

# NMAT PREGNANT STUDENTS AND YOUNG PARENTS POLICY (Non-Statutory)



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## 1. Introduction

This document is intended for academies whose students include pregnant students, fathers-to-be and school age parents. It contains guidance on how schools can support pregnant students, fathers-to-be and school age parents, so that they may continue their education, allowing them to reach their full potential and manage this along with the demands of their new role and the needs of their child. It includes information around joint working with other agencies that can provide further support to this group of young people.

Figures released by the Office for National Statistics show that conception rates in young women under-18 are dropping both nationally and locally. However, the UK still has one of the highest rates of teenage pregnancy and abortion in Western Europe.

Reducing teenage conceptions remains a priority in the local area. Traditionally, local authority areas on Teesside had consistently seen high teenage conception rates. Despite a reduction and a sustained downward trend the local rate remains higher than the national average.

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## 2. Aims and Objectives

### 2.1 Aims

The primary aim of this policy is to provide guidance for Academy staff about how to support young women who become pregnant and those who are parents.

### 2.2 Objectives

The objectives of the policy are to set out:

- The roles and responsibilities of the Academy Trust and the Academy in ensuring a package of support is provided for those involved including young fathers and young fathers-to-be.
- The position when a young person does not wish to remain in their current Academy even after all necessary support has been put in place.
- Ensure that procedures are in place for joint working between the agencies involved with pregnant teenagers and young parents.
- Ensure that confidentiality and safeguarding is followed correctly in relation to the rights of the young person.
- Provide a framework for assessing risks for young women who are pregnant and identify a process for making reasonable adjustments and managing those risks.

## 3. The Law in Relation to the Education of Pregnant Young Women

***Schools already have a duty of care to their students and it is not expected that they alter their policies because of the new legal provision of the Equalities Act 2010, providing they are not excluding pregnant students or requiring them to study at home or in alternative provision when they wish to remain in school, and are letting them return to education when they have had their babies.***

### 3.1 The Equality Act

The Equality Act 2010 ensures protection from discrimination for students who are pregnant. The Department for Education (DfE) has produced guidance on the Equality Act. This means that it is **unlawful for academies to treat a pupil less favourably because she becomes pregnant or has recently had a baby, or because she is breastfeeding.** Academies will also have to factor in pregnancy and maternity when considering their obligations under the new Equality Duty.

Although the specific provision in the Act is relatively new, academies should already be aware of their specific responsibilities to any student in their care that become pregnant or are parents. Previous government guidance makes it clear that academies must not exclude simply on the grounds of a student becoming pregnant but should allow her no more than 18 calendar weeks authorised absence to cover the time immediately before and after the birth of her child. This is in order to ensure that she

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is reintegrated into education as quickly as possible. **Pregnancy is not an illness and therefore DFE guidance for students who cannot attend school because of health needs does not apply.**

## 3.2 Statutory Guidance on Participation

The Statutory Guidance on the Participation of Young People in Education, Employment or Training (DfE, March 2013)<sup>1</sup> also sets out that parents caring for children would be expected to participate in education and may qualify for Care to Learn to enable them to do so. A reasonable period of maternity leave (up to 18 calendar weeks) is, however, justified.

## 3.3 Education Act 1996

Local Authorities have a duty under the Education Act 1996 to provide suitable education for all students for whom they are responsible including students of compulsory school age who become parents. 'Suitable education' must meet the needs of the student and should take account of their age, ability, aptitude and individual needs including any special educational needs they may have. The 2001 guidance emphasises the importance of support from re-integration and education welfare officers to enable pregnant students and school age mothers to complete their education.

Academies already have a duty of care to their pupils and are not expected to alter existing policies because of this new legal provision, providing they are not excluding pregnant students or requiring them to study at home or in alternative provision when they wish to remain in school, and are letting them return to education when they have had their babies.

Parents of students who believe they are being discriminated against have the right to make a discrimination claim in court but may wish to seek independent legal advice before doing so.

