

MELBOURNE COLLEGE OF HAIR & BEAUTY

MCOHB Student Pregnancy and Maternity Policy

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1.0 Purpose

1.1 ... This Policy applies to students who are pregnant during their studies at Melbourne College of Hairdressing Beauty & Natural Medicine Pty Ltd (MCOHB), and is also for staff that may be supporting or advising students on issues related to pregnancy and maternity.

2.0 Scope

2.1 ... This policy applies to all persons at MCOHB who meet the definition of a worker, as defined by the *Fair Work Act 2009*, in situations related to their employment or other activities at MCOHB.

2.2 ... This policy also applies to workers, and other members of MCOHB engaged in activities reasonably connected with MCOHB. Such activities may extend beyond the RTO's premises. For example, use of social media, field trips or excursions organised by MCOHB, staff functions both during and after working hours and staff attending conferences.

3.0 Responsibilities

3.1 ... The Chief Executive Officer (CEO) has responsibility for the implementation and management of this policy in accordance with the relevant Acts and legislative instruments.

3.2 ... The CEO may delegate the daily management and implementation to managers of MCOHB.

3.3 ... The Human Resources Manager has overall responsibility for the operation of this policy in relation to workers and other members of MCOHB.

3.4 ... The Director of Studies as nominee of the CEO has overall responsibility for the implementation and review of this Policy.

3.5 ... Head Trainers, Department Managers have responsibility for the daily management of this policy in their respective departments and schools.

3.6 ... Workers and other members of MCOHB:

- a. must comply with relevant policies or guidelines that address expected standards of behaviour at MCOHB;
- b. must participate in training and information sessions about preventing discrimination within MCOHB;
- c. are responsible for their own behaviour and must not participate in or encourage discrimination;
- d. who believe they have been discriminated, or who are aware of or witness discrimination within MCOHB should report it promptly in accordance with the Procedure;
- e. will face disciplinary action if allegations are proven they participated in or encouraged discrimination.

4.0 Legislative Context

1. ...Anti Discrimination Act 1977;
2. ...Equality Act 2010
3. ...Commonwealth Human Rights and Equal Opportunity Commission Act 1986;
4. ...Equal Opportunity for Women in the Workplace Amendment Act 2012;
5. ...Equal Opportunity Act 1995 of Victoria;
6. ...Freedom of Information Act 1989;
7. ...Work Health and Safety Act 2011;
8. ...Occupational Health and Safety Act 1983;
9. ...Workplace Relations Act 1996;
10. .Commonwealth Disability Discrimination Act 1992;
11. .Commonwealth Crimes Act 1995;
12. .Commonwealth Fair Work Act 2009;
13. .Commonwealth Racial Hatred Act 1995;
14. .Commonwealth Age Discrimination Act 2004;
15. .Victorian Crimes Act 1958;
16. .Victorian Equal Opportunity Act 2010 (from 1 August 2011);
17. .Victorian Occupational Health and Safety Act 2004;
18. .Victorian Racial and Religious Tolerance Act 2001;
19. .Victoria's anti-discrimination legislation 2011 (Brodie's Law);
20. .Racial Discrimination Act 1975;
21. .Sex Discrimination Act 1984;
22. .National Employment Standards;

