

## Student Pregnancy and Maternity: Policy and Guidance

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This policy and guidance applies to any student registered with The Open University who:

- is pregnant or has a partner who is pregnant
- is feeding a young baby
- adopts or fosters a child
- undergoes IVF treatment or has a partner who is undergoing IVF treatment
- is a parent who, in an exceptional case of need, wants to bring a baby or child to a University learning event where physical attendance is required.

There is separate maternity, paternity and adoption guidance for research degree students available to them via the [Virtual Research Environment](#) website ('forms and guidance' web page).

OU staff should be familiar with this document when supporting students covered by this policy and guidance.

Version: [August 2015]

This document is published in line with the University's objective to improve equality policy and guidance for staff and students. Further information about the University's equality objectives is published at [Equality and Diversity](#).

### Acknowledgements

'Student pregnancy and maternity: implications for higher education institutions', published November 2010, by the [Equality Challenge Unit](#).

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# 1 Introduction

This document relates to students who might need support because their study is affected by pregnancy, maternity, paternity, adoption, fostering or *in vitro* fertilisation (IVF) treatment.

It aims to:

- explain University policy in these circumstances
- provide guidance on the support available and how to arrange it
- explain what students must do so that the University can provide support.

Support is available to students attending University events such as residential school, tutorials, examinations and ceremonies.

Most OU study comprises flexible learning activities where students control the location, timing and circumstances of their study, and where support isn't offered.

Students who are asked to do something at home as part of their OU study, for example go out and collect data or make an observation, should judge for themselves whether it's appropriate to do so. Where activities are part of a tutor-marked assignment (TMA) a student may want to discuss the requirements with their tutor.

**Note:** Taught undergraduate students are not entitled to statutory maternity, paternity or adoption leave or pay from the University.

Students who are employed may be entitled to statutory leave and pay from their employer.

## 2 Policy

### 2.1 Policy statement

The University is committed to ensuring that enquirers and students are not discriminated against unlawfully or treated unfavourably for any reason related to pregnancy, maternity, paternity, adoption, fostering or IVF treatment.

The University aims to adopt a flexible approach which is proportionate and reasonable in supporting students as far as practicable, so that they can complete their studies and achieve their study goals providing academic standards are upheld.

In practice, this means additional support<sup>1</sup> is provided:

- in the learning environment where physical attendance is required
- when personal circumstances arise that prevent studying or completing assessment work.

The support available includes:

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<sup>1</sup> We use the term 'additional support' to describe arrangements made for an individual student to help reduce disadvantages they might otherwise have in their study.

- providing information, advice and guidance and telling students how to obtain support
- discussing implications for study
- carrying out health and safety risk assessments where necessary
- arranging additional support connected to
- examinations and assessments
- residential schools, including business schools, summer schools and day schools
- tutorials
- ceremonies
- any other University event that students attend in person
- providing study options to help students achieve their long-term ambitions during periods of change or uncertainty
- arranging private, hygienic and safe rest places for pregnant students, or baby-feeding facilities for students who are breastfeeding, need to express and store milk, or need to feed their baby
- supporting the right of students to breastfeed their baby in public while participating in OU activities unless there are health and safety hazards for the student and their baby that would prevent this
- wherever possible, using premises where baby changing facilities are provided.

Arrangements for students in workplace learning are governed by the policies of the employer or placement provider.

## **2.2 Pregnancy and maternity**

Many pregnant students and those with young babies continue their studies without requiring additional support.

However, some students benefit from some basic support, such as rest facilities or permission to attend an antenatal appointment where it clashes with a University event or activity the student is required to attend.

More extensive support might be needed by students who:

- have complications or pregnancy-related illness
- are within four weeks of the birth due date or six weeks (or more) after.

Some types of support require documentary evidence, for example a request to change examination arrangements (see Section 4.7 for examples of documentary evidence related to examination arrangements).

Students must not take part in University learning activities where physical attendance or activity is required for at least two weeks after the birth of a baby, or at least four weeks if the student is on a work placement. A health and safety risk assessment is required for students who are new, expectant, or breastfeeding mothers before attending a residential school.

Risk assessments are not usually required for students participating in short events such as tutorials, examinations and assessments or degree ceremonies, unless the student, their unborn child or baby is at increased risk, for example due to a pre-existing medical condition.

## 2.3 Paternity

A student whose partner is pregnant can request additional support, for example in relation to caring for a partner with a serious pregnancy-related illness, caring for a young baby or attending an antenatal appointment.

