

## **STUDENT MATERNITY GUIDELINES**

### **Introduction**

1. These Guidelines provides advice and guidance to:
  - Registered Students who become pregnant during their studies or whose partner becomes pregnant, and to those who have recently become parents (e.g. through adoption) on issues related to study, health and safety, and finance.
  - University staff that may have a role in advising Registered Students coming to them with these issues.

### **Scope of the Policy**

2. The policy covers any Registered Students who becomes pregnant during her studies, and Registered Students whose partners are pregnant. It also covers any Registered Student who is the partner of someone who is pregnant and expects to be responsible for the child, and any Registered Student becoming a parent (e.g. through adoption) of a child.

### **Policy Statement**

3. The University believes that becoming pregnant or caring for a child should not, in itself, prevent any student from succeeding in their studies. The University is committed to showing as much flexibility as possible to facilitate a Registered Student's success, making sure no student is disadvantaged whilst ensuring academic standards are not compromised. The degree of flexibility that can be offered will vary between programmes of study, but all Schools and Colleges should follow the guidelines set out in this document.
4. The health and safety of a pregnant Registered Student will be of paramount importance at all times, and all Registered Students covered by this policy should be dealt with in a sensitive, non-judgemental and confidential manner. Only members of Staff who need to be informed for valid reasons will be informed of a Registered Student's circumstances and this will be done only with the Registered Student's prior consent.
5. The policy focuses primarily on study-related matters, but sources of help and advice on related issues can be found at the end of the document.

### **Maternity Leave**

6. Registered Students are entitled to take up to 52 weeks Statutory Maternity Leave. The leave will be unpaid unless the Registered Student is entitled to Statutory Maternity Pay or if employed, payment from your employer, as outlined in paragraphs 24-25 below, or funding via their sponsor.

7. Statutory Maternity Leave can begin at any time from the start of the 11th week before the expected week of childbirth (EWC) up to the day childbirth occurs.
8. Registered Students are required by law to take two weeks compulsory leave of absence immediately following childbirth.

### **Study Arrangements**

9. The tutor or supervisor should meet with the Registered Student to discuss how the pregnancy is likely to impact on her study. There may need to be an interruption of studies depending on when the baby is due. The Registered Student should inform the member of Academic Staff of their intentions regarding leave of absence. The Registered Student together with the member of Academic Staff should consider the implications for this in terms of the academic requirements of the Registered Student's programme. A Registered Student with a baby due near to the examination period might require confirmation from her doctor that she is fit to sit exams. Time off might also be needed for medical appointments.
10. If a Registered Student experiences complications as a result of their pregnancy and needs additional time off from her study, she should inform the School as with any other absence on health grounds. If the time off impacts on her studies then she should submit an extenuating circumstances form prior to the meeting of the School Board of Examiners. Further details on extenuating circumstances can be found at:  
<http://www.birmingham.ac.uk/Documents/university/legal/extenuating-circumstances.pdf>.
11. A plan should be devised (in writing) by the member of Academic Staff, detailing any special arrangements required during the Registered Student's pregnancy, and the agreed timescale for her return to study. The Registered Student should receive a copy of this, as should other appropriate member(s) of Staff requiring this information (including, where required, Boards of Examiners or Progress Boards). The Registered Student's permission should be established before passing on information unless permitted under the Data Protection Act.
12. If the Registered Student continues to study during her pregnancy, she should discuss regularly with her tutor or supervisor, or other designated member of Staff, the effectiveness of any special arrangements put in place. Where necessary, the adjustments will be reviewed.

### **Health and Safety**

13. There may be health and safety measures needing to be put in place in order to protect the Registered Student and her unborn baby, and this will be particularly relevant in certain Schools (e.g. where the Registered Student might be exposed to harmful chemicals or radiation, or be expected to lift heavy objects or undertake other strenuous activity). Therefore, once the Registered Student has let her School know of her pregnancy, a Risk Assessment **must** be completed by the School. This will identify any risks that may be present which could harm the Registered Student or her baby, and

detail steps that need to be put in place to alleviate or minimise these risks. It should also detail any risks that may arise from any placement period or fieldwork due to be undertaken. Registered Students will not be permitted to take part in field work after 35 weeks of pregnancy. Further information may be found at: <http://www.hse.gov.uk/mothers/>