5.0 Definitions

<p>Academic freedom</p>	<p>The freedom of academic staff to teach, discuss, exhibit artistic works or public performances, research, as well as disseminate and publish the results of their research.</p> <p>The freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research.</p> <p>The freedom of academic staff and students to express their opinions in relation to the VET provider in which they work or are enrolled.</p> <p>The freedom of academic staff, without constraint imposed by reason of their employment by MCOHB, to make lawful public comment on any issues in their personal capacities.</p> <p>The freedom of academic staff to participate in professional or representative academic bodies.</p> <p>The freedom of students to participate in student societies and associations.</p>
<p>Discrimination</p>	<p>As defined by the Fair Work Act 2009 discrimination is: "repeated, unreasonable behaviours directed towards a worker or a group of Workers that creates a risk to health and safety". Examples of workplace discrimination may include but are not limited to:</p> <ul style="list-style-type: none"> • Abusive, insulting or offensive language; • Behaviour or language that frightens, humiliates, belittles or degrades; • Teasing or regularly making someone the brunt of practical jokes; • Spreading gossip, rumours and/or innuendo. • Workplace discrimination may also take more subtle or covert behaviours including: • Deliberately excluding or isolating a person from normal workplace activities; • Tampering with personal effect or work equipment; • Intimidating someone through inappropriate personal comments, belittling opinions or unjustified criticisms; • Overloading a person with work; • Setting timelines that are difficult to achieve or constantly changing deadlines; • Setting tasks that are unreasonable or beyond a person's ability; • Deliberately isolating a person or ignoring them; • Deliberately denying access to information relevant to the person's duties.

Fair Work Commission (FWC)	<p>The Fair Work Commission is the national workplace relations tribunal. It is an independent body with power to carry out a range of functions relating to:</p> <ul style="list-style-type: none"> • the safety net of minimum wages and employment conditions; • enterprise bargaining; • industrial action; • dispute resolution; • termination of employment; and • other workplace matters.
Discrimination	<p>Discrimination means:</p> <p>(a) direct or indirect discrimination on the basis of an attribute; or</p> <p>(2) Discrimination on the basis of an attribute includes discrimination on the basis</p> <p>(a) that a person has that attribute or had it at any time, whether or not he or she had it at the time of the discrimination;</p> <p>(b) of a characteristic that a person with that attribute generally has;</p> <p>(c) of a characteristic that is generally imputed to a person with that attribute;</p> <p>(d) that a person is presumed to have that attribute or to have had it at any time.</p>
Freedom of speech	<p>The freedom of staff, students, and invited visitors to MCOHB to express lawful opinions publicly, without undue restriction.</p>
Supervisor	<p>A Worker who has designated responsibility for managing and/or overseeing the performance and workplace behaviour of other Workers. If the complaint is against the Worker's immediate Supervisor that person's one-up Supervisor will be deemed to be the Supervisor for the purposes of this procedure.</p>
Senior Management	<p>Chief Executive Officer, Director of Studies, Head Trainers, Department Managers.</p>

Violence or threats of violence	<p>Violence and aggression is defined as any incident where a member of MCOHB is abused, threatened or assaulted in circumstances arising out of, or in the course of, their employment or other activities at MCOHB.</p> <p>Within this definition: Threat means a statement or behaviour that causes a person or a third party to believe they are in danger of being physically attacked. It may involve an actual or implied threat to safety, health or wellbeing; and</p> <p>Physical attack means the direct or indirect application of force by a person to the body of, or clothing or equipment worn by, another person, where that application creates a risk to health and safety. Neither intent nor ability to carry out the threat is relevant. The key issue is that the behaviour creates a risk to health and safety.</p> <p>Examples of occupational violence and aggression include, but are not limited to, verbal, physical or psychological abuse, punching, scratching, biting, grabbing, pushing, threats, stalking, attack with a weapon, throwing objects/furniture, sexual harassment or assault, and any form of indecent physical contact. Occupational violence need only be a single incident or circumstance.</p>
Repetition	<p>Refers to the persistent nature of the behaviour, not the specific form the behaviour takes. Behaviour is considered "repeated" if an established and consistent pattern can be identified over a period of time.</p>
Reasonable Management Action	<p>Reasonable management action can include but is not limited to:</p> <ul style="list-style-type: none"> Setting reasonable performance goals, standards and deadline in consultation with workers and after considering their respective skills and experience; Allocating work to a worker in a transparent way; Fairly rostering and allocating working hours; Transferring a worker for legitimate and explained operational reasons; Deciding not to select a worker for promotion, following a fair and documented process; Informing a worker about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements; Informing a worker about inappropriate behaviour in an objective and confidential way; Implementing organisational changes or restructuring; and Performance management processes.