## 2.4 Adoption and fostering

The University treats adoptive and biological parents and foster carers in the same way.

The main carer and their partner, regardless of gender, may have needs similar to a student who has given birth and their partner.

## 2.5 IVF treatment

A student who is undergoing *in vitro* fertilisation (IVF) treatment, or whose partner is undergoing treatment, may need additional support due to:

- the impact of medical treatment
- other caring responsibilities
- related medical appointments.

## 2.6 Stillbirth, neonatal death, termination or miscarriage

A student whose baby is stillborn after the 24th week of pregnancy, or whose baby dies shortly after birth, or who has a termination or miscarriage, is likely to have support needs similar to those of a pregnant student or new mother and can request additional support.

## 2.7 Children in the learning environment

The University does not routinely make arrangements for students to care for their young children while they attend a study-related University event, as these require a student's full attention and the presence of children may be distracting to other students.

In exceptional circumstances, if it has not been possible to arrange alternative care, permission may be granted to bring a child or children to a University event requiring a student's physical attendance.

To prevent the teaching and learning experience being adversely affected:

- students attending a University event of a relatively short duration for example a tutorial are encouraged to bring a helper
- students attending a University event of a longer duration such as residential school must bring a helper.

Children are not allowed into examination rooms. In exceptional circumstances, for example, if a student needs to breastfeed their baby or attend to the needs of a disabled child during the examination, they may apply for an examination at home or in another suitable location (see [Section 4.7](#)). Another adult must be present to care for the child outside of the student's rest breaks.

- Students accompanied by children at a University event are responsible for:
- the welfare of their children throughout the event

- the behaviour and supervision of their children to minimise disruption to other students
- controlling the spread of personal details of their children to others at the event
- complying with relevant laws or regulations, for example related to their presence in licenced premises.

### **3 Your responsibilities**

We may need to complete a health and safety assessment before you can attend certain University events, in which case you will need to complete the [Health and Safety Risk Assessment form](#) to provide the necessary information at least six weeks before the event.

A health and safety assessment is necessary if:

- you're a new, expectant, or breastfeeding mother and you're going to residential school
- you or your unborn child or baby are at increased risk, for example due to a pre-existing medical condition such as high blood pressure or a history of miscarriage, and you're due to attend a tutorial, exam, ceremony or any other University event.

If these circumstances apply to you, please fill in the form in good time (at least six weeks before the activity) so that appropriate arrangements can be put in place.

Please also tell us about any advice you've received from a doctor or midwife that could be relevant to the assessment, such as a pre-existing condition.

Once we have your completed form we'll contact you to talk through the support you might need at the event you're due to attend.

- When you discuss your additional requirements with a member of staff, you're consenting to your personal information being recorded and discussed with other members of staff on a need-to-know basis, unless you specifically request that it shouldn't be.
- Please notify us at the earliest opportunity of any significant change in your circumstances that affect your additional support needs or risks to you, your unborn child or your baby.
- If you bring children to a University event requiring your physical attendance you are responsible for their welfare, behaviour and supervision to minimise disruption to other students and staff, and for complying with relevant laws or regulations.
- If you're attending a residential school, you must ensure we have up-to-date emergency contact details for you.

### **4 Practical support during your studies**

This section explains the additional support that we can make available during your pregnancy or maternity, and who to contact to arrange it.

You will need to contact us to make arrangements for additional support, even if you have already completed a Health and Safety Risk Assessment Form for a specific event.

## 4.1 Additional study support

If you fall behind with your study for reasons relating to pregnancy or maternity (including paternity, adoption, fostering and *in vitro* fertilisation treatment), you may find an additional tutorial or study support session beneficial. Your tutor can arrange this for you if they are satisfied that it is likely to help you to catch up with your studies.

## 4.2 Baby feeding, baby changing and rest facilities

We'll try to provide private, hygienic and safe rest or baby-feeding facilities for you at a University event that requires your physical attendance if you:

- are pregnant
- are breastfeeding and need to express milk
- need to feed your baby.

You should make your request for rest and baby-feeding facilities as soon as possible so that appropriate arrangements can be put in place. Requests should be made as explained in relevant section of this document: Ceremonies – see Section 4.4; residential schools – see Section 4.10; tutorials – see Section 4.11; any other university event – see Section 4.12.

We'll do our best to provide:

- a private space with comfortable seating and possibly somewhere to lie down
- nearby toilet and hand-washing facilities
- means of keeping baby milk and food refrigerated and secure
- facilities for heating baby milk and food
- facilities for washing and storing feeding equipment.

