

GUIDANCE ON NEW AND EXPECTANT MOTHERS AT WORK

Definition

A new or expectant mother is defined as “A woman, who is pregnant, has given birth within the preceding 6 months or is breastfeeding”.

Why do we need to risk assess new and expectant mothers?

The majority of women will experience few or no complications during pregnancy. Unfortunately, however, there are some who may experience a variety of potential health problems during the course of the pregnancy; some may continue to have problems following the birth also. There may be factors present in the individual's role which, whilst not a risk normally, may pose problems during the course of the pregnancy.

Some of the typical issues that expectant mothers experience during pregnancy include; morning sickness, backache, increased need to use the toilet, fatigue, increasing abdominal size and changes to posture, balance problems etc. Whilst this list is not exhaustive, it is the responsibility of the employer to assess the impact they may have on the expectant mother's ability to do their job and have a contingency plan to accommodate them.

Management of Health and Safety Regulations 1999 (MHSW)

MHSW places a legal duty on employers to protect their employees who are, or in the future could be, a new or expectant mother. Employers are required to assess risk to all their employees and to do what is “reasonably practicable” to control all identified high risks. The assessment should include all likely hazards which will be encountered by the new or expectant mother during the course of the pregnancy – full details of the risk assessment process are provided further in this guidance.

It is the responsibility of female employees and students to inform the University of their pregnancy as soon as possible so that appropriate controls can be put in place to minimise any risk. Individuals who have given birth in the last 6 months or are still breastfeeding should inform the University. The notification should be given in writing, as soon as possible on learning of the pregnancy.

Following receipt of the written notification from the employee, a specific risk assessment must be conducted. The assessment should take into account any specific advice / recommendations provided by a medical professional (e.g. midwife or GP) relating to the individual's health. If any significant risks are identified then employers must take reasonable action to remove, reduce or control the risk appropriately. In the unlikely situation that the risk cannot be removed or controlled adequately then employers must:

1. Temporarily adjust the individual's working conditions and/or hours of work, or if that is not possible;
2. Offer the individual suitable alternative work at the same rate of pay if available, or if that is not possible;

3. Suspend the individual from work on full pay for as long as necessary to protect the health & safety of the individual and of the child.

MHSW also requires that where a new or expectant mother works night shifts and the individual provides a medical certificate from a GP or midwife stating that working nights will affect the health of the woman, that the employer must adjust the working hours, or where this is not possible, suspend the individual from work on full pay for as long as necessary.

Workplace (Health, Safety and Welfare) Regulations 1992

The Workplace Regulations require employers to provide suitable rest facilities for workers who are pregnant or breastfeeding. The facilities should be private, suitably located (e.g. near to toilets) and where necessary should provide appropriate facilities for the new or expectant mother to lie down. Guidance to the regulations recommend that it is good practice also to provide a private, healthy and safe environment for nursing mothers to express and store milk – this however is not a legal requirement. It is not suitable to use toilets for this purpose and this should be clearly identified in the risk assessment.

Advice for Line Managers, Health & Safety Managers/Health & Safety Local Officers and others carrying out risk assessments

A full risk assessment must be undertaken for all expectant mothers. The mother should be involved in the risk assessment process so that they can understand all control measures identified. It is recommended that the risk assessment be reviewed each trimester of pregnancy or following any changes to the individual's work duties. It is the responsibility of the expectant mother to inform the risk assessor if there are any medical recommendations which need to be taken into consideration.

New mothers may also be more vulnerable to workplace hazards so risk assessments must be reviewed once they return to work. Where the mother returns to work within 6 months of giving birth then a separate new mother risk assessment should be carried out.

Aspects to consider during the assessment include:

- **Physical hazards** e.g. manual handling, continuous standing, awkward spaces, workstations (including DSE workstations), vibration etc.
- **Biological hazards** e.g. infectious agents (hazard groups 2, 3 and 4)
- **Chemical hazards** e.g. mercury, lead, teratogens and carcinogens (check labels and supplier data), pesticides, carbon monoxide, antimitotic (cytotoxic) drugs
- **Working conditions** e.g. long working hours or night shifts, infrequent rest breaks, stress, exposure to cigarette smoke, lone working, work at heights, very high or low temperatures, etc.

If, despite existing precautions, the risk of harm to the mother or child is medium or high, consider the 3 control measure steps indicated above.

Where to obtain further information and advice

The University Health & Safety Unit is available for advice and assistance in assessing H&S risks – telephone ext. 9001 or email safetyunit@gre.ac.uk. The new and expectant mother risk assessment form can be downloaded from the H&S webpages at <http://www.gre.ac.uk/governance/policy/safety/policy/arr/pregnancy> . It is the manager's responsibility to complete the forms.