Staff Member (employee)	Any person who is an employee of MCOHB at the time of the alleged incident(s). This includes full-time, part-time, sessional or casual staff.
Unreasonable Behaviour	Refers to behaviour that a reasonable person, having regard to all the circumstances, would expect to humiliate, intimidate, undermine or threaten. In this context, the hypothetical reasonable person does not require total knowledge of every aspect of the situation – rather this person knows as much as the alleged bully could reasonably be expected to know.
Worker	<p>A worker, as defined by FWC is: An individual who performs work in any capacity including but not limited to:</p> <ul style="list-style-type: none"> • An employee; • A contractors; • A sub-contractor; • An out-worker; • An apprentice; • A trainee; • A student gaining work experience; and • A volunteer.

6.0 Policy Statement

6.1 ... The Equality Act 2010 protects students from discrimination because of their pregnancy or maternity status. Discrimination occurs if:

- The student is treated unfavourable because of her pregnancy.
- Within 26 weeks of the day of giving birth is treated unfavourably because they have given birth; this also applies in cases of miscarriage, still birth and neonatal death (if 24 weeks or more of the pregnancy has elapsed).
- The student is treated unfavourably because they are 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.

6.2 ... This policy takes into account MCOHB's statutory obligations.

6.3 ... This policy aims to ensure that:

- Students are not unlawfully discriminated against and disadvantaged because of pregnancy and maternity, in all aspects of University life, including admissions, provision of education, and access to services or facilities.
- Students are aware of the support available to them during pregnancy and maternity.
- The University provides the most appropriate advice and support to students during pregnancy and maternity.
- Staff are aware of their roles and responsibilities during student pregnancy and maternity.

6.4 ... Any form of discrimination is totally unacceptable at MCOHB.

6.5 ... All employees and other members of MCOHB are expected to treat each other with respect.

6.6 ... All employees and other members of MCOHB are required to comply with the standards expressed in the Staff Code of Conduct Policy. Discrimination leads to individual distress and organisational disruption. It can cause physical and psychological harm.

6.7 ... Reasonable management action, carried out in a fair way is not discrimination. Supervisors have a right to direct the way work is carried out and to monitor and give feedback on performance, giving due consideration to the manner in which this is done.

6.8 ... MCOHB encourages the early reporting of any allegations of discrimination, violence and/or threats of violence and is committed to implementing a prevention program which will include the following measures:

- a. creating awareness of this Policy and Procedure.
- b. providing ongoing online and workshop-based training programs for all staff;
- c. informing, instructing and training for supervisors;
- d. encouraging reporting; and
- e. fair and timely procedures for managing incidents of discrimination violence or threats of violence.

- 6.9 ... In some circumstances, the seriousness of allegations or information provided may place MCOHB under a legal obligation to investigate beyond that which the worker intends or wishes, in which case MCOHB may initiate a complaint or progress a complaint of its own volition.
- 6.10 . If a staff member is found to be guilty of workplace discrimination as defined in this policy and by any of the Acts and/or legislative instruments identified in clause 4.0, MCOHB has the right to suspend and/or terminate an employee's employment with MCOHB immediately.
- 6.11 . If a staff member is found to be guilty of workplace discrimination as defined in this policy and by any of the Acts and/or legislative instruments identified in clause 4.0, MCOHB has a legal responsibility to report the employees' behaviour to the police and/or the relevant Commonwealth and/or State Government department for further action against the employee.

7.0 What is Unacceptable Conduct?

7.1 ... Behaviour of the following kinds is defined as "Unacceptable Conduct":

- Harassment
- Discrimination
- Vilification
- Sexual Harassment
- Retaliation or victimisation against someone involved in a complaint

7.2 ... Each of these types of Unacceptable Conduct is defined below.