We don't expect you to use a toilet for breastfeeding, and private breastfeeding facilities will be arranged whenever practicable.

You do have the right to breastfeed in public while participating in University activities unless there are health and safety hazards for you and your baby that would prevent this, such as exposure to hazardous materials.

You can ask us to make alternative exam arrangements while you're breastfeeding, for example, a home exam with rest breaks to nurse your baby (see [Section 4.7](#) for more details).

We can provide information about the location of on-site baby changing facilities for University events on request.

## 4.3 Bullying and harassment

The [Student Code for Dealing with Bullying and Harassment](#) applies across the OU, including residential schools, tutorials, day schools, research supervision, degree ceremonies, and online environments. Any complaint of bullying or harassment is treated seriously and thoroughly investigated. Disciplinary action can be taken in cases where bullying and harassment have been proved.

Cases of alleged serious criminal offence, such as physical or sexual assault, are reported to the police. In such cases, the University takes no action under the Code for Dealing with

Bullying and Harassment, other than suspension if considered necessary, until the outcome of any criminal investigation is known.

## **4.4 Ceremonies**

### **4.4.1 Ceremonies in the UK**

Information about family-friendly facilities available at degree ceremony locations is published on the [Ceremonies](#) website.

If you or any of your guests have any additional requirements you should say so when booking a ceremony. You will then be contacted a few weeks before the date of the ceremony by a member of the Ceremonies team to discuss what you're likely to need and confirm the arrangements.

### **4.4.2 Ceremonies overseas**

Information about the availability of family-friendly facilities at ceremony locations outside the UK is provided by the OU educational partner in your country. If you or any of your guests have any additional requirements please mention them when booking the ceremony with your local educational partner.

## **4.5 Continuous assessment (assignment) deadlines and special circumstances**

If you can't meet the cut-off date for an assignment you should tell your tutor as soon as you can. Tutors have flexibility to offer short extensions to some assignment deadlines.

It's usually not possible to extend the submission date of the final assignment as the results are needed by Examination and Assessment Board. If difficulties arise with your final assignment, you can use the [special circumstances](#) procedure to tell us about it. This must be done no later than 14 days after the published cut-off date for the final assignment. We can only consider submissions received after this if you can provide evidence that shows you couldn't meet the deadline because of circumstances beyond your control.

You must include supporting documentary evidence which relates clearly to the period during which your performance was adversely affected, such as a letter from a GP, midwife, social worker or other appropriate professional.

The information is made available to the Examination and Assessment Board for consideration when your module result is being determined. The information provided is only seen by the staff who determine the appropriate award or grade and isn't retained.

## **4.6 Deferral or withdrawal from a module or qualification**

You may have to take time out of study for reasons related to pregnancy, maternity, paternity, adoption, fostering or IVF treatment.

Try to discuss relevant timescales, such as the expected birth date of your baby, dates for antenatal appointments, fertility treatment or medical treatment, with your student support team as soon as you know there'll be a problem, so that they can provide the most appropriate information, advice and guidance for you.



The options that may be available to you include banking of assessment scores already completed, taking one or more years out of study, continuing to study but reducing study intensity, or maintaining intensity of study but studying different modules from those intended. The rules and policies associated with this are found in [Deferrals, Withdrawals and Cancellation](#).

## 4.7 Changes to exam arrangements

### 4.7.1 If you are pregnant or a new mother

If you're pregnant, are a new mother or have other caring responsibilities you may be eligible for [non-standard examination arrangements](#). Please contact your student support team as soon as possible, and at least six weeks before the exam date, to check your eligibility.

Normally pregnant students are expected to attend a main examination centre, unless you have a pregnancy-related illness or the examination is within four weeks of your due date. You can make arrangements in advance to take a rest break of up to 30 minutes.

If your due date is within four weeks of the exam you can ask to take it at home instead of at the examination centre, and arrange a rest break of up to 30 minutes.

If you've given birth within the 26 weeks leading up to the exam, or are breastfeeding your baby, you can ask to take the exam at home instead of at the centre. You can take rest breaks, normally up to one hour, to breastfeed your baby or attend to its needs. You must make sure there is another person there to look after your baby while you're doing the exam.

Home exams are invigilated by a person appointed by the University. You can request a female invigilator if this is your preference.

[Home examination guidelines for students](#) are available from the StudentHome Help Centre.

For non-standard arrangements to be approved, you must provide your student support team with appropriate evidence, for example:

- a note from your GP, midwife or consultant confirming the pregnancy, pregnancy-related illness or birth
- a copy of UK maternity certificate form MATB1
- a copy of pregnancy notes confirming due date
- a copy of the child's birth certificate.