## 3.4 Guidance for Pupils Who Cannot Attend School Because of Health Needs

Whilst pregnancy is not an illness, there may be cases where young people present with health problems in pregnancy. Medical confirmation may be required that a school age parent is unable to attend school because of their pregnancy before the Local Authority would consider providing education on health grounds. In this instance, DfE guidance<sup>2</sup> provides a basis for the level of education such students can expect. Children with health needs should have provision, which is equivalent to the education they would receive in school. Where full-time education would not be in the best interests of a particular child because of reasons relating to their physical or mental health, Local Authorities should provide part-time education on a basis they consider to be in the child's best interests. Full and part-time education should still aim to achieve good academic attainment particularly in English, Maths and Science.

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<sup>1</sup> Department for Education (2013), Statutory Guidance on the Participation of Young People in Education, Employment or Training for Local Authorities, March 2013.

<sup>2</sup> Department for Education (2013) Ensuring a good education for children who cannot attend school because of health needs, Statutory guidance for local authorities, January 2013

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## 4. Entitlements of School Aged Pregnant Women and Young Parents

### 4.1 Right to Remain in Education

The young woman has the right to remain in education and cannot be excluded from, encouraged to be home educated by the parent or removed from the roll of an Academy because she is pregnant.

### 4.2 Pastoral and Educational Support

The young woman will have access to a named member of Academy staff with whom she will meet regularly and who will oversee her pastoral and educational support. This will include completing a full pregnancy risk assessment and development of corresponding action plan.

### 4.3 Attendance

The young woman is expected to attend school as regularly and punctually as her pregnancy allows as she is still a child of compulsory school age. The parent/guardian of the pregnant young woman is legally responsible for ensuring attendance. All academies are advised to offer support to their students. Being pregnant does not prevent a young woman from attending school.

The young woman will be entitled to take time out of the classroom to rest during the day during her pregnancy if required. The young woman is also entitled to attend antenatal classes and should be encouraged to do so. Expectant Young Fathers should also be encouraged to attend ante natal sessions where appropriate.

With regard to Attendance the student should be registered as 'unable to attend due to exceptional circumstances' ascertaining the reason for this absence as one of the below;

**Code M: Medical or dental appointments** – should the young person need to attend ante or post natal appointments (evidence should be provided)

**Code D: Dual Registered - at another educational establishment** – if student is attending another educational setting such as hospital teaching service.

**Code C: Leave of absence authorised by the school** – Once student goes on maternity or paternity leave.<sup>3</sup>

Pregnant young people will be encouraged to take full part in all curricular activities, arrangements for Academy trips, outings and sporting activities will be made in consultation with the student. Academies need to be flexible in their considerations and endeavour to include the young woman in all aspects of the curriculum.

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<sup>3</sup> Department for education (2013) School attendance Departmental advice for maintained schools, academies, independent schools and local authorities, October 2013

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The young woman is entitled to up to 18 weeks “authorised absence”<sup>4</sup> (Code “C” for registration purposes) to cover the time immediately before and after the birth of the child. Up to two weeks paternity leave for a young father to help to care for his child would be considered reasonable and should be in line with statutory paternity leave provision<sup>5</sup>.

The young woman will be entitled to time out of lessons in the case where she is breastfeeding a child. The Academy would need to provide a room where she can express milk and a fridge in which she can store breast milk and have access to it at the end of the day. Safe and correct storage of breast milk should be in line with safe and storage of medicines and be included within the risk assessment.

Young parents may be entitled to time off to care for their baby in the case of illness.

## 4.4 Care to Learn Funding

Young women aged under 20 at the start of a course are entitled to apply for Care-to-Learn funding which can help pay for childcare costs whilst in learning. Funding covers courses that are publicly funded in schools, 6th forms, 6th form colleges or children centre courses. Funding can go toward the cost of childcare, including deposit and registration fees, childcare ‘taster’ session (up to 5 days), maintaining childcare places over the summer holidays and taking children to the childcare provider. The provider must be registered with OFSTED and can be a child-minder, pre-school playgroup, day nursery or out of school club. For further details contact the Learner Support helpline 0800 121 8989 or [www.gov.uk/care-to-learn](http://www.gov.uk/care-to-learn) to complete an online application form.

## 5. Local Authority Education Responsibilities for Teenage Parents

**5.1. Statutory Duties** – to provide suitable education for all students for whom they are responsible, including pupils of compulsory school age who become parents.

**5.2. Students with Education Health Care Plans** – students with EHCPs who become pregnant should be treated in the same way as other students.