8.0 What is Harassment?

- 8.1 ... Harassment is any verbal, written or physical behaviour or conduct that is of an offensive, threatening, intimidating, abusive or belittling nature and that is unwelcome, unreciprocated, uninvited and usually, but not always, repeated.
- 8.2 ... It can also be based on race, disability, age, pregnancy, marital status, homosexuality, transgender, or HIV/AIDS status.
- 8.3 ... Workplace harassment usually consists of a pattern of unwelcome behaviour. However, it can consist of just one act where this is of a serious nature. Also, there is no requirement that the harasser intended to offend or harm in order for it to be unlawful. All that is required, under the law, is that a reasonable person would consider that the person being harassed would be offended, humiliated or intimidated by the behaviour in question.
- 8.4 ... Harassment in the workplace can create an unpleasant or even hostile environment. Harassment makes work difficult for everyone: the person being harassed, as well as personnel witnessing the harassment. The harasser is not concentrating on their work when they engage in this type of behaviour.

9.0 What isn't Workplace Harassment and Discrimination?

9.1 ... It is important for personnel to be aware that workplace harassment and discrimination does not include the legitimate exercise of authority by an employer or manager/supervisor to direct and control how personnel perform their duties whilst at work, to monitor work flow or to provide feedback to personnel about their performance.

This also includes:

- f. Reasonable action taken in a reasonable manner by an employer to transfer, demote, discipline, counsel, retrench or dismiss personnel;
- g. A decision by an employer, based on reasonable grounds and consistent with MCOHB Policy, not to award or provide a promotion, transfer, or benefit in connection with personnel employment;
- h. Reasonable administrative action taken in a reasonable manner by an employer in connection with personnel employment;
- i. Reasonable action taken in a reasonable manner under an Act affecting personnel.

9.2 ... MCOHB recognises that workplace harassment and discrimination may involve comments and behaviours that offend some people and not others. MCOHB management acknowledges that individuals may react differently to comments and behaviour and therefore expects its personnel to maintain a standard of behaviour that is respectful of everyone at all times.

9.3 ... For the purposes of this policy, the following applies:

10.0 What is discrimination?

10.1 . 'Discrimination' as defined by the *Occupational Health, Safety and Welfare Act 1986* is behaviour that is directed towards a person or a group of persons, that is repeated and systematic, and that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten personnel to whom the behaviour is directed, creating a risk to health or safety.

10.2 . Discrimination has many similarities to harassment, but the reasons for discrimination behaviour do not have to be based upon an unlawful or discriminatory ground.

11.0 What is vilification?

11.1 . 'Vilification' is publicly encouraging or inciting hatred, ill-feeling or severe contempt for someone or a group of people on the basis of race and certain other personal characteristics.

12.0 What is Sexual Harassment?

12.1 . 'Sexual harassment' is defined as:

1. as *“any unwelcome sexual advance, or unwelcome request for sexual favours to a person, or engagement in other unwelcome conduct of a sexual nature in relation to that person, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the person complaining would be offended, humiliated or intimidated.”*

12.2 . MCOHB advises that incidents of sexual harassment may, in fact, constitute a criminal offence, and therefore MCOHB may report any such instances to the appropriate authorities.

13.0 What is aggression?

13.1 . *'Aggression'* includes: verbal abuse; physical violence against an individual in the form of hitting, slapping, spitting, scratching, pinching, kicking; threats of violence; and physical violence against objects, such as kicking or throwing property.

14.0 What is occupational violence?

14.1 . *'Occupational violence'* can be defined as any incident where personnel is physically attacked or threatened in the workplace.

14.2 . MCOHB identifies that incidents of occupational violence may, in fact, constitute criminal assault, and therefore MCOHB may report any such instances to the appropriate authorities.

14.3 . Within the above definitions, it is generally accepted that:

- a. **“repeated”** refers to the persistent nature of the behaviour, not the specific form of the behaviour. For example, the harassment or discrimination may involve a variety of unreasonable and inappropriate behaviours such as verbal abuse, persistent and unwarranted criticism and open or implied threats of being demoted or terminated;
- b. **“systematic”** means having, showing or involving a method or plan; and
- c. **“risk to health or safety”** includes the risk to the physical or emotional health of personnel concerned.