You must supply this evidence at least six weeks before the exam date.

You may leave the exam room under supervision for a short period after the first 30 minutes of an exam session to use toilet facilities.

If you're taken ill during an exam you should tell the invigilator. If you can't continue you may leave the exam.

- If you leave an exam within the first hour (or 40 minutes for a two-hour exam) you may subsequently apply for [discretionary postponement](#).
- If you stay in the exam for more than an hour (or 40 minutes for a two-hour exam) you will be considered to have completed the exam.

- If you want to tell the Examination and Assessment Board about the illness please use the [special circumstances](#) procedure.
- If you're too ill to take the exam you may apply for a [discretionary postponement](#).

#### **4.7.2 Arrangements related to adoption, fostering and IVF fertility treatment**

If you or your partner are undergoing IVF fertility treatment, or adopting or fostering a child, you may be eligible for non-standard exam arrangements, which you should discuss with your student support team as soon as possible, and at least six weeks before the exam date. They will tell you whether you're eligible for non-standard arrangements.

You are normally expected to attend a main examination centre. You may be allowed rest breaks of up to 30 minutes if your treatment makes you particularly tired or you need to take medication.

If your circumstances may make it difficult or impossible to attend an examination centre you can request an exam at home or at another suitable location.

[Home examination guidelines for students](#) are available from the StudentHome Help Centre.

For non-standard arrangements to be approved, you must provide your support team with appropriate evidence, such as:

- a note from your GP or consultant confirming the impact of IVF treatment or IVF-related illness
- a letter from a social worker related to the adoption or fostering.

#### **4.7.3 Arrangements if you are a carer**

If you have caring responsibilities for a dependent disabled child and you think circumstances may make it difficult or impossible to attend an examination centre you can request an exam at home or at another suitable location.

You must ensure that there is another person present to care for your child while you take the exam. If you need to attend to your child during the exam (e.g. to administer medicine, or for personal care) you may be allowed rest breaks of up to 60 minutes.

[Home examination guidelines for students](#) are available from the StudentHome Help Centre.

For non-standard arrangements to be approved, you must provide your student support team with appropriate evidence of your carer status, for example a note from a GP, nurse, social services department, community care practitioner or other appropriate professional confirming that you're the primary carer for a disabled child.

#### **4.7.4 Arrangements for taking your examination outside the UK**

If you need to take your exam outside the UK we'll do our best to make arrangements for you. However, it may not always be possible to provide the type of facilities that would be available if you were taking your exam in the UK.

Requests should be made as soon as possible and by deadlines published in [Key examination dates](#).

Information about taking exams in continental Europe, the Republic of Ireland and in other countries, including how to apply is available on the [International Examinations](#) web page in the Help Centre on StudentHome.

#### **4.8 Examinations, examinable work and special circumstances**

If serious circumstances during the three weeks up to and including your exam date or submission deadline have had a significant adverse effect on your performance in your examinable component (exam, end-of-module assessment, portfolio, dissertation) you can tell the Examination and Assessment Board about this using the [special circumstances](#) procedure.

If, for unexpected reasons beyond your control, you're unable to attend your exam or submit your end-of-module assessment it may be possible for you to obtain a [discretionary postponement](#) to the next exam opportunity or submission date.

You can tell us about your special circumstances or request a [discretionary postponement](#) using the [special circumstances](#) procedure. You must submit your initial request for a discretionary postponement or notify us of your special circumstances by midnight (UK local time) on the day following your exam date or date for submission of examinable work. All requests must be supported by evidence, such as:

- UK Maternity Certificate MATB1 (showing the birth date)
- medical evidence of a pregnancy-related illness
- a copy of your child's birth certificate
- proof of hospital appointments for IVF treatment.

Evidence must be submitted within fourteen days of your submission.

Examples of circumstances where discretionary postponement of your exam would be considered include:

- pregnancy-related illness
- premature birth before the end of your module
- your partner is pregnant and her expected due date is within the three weeks before or three weeks after the exam date
- a last-minute breakdown of a dependent child's caring arrangements
- undergoing or recovering from IVF treatment.

#### **4.9 Financial support offered by the University**

Students experiencing financial hardship can apply for assistance for help with study-related expenses such as childcare costs. Funding may be limited and you should therefore apply as soon as you become aware that you may have a need.

You can check your [eligibility for funding](#) and [apply](#) for funding as follows.

