relating to disability, the Division should ask itself what flexibility it would permit for a non-disabled student who is pregnant and ensure that the same flexibility is permitted to the pregnant student.

Otherwise, the Division would be in danger of treating the disabled student less favourably than a non-disabled student would be treated in the same situation.

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.

Embryo and foetus

If a student chooses not to proceed with their pregnancy, using the terms embryo and foetus may be most appropriate.

These are scientific terms used to describe process of development of the fertilised egg. During the first eight weeks the cells are referred to as an embryo. The term foetus refers to developments from nine weeks onwards. Scientifically, a foetus is not considered to be a baby until birth.

Baby

If a student chooses to proceed with their pregnancy, using the term baby is likely to be more appropriate. This is also the case if a student miscarries, has a still birth or terminates their pregnancy for reasons relating to their health or the health of the baby. Using the term embryo or foetus may cause offence in these circumstances.

For the purposes of this guidance the term baby is used throughout.

Gendered and non-Gendered language

Whilst the vast majority of students will be comfortable with gendered terms such as pregnant woman and breastfeeding, staff should be aware that some students would prefer them to use gender neutral terms, such as chest feeding, human milk and pregnant person. This policy would recommend staff checking with the student what terminology they are comfortable with.