15.0 Examples of harassing or discrimination behaviour

15.1 . Harassing or discrimination behaviour may include (but is not limited to):

- offensive comments on physical appearance, dress or private life;
- unwanted physical contact such as patting, hugging, touching or unnecessary familiarity;
- sexual jokes, suggestive behaviour, sexual innuendo, spoken comments or offensive telephone calls, emails;
- demands for sexual favours or unwanted comments about a person's sex life;
- leering, wolf whistles, catcalls and obscene gestures;
- display of offensive posters, pictures, graffiti, or pornographic material;
- racially based jokes or comments;
- mimicking someone with a disability;
- isolating someone;
- unfair or excessive criticism;
- initiation 'rituals'; and/or
- using aggressive language.

15.2 . It is up to each of us, if possible, to tell others in our workplace if their conduct is causing offence. Equally, if an issue is raised with us it is up to each of us to moderate our behaviour accordingly.

15.3 . If a complaint of harassment/discrimination is ignored or the behaviour condoned, it can lead to serious disciplinary action consistent with the process outlined below, both in relation to the employee initiating the behaviour and anyone who fails to act to stop the behaviour.

15.4 . Any personnel found guilty of perpetrating or permitting workplace harassment or discrimination will be appropriately disciplined, and may, in serious or repeated cases, be dismissed. Any person found guilty of making malicious, vexatious or frivolous allegations of workplace harassment or discrimination that are held to be unfounded, will also be appropriately disciplined and, dependent upon all the circumstances, may also be dismissed.

15.5 . MCOHB recognises the rights of the person accused of workplace harassment or discrimination to be treated with natural justice. This includes the right to know full details of allegations against them, a right of reply to those allegations, a presumption of innocence until evidence against them shows otherwise and the benefit of any reasonable doubt.

15.6 . As part of the MCOHB commitment to minimising and eliminating instances of workplace harassment and discrimination at work, the MCOHB will:

- a. provide and make accessible, resources for all personnel relating to workplace harassment or discrimination, including the attached Workplace Harassment and Discrimination Procedure;
- b. distribute and regularly promote this Policy statement to all existing and new personnel;

- c. model appropriate behaviour and monitor the working environment to ensure that the appropriate standards of behaviour and conduct are observed at all times;
 - d. treat all complaints of workplace harassment and discrimination seriously and take immediate action to investigate and resolve any complaint quickly and fairly and with complete confidentiality, consistent with the attached Workplace Harassment and Discrimination Procedure;
 - e. ensure that personnel who make or support a complaint of workplace harassment or discrimination are not subsequently subjected to victimisation; and
 - f. take all reasonable steps to ensure there is no recurrence of the offence.
- 15.7 .All personnel have a responsibility to take reasonable care to protect their own health, safety and welfare whilst at work and to avoid adversely affecting the health, safety and welfare of any other person at work as outlined in the Occupational Health, Safety and Welfare Act 1986. Further, all personnel have a responsibility to comply with this Policy by ensuring that they do not commit or encourage workplace harassment or discrimination in the workplace.
- 15.8 .Personnel should be aware that they could be held personally liable for harassing or discrimination another person or aiding, abetting, encouraging or condoning other persons to harass or bully.
- 15.9 .To ensure that this Workplace Harassment and Discrimination Policy is complied with, MCOHB has appointed the CEO as the Responsible Officer, who will be responsible for the education and training of all staff on workplace harassment and discrimination issues and assist with the implementation of this Policy.
- 15.10 If any personnel feel that they have been harassed or bullied, they may make a complaint in accordance with the attached Workplace Harassment and Discrimination Procedure or other appropriate MCOHB Procedures. If personnel are not satisfied with the way their complaint has been handled by MCOHB, they have the right to refer the matter to an external party.

MCOHB Student pregnancy management processes

16.0 Student Responsibilities

- 16.1 . Students are not under any obligation to disclose that they are pregnant. However, students are encouraged to disclose that they are pregnant so that they can be provided with appropriate support.
- 16.2 . Due to the nature of some programmes, a risk assessment may be required.