- If you live in England, Northern Ireland and Wales you should contact the Financial Support Office.
- If you live in Scotland you should contact [The Open University in Scotland](#).

- Residents of the Republic of Ireland are not eligible for financial support from UK government. However, a limited fund is available to help students with expenses such as childcare. For more information and to check eligibility you should contact The Open University in Ireland Belfast office on +44(0) 28 9032 3718.

No financial support is available if you're resident outside of the UK and the Republic of Ireland.

#### **4.10 Residential schools (including business schools, summer schools and day schools) in the UK and Europe**

Some modules have a residential school component.

If you have additional requirements related to pregnancy, maternity, paternity, adoption, fostering or IVF treatment you should request additional support as soon as possible (at least six weeks before your school starts) so that we can liaise with school venue providers and make arrangements so you can attend a school. Contact the [Residential Schools and Auxiliary Aids and Services Team](#) to discuss your requirements and additional support we can offer.

A health and safety risk assessment is required if you're a new, expectant, or breastfeeding mother attending a residential school. **You should complete and submit the [Health and Safety Risk Assessment form](#) at least six weeks before the event.** A member of the Residential Schools and Auxiliary Aids and Services Team will ensure the assessment is completed in consultation with staff members who are familiar with the teaching programme and facilities at the residential school location. Once completed, you will be provided with a copy of the assessment which will explain the measures in place to control or reduce risks. For more information about the process see [Section 5](#).

Some modules have the option of taking an 'alternative learning experience' (ALE) to achieve the residential school outcomes without attending the school location. Information about ALEs is available from the Help Centre on StudentHome under '[if you can't go to residential school](#)'. Contact your student support team for details of the ALE and how it is presented.

##### **4.10.1 Support if you are pregnant, breastfeeding or have caring responsibilities for young children**

Examples of the support we could offer if you're pregnant, breastfeeding or have responsibility for caring for young children include:

- suitable breaks in the programme to enable you to feed your baby or child, or to express milk
- facilities to rest, express milk and feed your baby, or facilities where you and your child can feed together
- access to drinking water
- information about the location of school's on-site baby-changing facilities.

If you attend a school with a young baby or child you must bring a helper:

- you may be able to stay in suitable upgraded on-site accommodation (e.g. a larger room or suite, or an additional room) for which you would pay the additional costs

- you may be given permission to stay in suitable off-site accommodation; where the residential school fee is inclusive of accommodation and meals, a proportion of the fee would be reimbursed.

Information about your responsibilities when accompanied by children at a University event is explained in [Section 2.7](#). You must contact the [Residential Schools and Auxiliary Aids and Services Team](#) to obtain permission to be accompanied by children at a residential school.

#### **4.10.2 Support available in relation to paternity, adoption, fostering and IVF**

If you have additional requirements related to paternity, adoption, fostering or IVF treatment, you should request additional support as soon as possible so that appropriate arrangements can be put in place to enable attendance at a school.

#### **4.11 Tutorials**

Tutorials are an optional but valuable part of many OU modules.

If you have additional requirements related to pregnancy, maternity, paternity, adoption, fostering or IVF treatment, contact your tutor (or your student support team) as soon as possible to discuss arrangements that can be put in place to enable your participation in a tutorial.

Where requested, we'll try to provide facilities with characteristics explained at Section 4.2, such as facilities for rest, breastfeeding, heating milk, washing and sterilising equipment at tutorial venues. If we can't meet all these requirements we'll discuss alternatives with you.

Normally health and safety risk assessments are not required before taking part in a tutorial, except where you and your unborn child or baby are at an increased risk. If you think a risk assessment is required due to your individual circumstances you should contact your tutor. Further information about health and safety risk assessment is in [Section 5](#) of this guidance.

In exceptional cases of genuine need, where you wish to bring a child to a face-to-face tutorial group meeting, you must contact your tutor to obtain permission. Where permission is granted you are encouraged to bring a helper.

Alternative tutorial support may be available for your module, for example by phone or online, and you may prefer these to attending a face-to-face tutorial.

#### **4.12 Other University events**

If you have additional requirements that might affect your participation in any other University event, you should ask for additional support from the respective organiser. For example, if you're attending a University committee as an OU Students Association representative you should contact the respective committee secretary.

## **5 Health and safety**

### **5.1 Health and safety considerations**

If you're pregnant or have given birth within the previous six months, or you're breastfeeding, you can face specific risks to your health and that of your unborn child or baby. For most new, expectant or breastfeeding mothers, normal health and safety measures are adequate.

