

EDC13D005

Title: Extension of Breast feeding Rights for Students and Facilities on Campus for Breastfeeding
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Extension of Breast feeding Rights for Students and Facilities on Campus for Breastfeeding

1. Legislative background – Equality Act 2010

The Equality Act 2010 significantly strengthened the legal responsibility of all higher education institutions to protect students from pregnancy- and maternity-related discrimination. According to the Equality Challenge Unit, demographic changes in the student population across the sector (an expected increase in mature and part-time students) mean that more students are likely to become pregnant or have a child during their studies. The demographic picture may be slightly different at UEA, as the trend over the last five years has been for more students to be recruited in younger age groups (proportion of our students aged under 21 has increased from 32% to 43% since 2006) However, numbers of our students do become pregnant during their studies as well as staff during their term of employment. It has become necessary for all Universities to assess and improve their approach to supporting pregnancy.

Research by the National Union of Students (NUS) into the experience of students with children in further and higher education in the UK found that 59 per cent of respondents who had been pregnant while studying did not feel supported by their college or university (NUS, 2009). Pregnant students across the sector have faced issues including being forced to withdraw from their course, taking longer out of their course after giving birth than they would like, and being prevented from sitting examinations.

The exact number of students who become pregnant during their course is unknown. In their study the NUS interviewed 2167 students in higher and further education with children, and found that 29 per cent became pregnant during their studies (NUS, 2009).

According to the student income and expenditure survey, 8 per cent of full-time and 36 per cent of part-time English-domiciled students are parents (Johnson et al, 2009a,b).

Section 17 of the Equality Act expanded the protection from discrimination on the grounds of pregnancy and maternity, which already exists for women in the workplace and vocational training, to women outside the workplace. In doing so, the Act specifically mentions the higher education sector. It should be noted that the scope of legal protection due to pregnancy and maternity is narrower than for other protected characteristics under the Equality Act 2010. Consequently 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.

Under the Act, discrimination can occur against a student because of her pregnancy or because she has given birth 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, still birth and neonatal death provided more than 24 weeks of the pregnancy has 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.

In conjunction with the University's Space Manager, action has been taken to improve facilities in respect of this last point above regarding breastfeeding.

2. New Facilities

Efforts are on-going to try and improve support for breastfeeding staff and students. This takes two forms:

- i. to make sure all staff are aware of our responsibilities in respect of supporting staff and students who may need breastfeeding facilities while working or studying. Deans and Directors on the Committee are requested to cascade information as it becomes available via communication channels in their areas to help raise awareness.

(Action: all)

- ii. to improve space for nursing mothers on campus.

Some space exists within the Hive where mothers are able to nurse/ express milk, although there is currently no specific facility for storage or reheating of milk.

A room has been put aside in the Lower Ground Floor of Elizabeth Fry Building (01.09) which has chairs, a small fridge, a microwave, baby change facilities, and a small sink. (see Appendix 1)

The room is accessible by key holders only. Staff or students who would like to use the room contact the Equality Office on equality@uea.ac.uk and are issued with a key, logged as users and given guidance on safe usage of the facilities as well as some ground rules (see Appendix 2). There is no maximum time period for using this facility but the Equality Office will check periodically that keys are still in active use.

It has been pointed out that at times fathers may wish to use the room for baby changing. This is possible, but does require users to respect one another's privacy. For the moment a system of 'in use' door hangers is being trialled, with a different colour hanger provided for use to indicate if someone (different colour for male or female) is using the room for changing a baby or whether the room is in use for breastfeeding.

Feedback is being proactively sought from users to see if improvements can be made to the facilities or if any problems have arisen. As use evolves it may be necessary to introduce a stricter method of booking time in the room and this will be kept under active review.

Although the room is a good step forward its location may be less useful to nursing mothers in locations such as Blackdale, Edith Cavell and other outer edges of the campus. Schools and Services may need to proactively consider how they would be able to accommodate student and staff nursing mothers on a local basis so they are prepared when the actual need arises.

3. Promotion of the Facilities

The Equality Office will be promoting the Breastfeeding Room via info@, Broadview, posters, plasma screens and a new web page, on the Equality site, from December bringing this and other family friendly information and policies together.

GUIDANCE FOR USE OF BREAST FEEDING FACILITIES AT THE UNIVERSITY OF EAST ANGLIA

Location

The University now has a room specifically for Breast Feeding. It is **Room 01.09** in the Lower Ground Floor of the Elizabeth Fry Building (EFB) on Chancellors Drive. The easiest way to access the room is via the entrance from the car park level at the rear of the building, going through the double doors and turning immediately left the room is almost behind you. Alternatively, access can be made via the main entrance at the front of EFB and using either the stairs or the lift to the lower ground floor level.

Access

The room is key-holder only access.

To get a key please contact the Equality Office either by email at equality@uea.ac.uk or by phone to either Helen Murdoch (Ext 1898) or Matthew Gooch (Ext 7209). The Office is located on the ground floor of Registry, to the right of the reception area.

Equipment

The room is equipped with:

- A small washbasin,
- fridge,
- microwave,
- chairs,
- large and small tables,
- a medical bed for rest purposes.

Should you experience any problem with the equipment provided or if you have a specific request in respect of the room please contact the Equality Office as above.

Safety

The safe operation of this room clearly relies on the co-operation of Key holders so guidance and ground rules are issued with the key when it is logged out. Any person breaching the guidelines in a way that has negative implications or consequences for other users will be refused further use of the room. Serious cases of breach of guidelines/health and safety/reasonable use of the room may result in disciplinary action being taken. Health and safety for mothers and babies is of paramount importance with respect to using the Breastfeeding Room and this will be closely monitored by the University.