17.0 Student falls pregnant before commencing enrolled course

17.1 . If a student falls pregnant before commencing their chosen course the student admin team will:

1. Ask the student if they:
 - a. Want to continue with commencing their chosen course.
 - i. If student says no, a Cancellation/Withdrawal application form will be sent to the student, and the Cancellation/Withdrawal application will be processed IAW MCOHB's Cancellation/Withdrawal policy and procedure.

- ii. If the student says yes, a Deferral application form will be sent to the student, NOT a suspension form.

18.0 Student falls pregnant during studying for their qualification

18.1 . If the student falls pregnant whilst they are studying their chosen course the student admin team will:

- 1. Ask the student if they:
 - a. Want to continue with studying their chosen course.
 - i. If student says no, a Cancellation/Withdrawal application form will be sent to the student, and the Cancellation/Withdrawal application will be processed IAW MCOHB's Cancellation/Withdrawal policy and procedure.
 - ii. If the student says yes, a Suspension application form will be sent to the student.

19.0 Staff Responsibilities

19.1 . Pregnancy is a normal life event and not an illness. When a student informs MCOHB that they are pregnant, a meeting should be set up between the student and relevant staff (e.g. trainer or Director of Studies) to discuss the impact on learning, including attending lectures and tutorials, placements, and participating in assessments and examinations.

19.2 . Staff should also recommend that the student seeks advice from their midwife, or other qualified professionals if they have not done so already. The discussion should identify the support required and the outcome should be the production of a Support Plan. The form provided in Appendix A should be used to record this information.

20.0 International Students

20.1 . International students who become pregnant during their studies should contact their immigration or education agent as soon as they have confirmation of their pregnancy.

20.2 . It is important that international students who become pregnant contact their immigration or education agent as soon as possible because their individual circumstances may affect their student visa status.

20.3 . If an international student requires a visa to remain in Australia during her period of study and their pregnancy is likely to result in the need to remain in Australia longer than planned, immigration advice should be sought from their immigration or education agent.

20.4 . Students will be advised and supported on a case by case basis as each student will have different circumstances.

20.5 . Financially sponsored international students must notify their sponsor of any change of status. As international students have no recourse to public funds, they are not entitled to any financial maternity benefits.

20.6 . If a spouse or partner of a student becomes pregnant during their studies, and this is likely to have an impact on the learning experience, the student should contact their immigration or education agent as soon as possible.

21.0 Assessments and Examinations

- 21.1 . If a student is due to give birth near to or during assessment deadlines or the examination period and wishes to complete their assessed work or sit their examinations, they will not be prevented from doing so. However, this would depend on individual circumstances and students will be advised on a case by case basis as generally a student would not be encouraged to undertake assessments or examinations if they are due to give birth.
- 21.2 . Appropriate arrangements will be agreed in the Support Plan to take account of specific needs such as toilet breaks, comfort of chairs etc.
- 21.3 . If a student is concerned about sitting examinations or meeting assessed work deadlines, or if they have a pregnancy-related health condition that is exacerbated by stress, they should be advised to seek advice from their midwife or doctor.
- 21.4 . If the student's midwife or doctor advises against sitting an examination or trying to meet the assessed work deadline, an alternative timing and method of assessment should be explored. The student may be able to take an alternative method of assessment if all learning outcomes of the module are met.
- 21.5 . A Mitigating Circumstances Form (be submitted and supported by evidence from the midwife or doctor if the student feels that they have had a difficult pregnancy or maternity period which has affected their academic performance and/or caused their absence from an assessment, i.e. coursework or exam.
- 21.6 . The implications for international students will depend on each person's individual circumstances, so international students will be advised on a case by case basis.