However when participating in a University event or activity requiring your physical attendance the level of risk you're exposed will depend on:

- the requirements and nature of the University event or activity
- your individual circumstances, as there are physiological and psychological changes during pregnancy that may make you more vulnerable.
- Some of the more common hazards might be:
  - lifting, handling, carrying heavy loads
  - posture, travelling, mental and physical fatigue
  - workstations, working at height, or working alone
  - standing or sitting still for long periods of time
  - exposure to biological agents, toxic chemical agents, or radioactive material
  - exposure to shocks, vibrations, excessive noise, or extreme heat.

In particular:

- the highest risk of damage to an unborn baby is during the first 13 weeks of pregnancy
- when breastfeeding, there is a risk of passing certain chemicals or biological agents to your baby via your milk.

It is important that you tell the University about any advice you've received from a doctor or midwife (for example pregnancy-related medical conditions such as high blood pressure, a history of miscarriages) that could affect the risk assessment **by completing the online form at least six weeks before the event** as explained in [Section 5.3.2](#).

Special consideration is required if you're undertaking field work or attending a residential school outside the UK.

## **5.2 Health and safety at residential schools**

Health and safety risk assessments are required for all new, expectant, or breastfeeding mothers attending a residential school.

In addition, wider risk assessments are undertaken for:

- residential school activities, including academic and fieldwork activities
- hazardous substances used at residential schools (to comply with the Control of Substances Hazardous to Health (COSHH) regulations).
- At the beginning of each residential school students are briefed on:
  - specific module-related health and safety information
  - compulsory use of protective equipment that is provided
  - emergency arrangements and contact numbers.

## 5.3 Health and safety risk assessments

### 5.3.1 Purpose

The purpose of completing a new, expectant or breastfeeding mothers health and safety risk assessment is to identify hazards and assess risks you may face when participating in University events that require your physical attendance.

### 5.3.2 When is a health and safety risk assessment required?

A health and safety risk assessment is required if you're a new, expectant, or breastfeeding mother attending a residential school, and this should be completed as soon as possible.

Health and safety risk assessments are not normally required before participating in University events of a relatively short duration, such as tutorials, exams, ceremonies, or committee meetings, *except where* individual circumstances place you, your unborn child or your baby at an increased risk.

In all cases where a risk assessment is required, you **should complete and submit the online [Health and Safety Risk Assessment form](#) at least six weeks before the event** so that the information can be processed. Late submission could affect the University's ability to implement appropriate measures to reduce risk or avoid hazards and consequently may affect your participation.

If you're asked to do something at home as part of your University study, for example go out and collect data or make an observation, you should judge for yourself whether it is appropriate to do so. Where these activities are part of a tutor marked assignment (TMA) you may need to discuss what is feasible with your tutor.

### 5.3.3 Record keeping

The University staff member finalising the health and safety risk assessment is responsible for ensuring you receive a copy of the risk assessment and for providing copies to relevant University staff on a strict need to know basis, to ensure appropriate measures are implemented for your safety.

Completed risk assessment forms containing personal information are handled confidentially in accordance with the requirements of the University's [Data Protection Policy](#).

### 5.3.4 Workplace learning and risk assessment

If you're in a workplace learning environment you should discuss arrangements for a health and safety risk assessment with your employer or placement provider.

## 6 Frequently asked questions

### **Do all students who are pregnant or breastfeeding, or whose partner is pregnant or breastfeeding have to notify the University?**

No. We only need to know if you're a new, expectant, or breastfeeding mother and you:

- intend to participate in a residential school – because a risk assessment is required

- intend to participate in tutorials, exams, a ceremony or other University event requiring your physical attendance and where your individual circumstances place you, your unborn child or your baby at an increased risk, for example due to a pre-existing medical condition.

### **Do all students who are adopting or fostering a child, or undergoing IVF treatment have to notify the University?**

No. You only need to need to notify the University if you're seeking additional support at a University event where physical attendance is required, or if personal circumstances arise that prevent you studying or completing assessments.

### **When is a health and safety risk assessment required?**

A risk assessment is required if you're a new, expectant, or breastfeeding mother attending a residential school.

Normally health and safety risk assessments are not required before participating in University events of a relatively short duration such as tutorials, exams or degree ceremonies, except where individual circumstances place you, your unborn child or your baby at an increased risk.

### **Is there any time when a pregnant or breastfeeding mother can't participate in University events?**

Yes. You must not participate in University learning activities where physical attendance or activity is required for at least two weeks after the birth of your baby, or at least four weeks if you're on a placement in a factory.