### **Arrangements for Taking Maternity Leave**

14. The Registered Student should normally complete the Application for a Leave of Absence form for up to 52 weeks' absence (see <http://www.as.bham.ac.uk/faq/absence.shtml#apply>) and send this to the School for approval. The form should be completed and approved by the end of the 15th week before the estimated week of childbirth (EWC).
15. Taught UG and PG Registered Students: Once the School has approved the leave of absence, it is the Registered Student's responsibility to ensure that the form is passed to a member of the Student Records team. Student Records will then process the leave of absence and notify Housing Services (for Registered Students in University accommodation only), the Finance Office and the Registered Student's Local Authority (LA) - if applicable. The Registered Student will then receive email confirmation from Student Records that their Leave of Absence has been processed.
16. Research Registered Students: The Leave of Absence form should be submitted to the Registered Student's Supervisor. This will then be reviewed by the Registered Student's School and submitted to the Research Student Administration (RSA) team. The RSA will notify the student (either by email or letter) of the School's decision. This notification will include information on the implications of the Leave of Absence on the Registered Student's fees.
17. There will be no distinction between live and still births (past the 24th week of pregnancy) in the granting of leave.
18. In addition to speaking to their tutor or supervisor, all international Registered Students should contact International Student Advisory Service (ISAS) before submitting a Leave of Absence request to determine if there are implications to their visa status. The University is required to report any Tier 4 Registered Student who takes a Leave of Absence to the UK Border Agency. Such Registered Students may be required to leave the UK during their Leave of Absence.

### **Resuming Studies**

19. The student should inform either their School (Taught UG & PG students) or the RSA team (Research students) when they are ready to return and plan with their tutor or supervisor an appropriate timetable for their re-integration into the programme of study, including the examination schedule.
20. Students on taught programmes should complete the Return from Leave of Absence form and arrange for this to be signed by their tutor/ supervisor, who will then forward it to Student Records. Research students should email the RSA team to inform the University they are ready to return.

### **Maternity Pay**

21. Undergraduate Registered Students should note that funding will usually stop when a leave of absence begins and Registered Students should seek advice

from their funding body (see points 24 and 25 for government maternity funding advice).

22. Registered Students receiving funding from external bodies should follow the guidance for their particular scheme, or contact their funding body or sponsor for further advice.
23. International Registered Students with financial sponsors must contact their sponsors and agree a plan of action (such as deferring study/ when to resume study etc).
24. A home Registered Student may be eligible for Statutory Maternity Pay (SMP) or Maternity Allowance (MA). The rules surrounding eligibility for these are complicated and are based on a Registered Student's employment record. If a Registered Student is not eligible for SMP or MA, they may be able to claim Incapacity Benefit on the grounds of pregnancy. Registered Students should contact Student Finance England:  
[http://www.direct.gov.uk/en/EducationAndLearning/UniversityAndHigherEducation/StudentFinance/Extrahelp/DG\\_171503](http://www.direct.gov.uk/en/EducationAndLearning/UniversityAndHigherEducation/StudentFinance/Extrahelp/DG_171503)
25. The benefit rules are different for EU Registered Students and international Registered Students, and further advice should be sought from the International Student Advisory Service or the Guild of Student's Advice and Representations Centre.

### **Accommodation**

26. Registered Students who become pregnant whilst living in University accommodation may find that this is no longer suitable for health and safety reasons. Advice should be sought from Housing and Accommodation Services.

### **Students whose partner is pregnant or adopting**

27. Any Registered Student whose partner is pregnant, or any Registered Student who expects to be responsible for raising a child with the mother, will be entitled to request a leave of absence. This is likely to include time off for medical appointments prior to, and after, the birth, as well as a period of maternity support leave immediately following the birth. A Registered Student in this situation should contact their tutor or supervisor to discuss this.
28. For Registered Students receiving research funding, it may be possible for a period of maternity support leave to be allowed, and Registered Students should contact their sponsor or provider prior to arranging leave.

### **Adoption**

29. Registered Students about to become parents (e.g. through adoption) should inform their School of their circumstances as soon as possible. Only one member of a couple jointly adopting may take adoption leave. This applies regardless of whether one or both members of the couple are Registered Students. The other member of the couple may be entitled to take Statutory Paternity Leave.

30. Registered Students are entitled to take up to 52 weeks Statutory Adoption Leave providing that they have been newly matched with a child by a UK adoption agency or have received official notification from the relevant UK authority of the eligibility to adopt a child from abroad.
31. The leave will be unpaid unless the Registered Student is entitled to Statutory Adoption Pay or if employed any payment from your employer, as outlined in paragraphs 24-25 above, or funding via their sponsor.

### **Guidance for Staff**

32. This section provides guidance on the support of Registered Students coming under the scope of this policy, for use by any member of Staff with a role in advising or supporting Registered Students. At all times, Staff must ensure those Registered Students are not treated less favourably than any other Registered Student on the basis of their circumstances. In line with the University's legal obligations, flexibility should be shown where possible to ensure continued learning is facilitated. Information given by Registered Students should be treated confidentially (being passed on where necessary only with the Registered Student's consent or in accordance with the Data Protection Act) and with sensitivity. Staff should not attempt to influence any Registered Student's decision but should provide impartial advice.
33. When a Registered Student contacts a member of Staff to discuss any circumstances covered by this policy, a response should normally be made within five working days and a meeting arranged as soon as possible thereafter. Whilst it is recognised that each request must be dealt with on an individual basis, there are a number of measures that can be used in order to enable the Registered Student's continuation of study. These include:
  - Allowing time out of study (for a pre-determined amount of time) for the birth and a period of time thereafter;
  - Prior to and after the birth, giving permission for periods of absence for medical appointments, and making arrangements for the Registered Student to catch up on missed classes;
  - Showing a degree of flexibility regarding assignment deadlines if the Registered Student's circumstances make it difficult for them to be met;
  - Allowing resit examinations to be counted as first attempts where the pregnancy or birth prevents the Registered Student from taking them at the usual first attempt;
  - Consideration of any requests to transfer to part-time study, where this is possible (although the Registered Student should bear in mind the financial implications of this course of action). Staff should refer the Registered Student to the useful contacts section;
  - Offering support to help the Registered Student reintegrate to their studies after any period of prolonged absence.
34. It is important to take the views and wishes of the Registered Student into account, rather than applying a standard set of arrangements. All decisions taken should be based on discussion with the Registered Student.

35. Whilst an appropriate degree of flexibility should be exercised, care must be taken to ensure that academic standards are not compromised. A balance must be achieved between ensuring the Registered Student is not disadvantaged, and giving undue special treatment. It is not necessary for the University to grant every request made, although efforts should be made to meet reasonable requests. Requests should not be refused solely on the basis of being too costly to implement, although this will necessarily be considered when assessing the overall 'reasonableness' of a request. If any request is refused, the reasons for the refusal should be provided in writing for the Registered Student.
36. Where specific arrangements are required to be put in place for a Registered Student who is already granted additional arrangements (e.g. on the grounds of disability), these should be kept separate in order that it remains clear which arrangements relate to which particular circumstance. This ensures that these arrangements are in place for the required amount of time and also clarifies adherence to the different pieces of legislation.
37. For staff requiring more detailed guidance, advice can be sought on any of the above from the Equality & Diversity Unit ([equality@contacts.bham.ac.uk](mailto:equality@contacts.bham.ac.uk)).

### **Sources of information and help**

#### **Reproductive Health and Pregnancy advice**

British Pregnancy Advisory Service: [www.bpas.org.uk](http://www.bpas.org.uk); Tel: 08712 00 22 23  
08457 304030

NHS Pregnancy Care Planner: [www.nhs.uk/Planners/pregnancycareplanner](http://www.nhs.uk/Planners/pregnancycareplanner)

#### **Childcare**

University Nursery: <http://www.has.bham.ac.uk/childcare/>

Other childcare providers: <http://childcarefinder.direct.gov.uk/>

#### **General information and advice**

The Guild of Students' Advice & Representation Centre:  
[http://www.guildofstudents.com/content/188405/your\\_support/arc/](http://www.guildofstudents.com/content/188405/your_support/arc/)

Students with Children:  
<http://www.equality.bham.ac.uk/students/support/studentparents.shtml>

Adoption UK: [www.adoptionuk.org.uk](http://www.adoptionuk.org.uk); 0844 848 7900

#### **Finances**

Department of Work and Pensions: <http://www.dwp.gov.uk/>  
Child Benefit Office: <http://www.hmrc.gov.uk/childbenefit/index.htm>

Student Funding Office:  
<http://www.as.bham.ac.uk/study/support/finance/ugstudents/funding.shtml>

#### **For International Students**

Requiring a Leave of Absence might result in changes to a student's immigration status. Please consult the International Student Advisory Service before applying for a Leave of Absence - <http://www.as.bham.ac.uk/study/support/international/>.