22.0 Professional Requirements

- 22.1 . Some programmes of study may have programme specific requirements that result in pregnant students not being able to fulfil programme/level/stage requirements within an academic session/period. For example, a programme that has fixed placement periods over several weeks as part of the core requirement, or a programme that is based in a clinical area, which may be a health and safety risk for a pregnant student.
- 22.2 . Students should consider taking sufficient time off before returning to their studies/placement depending on their birth experience. For example, a student who has a birthing intervention or caesarean section may not be fit to return to studies for up to six weeks. In these situations, students must discuss their circumstances with the school by seeking information and advice from the relevant staff member, e.g. programme lead or year lead.
- 22.3 . Students should refer to MCOHB's Defer Suspend withdraw or Cancel policy & procedure for further details on suspension of studies.

23.0 Student Partners

- 23.1 . Student fathers/partners of a pregnant student will be entitled to request time off for medical appointments prior to the birth, and to request a reasonable period of parental support following the birth. However, students must be aware of the importance of meeting their own academic requirements, and the time off should not have a negative impact on their own learning experience. Students should check with their school regarding professional/ programme requirements.
- 23.2 . If a spouse or partner of a student becomes pregnant during their studies, and this is likely to have an impact on the learning experience, the student should contact their personal tutor as soon as possible.

24.0 Facilities

- 24.1 . MCOHB campuses do not have baby changing or minding facilities.

25.0 Complaints

- 25.1 . Where a student is dissatisfied with the arrangements offered in line with their pregnancy or maternity, they can lodge a complaint in accordance with MCOHB's Complaints and appeals policy and procedure.

26.0 Contact Officers

- 26.1 . A Contact Officer will provide advice and support for any person who believes they have been harassed and/or bullied, even if they do not wish to take formal action. The Contact Officer will not be involved in any way with the formal investigation or resolution of a complaint.
- 26.2 . If, due to the circumstances, it is inappropriate to refer the complaint to a Contact Officer, the complaint should be referred directly to the Responsible Officer. The MCOHB Responsible Officer is the CEO.
- 26.3 . Personnel who believe that they are or have been harassed or bullied within the workplace should report the incident(s) to one of the following nominated Contact Officers:
- Head trainer/trainer
 - Human Resources Manager
- 26.4 . Any personnel who requires advice, information or support in relation to workplace harassment or discrimination should contact their manager/supervisor or the nominated Contact Officer to assist them in such matters.

27.0 Grievance Officer

- 27.1 . The Grievance Officer is responsible for conducting any necessary investigations into allegations of workplace harassment and discrimination. This person is independent from the Contact Officer and will only become involved when a formal complaint is made.
- 27.2 . The MCOHB current Grievance Officer is the CEO.
- 27.3 . In addition to the Contact and/or Grievance Officer, personnel may approach WorkSafe Vic or the Equal Opportunity Commission for independent advice at any time.

28.0 What will happen if you make a complaint or report?

28.1 . Any complaints or reports of harassment will be treated seriously and sympathetically and acted upon quickly. They will be investigated thoroughly, impartially and confidentially. Managers, Supervisors and Human Resources personnel must act immediately on any reports of harassment. Personnel will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint.

29.0 What will happen to the person against whom personnel has made a complaint?

29.1 . Appropriate action, where necessary, will be taken against anyone, including employees or independent contractors, who are found to have harassed, discriminated or bullied a person or any other person during the course of their employment.

29.2 . This may include counselling, disciplinary action, termination of employment and/or being reported to the Police.

30.0 Confidentiality

30.1 . While it is recognised that personnel who experience an instance of discrimination or harassment may want to talk about their situation, they should not discuss it with their fellow team members or other personnel.

30.2 . All personnel are advised that a complaint of harassment or discrimination is a serious matter and where possible needs to be substantiated.

30.3 . The principles of procedural fairness require that all parties to a complaint will have the opportunity to put their positions fully if an allegation is made. Procedural fairness also means that no decision will be made about the validity of a complaint until all parties have had a chance to respond.

30.4 . Personnel will be protected from intimidation, victimisation or harassment as a result of filing a complaint or assisting in an investigation.

30.5 . Any personnel who feel that they have been subjected to intimidation, victimisation or harassment as a result of filing a complaint or assisting in an investigation should advise their manager or Contact Officer immediately.