### **How does the University handle information related to pregnancy, maternity, paternity, adoption, fostering and IVF treatment?**

The University handles all sensitive personal information in accordance with the Data Protection Act, which means it is subject to tighter controls than other personal data. In general, your consent is requested so that information can be recorded and additional support requirements discussed with relevant members of staff.

## **7 Feedback and complaints**

We welcome your feedback, and in particular your suggestions for improving policy, guidance, services and support.

- If you have suggestions about how we could improve our services, please leave your comments at [Feedback on our courses and services](#).
- You can send comments related to this policy and guidance to the Equality, Diversity and Information Rights Team: [Strategy-Equality@open.ac.uk](mailto:Strategy-Equality@open.ac.uk)

We use any complaints help us to maintain standards and make improvements. If you feel that we have not met your expectations in terms of service and support, you can make a complaint using the University's formal [complaint procedure](#). However, before you do so, please visit Help Centre [Complaints and appeals](#).



## 8 Relevant University documents and sites

The following OU documents are available from the [Essential Documents](#) website.

- Assessment Banking Rules
- Assessment Handbook
- Cancellation Procedure
- Data Protection Policy
- Deferrals and Withdrawals Policy
- Equality Scheme
- Safeguarding and protecting children and young people at The OU (Policy for ensuring the safety of children and vulnerable/ protected adults at The Open University)
- Student Code for Dealing with Bullying and Harassment

The [Examination Arrangements Booklet](#) is available from the Help Centre on StudentHome.

The Research Degrees Maternity, Paternity and Adoption guidance is available to research degree students from the [Virtual Research Environment](#) website ('forms and guidance' web page).

The [Student Charter](#) has its own website. <http://www2.open.ac.uk/students/help/assessment/examination-arrangements-booklet>

The [Special Circumstances](#) website has information related to exams and end-of-module assessments, continuous assessment (i.e. TMAs and CMAs), residential school, online school or alternative learning experience.

Also see the [postponing your exam](#) web page and on the [postponing your end of module assessment \(EMA\)](#) web page.

The [Changes and problems while you study](#) site in the HelpCentre provides information about support available to help you keep studying even if you have a personal or study challenge and includes a section about examinations and assessment.

For information about facilities at ceremony venues, visit the [Ceremonies](#) website and from the home page click on the venue location.

## Appendix 1: University contact details

### Centre for Qualifications and Ceremonies

Phone: +44 (0) 1908 653003

### **Examinations Office**

The Open University  
PO Box 720  
Milton Keynes  
MK7 6ZQ

Phone: +44 (0) 1908 858312

Fax: +44 (0) 1908 858337

Email: [examinations@open.ac.uk](mailto:examinations@open.ac.uk)

### Residential Schools and Auxiliary Aids and Services Team

The Open University  
Hammerwood Gate  
Kents Hill  
Milton Keynes  
MK7 6BY

Phone: +44 (0) 1908 653235

Email: [SS-RS-Team@open.ac.uk](mailto:SS-RS-Team@open.ac.uk)

### **Student support teams**

You can see your student support team contact details via the 'Your contacts' panel in the Help Centre on StudentHome, and on your module and qualification website.

In addition, the Help Centre contains postal address information for [student support teams](#).

### The Open University in Northern Ireland

### The Open University in Scotland

### The Open University in Wales

If you would prefer to discuss your study needs in Welsh, you're welcome to contact The Open University in Wales in Cardiff.

Os yw hi'n well gennych drafod eich anghenion astudio yn Gymraeg mae croesco I chi gysylltu â'r Brifysgol Agored yng Nghymru yng Nghaerdydd.

### **The Open University in the North (Gateshead)**

For exams in continental Europe email: [Europe@open.ac.uk](mailto:Europe@open.ac.uk)

## Appendix 2: External resources

### [Adoption UK](#)

A national charity, run by and for adopters, providing self-help information, advice, support and training on all aspects of adoption and adoptive parenting

### [Antenatal Results and Choices](#)

The only national charity that provides non-directive support and information to expectant and bereaved parents throughout and after the antenatal screening and testing process

### [British Pregnancy Advisory Service](#)

Supports reproductive choice and health by advocating and providing high-quality, affordable services to prevent or end unwanted pregnancies with contraception or by termination.