**5.3. Data Collection** – all LAs have a responsibility to collect data on participation and achievement of all students out of school including teenage parents who are out of school. It is good practice to collect data on the attainment of those parents attending school, transition to further education and employment. This responsibility for data collection continues with Raising of the Participation Age.

<sup>4</sup> <http://www.nhs.uk/conditions/pregnancy-and-baby/pages/teenager-pregnant.aspx>

<sup>5</sup> <https://www.gov.uk/browse/childcare-parenting/pregnancy-birth> Paternity leave cannot start before the birth, but the start date must be the actual date of birth, an agreed number of days after the birth or an agreed number of days after the expected week of childbirth. Leave must finish within 56 days of the birth (or due date if the baby is early).

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## **6. Roles and Responsibilities of Education Providers**

All academies have a statutory responsibility to ensure that young people of compulsory school age who are pregnant or young parents are supported to continue with their education. This responsibility includes ensuring that a young person or young parent is supported to continue learning for as long as possible and may dis-apply the national curriculum to allow concentration on fewer subjects. The young person cannot be legally removed from school roll.

The aim is to keep the student in school for as long as possible and to make arrangements to accommodate their needs. It is best practice to keep the student in their normal routine and to encourage them to attend regular classes. It is not best practice to segregate the student from their peers and there is no evidence to suggest it would influence others to become pregnant.

## **7. Responsibilities of the Designated Professional**

It is good practice for academies to identify a designated professional within the Academy to have responsibility for school age parents, who will oversee the implementation and monitoring of this policy. This may be an appropriate member of pastoral staff, the designated safeguarding lead, the designated lead for Inclusion or other appropriate role. The named individual should be aware of relevant policies and procedures and reporting responsibilities.

The designated professional will be responsible for monitoring educational outcomes for pregnant young women and ensure the seamless progress of education welfare provision for the young person.

The designated professional will ensure a named member of staff has been identified to oversee the young person's educational and pastoral support needs, as needs be. This should be a person who has a good working relationship with the young person and should be agreed in consultation with the young person.

The Head of School is legally responsible for ensuring that the young person remains on the school roll including during the period of authorised absence and during the time the baby is born.

## **8. Responsibilities of the Named Member of Staff**

### **8.1 Responsibilities**

The named member of staff will be responsible for overseeing an education and pastoral support plan. This will involve meeting with the young woman and her parents or carers and supporting the young woman to stay in learning together with the father, if he is also on roll.

The named person will also be responsible for overseeing an Early Help Assessment. At this stage a multi-agency planning meeting should be called to invite all those professionals who will have a role in

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supporting the young woman and her family through the pregnancy. These professionals could include: school lead, school nurse, stronger families, Family Nurse Partnership (FNP), social worker or midwife. The young woman and her parents/carers (if appropriate) are key to this meeting as is the prospective father and his parents/carers (if appropriate) but only if the young woman and her family wish. This list of professionals is not exhaustive and will depend on which agencies are needed to support each young woman.

The purpose of this meeting is to plan how professionals are going to support the young woman during her pregnancy and will include reintegration back to school where this is appropriate. The aim is very clearly to support the young woman to stay in learning. After this meeting the school lead will notify the manager of the Home and Hospital Teaching Service of the Expected Date of Delivery for information purposes only. The expectation is that all young women will continue their learning in the Academy and will be supported by her Academy.

This support plan will include:

- Agreement about pregnancy/parent related absence being authorised.
- Academy issues such as modifying the curriculum, uniform, movement around the Academy site and need to inform teaching staff will be completed through a risk assessment.
- Transport arrangements.
- Examination arrangements (request for special consideration).
- Childcare arrangements.
- Parenting and support classes for both school aged mothers and fathers.

The outline and timeframe of statutory education provision for the young person needs to take consideration of:

- The expected date of delivery.
- The maternity pathway.
- Examination times.
- The 29 week maternity grant (if eligible).
- Support from the Local Authority (if appropriate).
- Other issues such as housing, health and wellbeing e.g. mental health, nutrition and lifestyle, need to be addressed by members of the planning group.

A student that has an EHCP will need a review of this. Share information as appropriate between meetings and delivered through a person centred approach.