31.0 Procedure when student notifies that they are pregnant

Step	Action	Comments
MCOHB notified by student that they are pregnant	Ask for verification/proof of pregnancy	A medical certificate is sufficient to confirm pregnancy
Pregnancy confirmed	Ask student if they want to continue studying until they are due to deliver the baby	Emails to student regarding how they want to continue studying are required to show MCOHB support IAW MCOHB Student Pregnancy & Maternity Policy & Procedure.
Student ready to leave training to prepare for birth	Student sent MCOHB Deferral or Suspension application Form	Student to complete the request for deferral or suspension form identifying the start date of the suspension and end date of suspension
Student submits deferral or suspension application form	Deferral or Suspension application Form sent to Director of Studies for approval	DOS to approve or not approves request application
DOS approves deferral or suspension	CoE's are updated in PRISMS	CoE's are amended by placing a variation on the CoE dates
Student advised of COE change	Student & their agent are advised of CoE variation	
Update VETtrak	VETtrak updated	VETtrak updated student status changed to suspended and target end date is changed to coincide with the varied CoE

APPENDIX A: STUDENT SUPPORT PLAN

Contact details	
	Name
	Student ID
	Course/Programme
	Departmental contact
	Year of course
Visa details (for international students)	
	Visa type/expiry date
	Course target end date
	Any dependents?
Key dates (to be reviewed and added to over the course of pregnancy and maternity)	
	What is the student's due date?
	How many weeks pregnant was the student when they notified MCOHB?

Communication with the student

What is the student's preferred method of communication:

during pregnancy?

during maternity-related absence?

on return to study?

Health and safety assessment (attach copy to this form)

Has a health and safety assessment been conducted? If so give details, including risks identified and person(s) responsible for implementing

Pregnancy-related absence

Will the dates or times of antenatal appointments affect the student's study?

Have you discussed any pregnancy-related illness that has affected the student's ability to undertake their course?

If yes to either of the above questions, what arrangements have been made to enable the student to catch up?

Assessments

	Is the student unable to complete any assessments due to their pregnancy or maternity?	
	If so, provide details:	
	What alternative arrangements have been made for any outstanding or incomplete assessments?	

Maternity-related absence (students should provide information in writing at least 15 weeks before their due date)

	How much maternity-related absence does the student intend to take?	
	What are the intended start and return dates for maternity-related absence?	
	Will the dates of maternity-related absence affect the student's ability to complete any course module requirements?	
	If so, what arrangements have been made to enable the student to complete the module?	
	What information will the student require during maternity-related absence to keep up to date on course developments?	
	Who will be responsible for providing the information to the student?	

Financial support

	Is the student aware of how any benefits they receive will affect their student support entitlements, and vice versa?	
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Baby feeding and childcare

	Has the student been informed about the facilities available on campus (e.g. breast feeding room, rest facilities, childcare)?	
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	Is the student aware that their mode of study will affect their childcare funding entitlements? (Domestic students receiving funding only)	
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International students/those on placement abroad

	Have international students been informed about:	
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	possible airline restrictions (these vary between airlines, so the student will need to contact the relevant airline)	
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	the need to check visa implications of returning home or extending their stay due to pregnancy and maternity?	
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Students on placement

	Has the placement provider been notified of the pregnancy? (this is usually the responsibility of the student)	
	Has the placement provider conducted a health and safety assessment?	
	Is the placement provider aware of the GCU's Student Pregnancy and Maternity policy?	
	Will the student be able to complete their placement?	
	If not, what alternative arrangements will be made?	
	Who is responsible for liaising with the placement provider?	

Extenuating circumstances

	Has the student been informed about MCOHB's policy on mitigating circumstances in the event that a difficult pregnancy or maternity period affects examinations and assessments?	
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Return to study

	What support will be provided to the student on their return to study? (e.g. meetings with key staff, put in contact with other student parents, etc)	
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Further information

Any other
information
/comments

Signatures

Plan to be
reviewed on

**Agreed by staff
member:**

Name/Title:

Signature:

Date:

**Agreed by
student:**

Name:

Signature:

Date: