

# New Mothers and Pregnant Women – Guidance for Managers

# Introduction

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This training session will assist managers when reviewing risk assessments for pregnant and nursing mothers. It will give you the tools to:

- ▶ Carry out a review of the workplace risk assessment
- ▶ Identify what needs to be considered in the risk assessment
- ▶ Know when and how to carry out monitoring the risk assessment throughout the pregnancy

# Background

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- ▶ Each year 350,000 women continue to work during pregnancy
- ▶ 69% return to work soon after giving birth
- ▶ Every year there are around 1,500 potential tribunal cases involving pregnancy maternity-related discrimination. Of these the vast majority (over 90%) involved some breach of health and safety legislation

# Legislation

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The Management of Health and Safety at Work Regulations require employers to:

- ▶ Undertake risk assessments in respect of employees
- ▶ Consider specifically risks to new mothers and pregnant women especially those that arise from any process, working condition or physical, biological or chemical agents
- ▶ Do what is reasonably practicable to control those risks

# Legislation (Continued)

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- ▶ Provide facilities for pregnant or breastfeeding workers to rest and for nursing mothers to express and store breast milk securely

## **NOTE**

- ▶ There is no legal requirement to conduct a specific, separate risk assessment for an employee, once notified in writing that she is a new or expectant mother

# Manager's Responsibilities

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- ▶ You should already have appropriate risk assessments in place. If you are not sure, please contact the Health and Safety Unit
- ▶ If you are notified that an employee is pregnant, breastfeeding or has given birth within the last six months, you should check your workplace risk assessment to see if any new risks have arisen. If risks are identified during the pregnancy, in the first six months after birth or while the employee is still breastfeeding, then you must take appropriate, sensible action to reduce, remove or control them

# Manager's Responsibilities (Continued)

- ▶ If your risk assessment shows that there is a risk, you should inform all female employees of childbearing age about potential risks if they are, or could in the future be, pregnant or breastfeeding
- ▶ If you identify a significant health and safety risk for a new or expectant mother, which goes beyond the normal level of risk found outside the workplace, you must contact HR for advice
- ▶ You must arrange to review the risk assessment with the employee every month and you should make a formal record of the discussion

# Areas to consider in the risk assessment

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## Exposure to Physical Agents

- ▶ Manual Handling
- ▶ Vibrations
- ▶ Noise
- ▶ Radiation (ionising and non-ionising)



# Areas to consider in the risk assessment (Cont.)

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- ▶ Movements and posture
  - ▶ Nature, duration, frequency of tasks
  - ▶ Pace, intensity, variety of work
  - ▶ Patterns of working time and rest breaks
  - ▶ Ergonomic factors, working environment
  - ▶ Suitability, adaptability of work equipment
  
- ▶ Exposure to Biological Agents
  - ▶ Infectious diseases

# Areas to consider in the risk assessment (Cont.)

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- ▶ Exposure to Chemical Agents
  - ▶ Toxic chemicals
  - ▶ Mercury, lead, carbon monoxide
  - ▶ Pesticides
  
- ▶ Working Conditions
  - ▶ Occupational Stress
  - ▶ Passive smoking
  - ▶ Working alone
  - ▶ Work related violence

# Risk Assessment Review

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If you identify a significant health and safety risk for a new or expectant mother, which goes beyond the normal level of risk found outside the workplace, then you must take the following actions:

- ▶ Action 1: Temporarily adjust her working conditions and / or working hours if it is reasonable to do so and would avoid the risks; or if that is not possible:
- ▶ Action 2: Offer her suitable alternative work (at the same rate of pay) if available; or if that is not possible:
- ▶ Action 3: Suspend her from work on paid leave for as long as necessary to protect her health and safety, and that of her child

# Monitoring the Risk Assessment

- ▶ During the pregnancy you should regularly monitor and review the risk assessment in the workplace, taking into account possible risks that may occur at different stages of the pregnancy
- ▶ You should regularly schedule one-to-one sessions with the employee to discuss:
  - ▶ Whether any changes need to be made to the risk assessment
  - ▶ If any Personal Protective Clothing provided needs to be replaced due to changes in body shape
  - ▶ If the employee is coping with the symptoms of pregnancy
- ▶ You should formally record such meetings

# Questions

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- ▶ Do you have any immediate questions?
- ▶ If you have any further queries, please contact the Health and Safety Unit, MB726. Or email us at [safety@aston.ac.uk](mailto:safety@aston.ac.uk)