The named member of staff will be responsible for organising work and monitoring progress including while she is away at the time around the birth. If the young person is out of school for health reasons the named member of staff will be responsible for sending work home and making arrangements for it to be returned to the Academy and for feedback to be given. The named member of staff should meet

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with the young person regularly to ensure that her needs are being met appropriately and to offer pastoral support.

## 8.2 Risk Assessments

The named member of staff will be responsible for carrying out and reviewing risk assessments for the pregnancy and ensuring reasonable adjustments to her school day are put in place. Assistance can be provided by the Buildings Development Manager in conducting Risk Assessments.

## 8.3 Re-integration

The named member of staff will be responsible for developing a personalised reintegration plan in consultation with the young woman and her parents or carer and other core professionals known to the young person. The named member of staff may wish to take advice from the Education Welfare Service to do this.

## 9. Birth and Re-integration into Education

Pregnant young women are encouraged to stay in school as close as possible to the birth, unless there are any medical or health reasons not to. Academies can liaise with the midwife to establish this. They are allowed up to 18 calendar weeks maternity leave which can be taken from the 29<sup>th</sup> week of pregnancy. Less time off than this can be negotiated with the Academy. It is however essential that the mother has time to bond with the baby and adapt to motherhood. Where the young woman is year 11 and due to take exams, this will need careful consideration.

If a young woman of compulsory school age is absent for spells during pregnancy for ill health or has a history of non-attendance the designated teenage pregnancy lead has a responsibility to provide academic work, refer to the Educational Welfare Officer and provide an early referral to the relevant external agencies.

Whilst pregnancy is not an illness, there may be cases where young people present with health problems in pregnancy. Medical confirmation may be required that a school age parent is unable to attend school because of their pregnancy before the Local Authority would consider providing education on health grounds.

On returning to school following the birth of a child the reintegration part of the support plan should be drawn up on consultation with the young woman, her parents/carers and the named member of staff supporting her. The level of support at the time may be crucial to determining whether the young woman remains in learning. Academies need to be flexible in understanding the individual needs of each young woman.

The young woman cannot return to school within two weeks of giving birth but if they wish to return to school before the six week post-natal check, her GP must confirm in writing that she is fit enough to attend the Academy.

If it is found that the young woman is unfit to return, or is ill, then medical evidence will need to be submitted and part-time attendance or arrangements for additional needs may be made.

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Three weeks before the young person intends to return to the Academy the named member of staff will coordinate the return to education through the early help assessment plan. The three week timescale may vary, and if this is the case the rationale should be recorded in the young person's plan. This meeting should be hosted by the Academy at a venue convenient to the young person where the purpose will be to discuss the following;

- Academy timetable
- Childcare and feeding
- Transport
- Young person's support structures
- Review of Risk Assessment

The young woman will also be entitled to time out of lessons in the case where she is breastfeeding a child. The Academy would need to provide a room where she can express milk and a fridge in which she can store breast milk and have access to it at the end of the day. This could be a medical room. Safe and correct storage of breast milk should be in line with safe storage of medicines and be included within the risk assessment.

Academies must also allow time off for medical appointments if the baby is ill. Young parents should be allowed some time out of school to attend parenting programmes and young parents support groups. These are important in developing good parenting skills. Such attendance should be built into the Support Plan. These are to be marked as authorised absences.

## 10. School Aged Fathers-to-be and Fathers

Academies must acknowledge the additional needs that school age fathers and fathers to be may have. If a member of staff finds that a student is a father or father-to-be a pastoral member of staff should be identified to take responsibility for addressing their needs. The named member of staff should encourage the young man to speak to his parents or carers and a referral should be made to the Local Authority for on-going family support.

The educational setting may wish to allow young fathers or fathers-to-be authorised absence to accompany partners to antenatal and post-natal health checks and permit a father to take two weeks paternity leave if he so wishes. Paternity leave may be taken in accordance with ordinary parental leave. Leave cannot start before the birth and must end within 56 days of the birth.

**If the paternity leave coincides with external examinations then leave will not be permitted until examinations have finished.**

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## **11. Looked After Children (LAC)**

Looked After Children whom are pregnant are often the most vulnerable, they should be encouraged to tell their allocated social worker and/or foster carer so that they can be involved in the young woman's care plan to ensure that her educational needs can be met. If they have not disclosed this information to their social worker or foster carer there is a duty of care for the Academy to disclose to the social worker responsible for their care planning.