### [Brook](#)

Free and confidential information for under-25s, including pregnancy advice

### [Family Lives](#)

A national charity providing help and support in all aspects of family life

### [Family Planning Association](#)

Impartial advice on pregnancy, termination and adoption

### [The Fostering Network](#)

A national charity for foster care dedicated to making foster care better. Provides a wide range of information and resources for everyone involved in fostering, including an advice service

### [GOV.UK](#)

The UK government's website provides information on health, care and benefits during pregnancy, benefits for parents, and information on childcare providers in your local area

### [Health and Safety Executive \(HSE\)](#)

Provides information and guidance on health and safety risk assessment

### [Miscarriage Association](#)

Offers support and information to anyone affected by the loss of a baby in pregnancy.

### [National Health Service](#)

Provides information relating to pregnancy, birth and beyond, and services provided by the NHS

### [NCT](#)

The UK's largest charity for parents provides information about pregnancy, birth, parenting and resources for parents including dads

### [SANDS](#)

The stillbirth and neonatal death charity – provides support to anyone affected by the loss of a baby and conducts research into the causes of stillbirth and neonatal death.

## Appendix 3: Legal information

An overview of legislation that relates to students and their partners during pregnancy and maternity.

### Equality Act 2010<sup>2</sup> (applies in Great Britain)

- Pregnancy and maternity is a protected characteristic<sup>3</sup> and the Act gives protection from direct and indirect discrimination.
- Discrimination is said to occur if:
  - the student is treated unfavourably because of her pregnancy
  - within 26 weeks of the day of giving birth the student is treated unfavourably because she has given birth (this also applies in cases of miscarriage, stillbirth and neonatal death provided more than 24 weeks of the pregnancy had elapsed)
  - the student is treated unfavourably because she is breastfeeding and the child is less than 26 weeks old (if the child is more than 26 weeks old, unfavourable treatment because of breastfeeding is likely to constitute sex discrimination).
- The protection afforded due to pregnancy or maternity is narrower than for other protected characteristics under the Act: there is no protection afforded for discrimination that occurs by being *associated* with someone who is pregnant or in a period of maternity, or being *perceived* to be pregnant or in a period of maternity. However, if a woman's partner is treated unfavourably because of her pregnancy or because she has given birth this may constitute sex discrimination.
- Failure to provide breastfeeding facilities could result in students who are breastfeeding receiving less favourable treatment.
- Women who breastfeed in public places are explicitly protected.
- Under the Act, it is unlawful for higher education institutions to discriminate against applicants and students in relation to:
  - admissions
  - provision of education
  - access to any benefit, facility or service
  - disciplinary proceedings.
- The protected characteristic of pregnancy and maternity is included in the public sector equality duty (PSED) of the Equality Act. The PSED requires higher education institutions to have due regard to the need to:
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act

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<sup>2</sup> For further information about the Equality Act 2010 visit the Equality and Human Rights Commission website: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/> and for information related to higher education: <http://www.equalityhumanrights.com/advice-and-guidance/further-and-higher-education-providers-guidance/>

<sup>3</sup> The act names nine 'protected characteristics': age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership.

- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it
- foster good relations between people who share a relevant protected characteristic and people who do not share it.
- 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 male student is unable to meet a module deadline because of his female partner's pregnancy and isn't given an extension, this may constitute sex discrimination.

### **Sex Discrimination (Northern Ireland) order (SDO) 1976<sup>4</sup> (as amended) (applies in Northern Ireland)**

Protection for students in higher education from discrimination on the grounds of pregnancy and maternity is limited.

Only students in vocational training are protected from discrimination on the grounds of pregnancy and maternity. Vocational training is not defined under the SDO 1976, with the exception of the provision that 'it is any training which would help fit [a person] for any employment'.

It is unlawful to ask students not to breastfeed in public places (although this protection isn't explicit).

Paternity-related discrimination by association on the grounds of sex and paternity-related discrimination because of sexual orientation legal protection for students (similar to that afforded GB students under the Equality Act) does not exist in Northern Ireland, but it may apply if the student wanting to take paternity-related absence is in vocational training.

### **Section 75 of the Northern Ireland Act 1998 (applies in Northern Ireland)**

Higher education institutions have obligations to promote sex equality.

While pregnancy and maternity are not listed explicitly in the legislation, they are seen as being covered by the sex equality provisions.

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<sup>4</sup> For further information about sex equality legislation in Northern Ireland visit the Equality Commission in Northern Ireland website: [http://www.equalityni.org/sections/default.asp?cms=Your\\_Rights\\_Sex\\_discrimination&cmsid=2\\_55&id=55&secid=2](http://www.equalityni.org/sections/default.asp?cms=Your_Rights_Sex_discrimination&cmsid=2_55&id=55&secid=2)