

Expectant and New Mothers at Work - Guide for Employees

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Introduction

There may be risks within the workplace that affect the health, safety and welfare of new and expectant mothers and that of their child. This short guide provides details of where you can obtain more information and answers some questions you may have.

Legislation, Policies & Guidance

The Management of Health and Safety at Work Regulations 1999 (MHSW) and the Workplace (Health, Safety and Welfare) Regulations 1992 (WHSWR) include regulations that set the standards and protect the health and safety of new and expectant mothers who work. The Sex Discrimination Act 1975 also protects the rights of pregnant workers.

Information regarding maternity leave and pay can be found on My Toolkit <http://www.mytoolkit.net/knowledge/default.asp> . The Family care section contains the Family Care Policy and Procedures and Maternity Packs for teaching and Non Teaching staff. A copy of either document can also be obtained from your manager.

Further health and safety information can be obtained from the Health and Safety Executive (HSE) website www.hse.gov.uk/mothers/index.htm . Alternatively, you can contact Health and Safety - ☎ (01506) 281428 email: HealthandSafety@westlothian.gov.uk

QUESTIONS AND ANSWERS

When do I need to inform my manager that I am pregnant?

It is your choice when you tell your manager but for health & safety purposes but it is in your best interest to provide your manager, at the earliest opportunity, with written notification that you are pregnant. Following your notification a workplace risk assessment will be carried out and any additional health and safety provisions implemented. This risk assessment is a personalised assessment carried out in addition to general risk assessments. It takes into account risks to females of childbearing age who are or who may become pregnant.

Your manager should regularly monitor and review the assessment at each trimester to take account of possible risks that may occur at different stages of your pregnancy.

Notification requirements for maternity leave and maternity pay purposes are outlined in the Family Care Policy on My Toolkit (link above)

Can I continue working as normal whilst I am pregnant?

Yes, a healthy expectant mother can generally do most of the jobs she did before she became pregnant.

Where an expectant mother works nights and this poses a specific work risk, and her GP or midwife provides her with a medical certificate stating she must not work nights, she has a right to be offered suitable alternative day work on the same terms and conditions. If this is not possible, she should be suspended from work on paid leave for as long as necessary to protect her health and/or that of her baby.

How will I know if my workplace/work activities pose a health and safety risk to me or my baby?

Your manager will carry out an Expectant or New Mothers risk assessment to identify possible risks and hazards in the workplace or from your work activities. A risk assessment is a structured way of looking at your job to identify where hazards could occur and minimising the risk to an acceptable level.

. Your manager will involve you in the process and you will be given the opportunity to express your views and raise any concerns you may have. A blank risk assessment form can be found on My Toolkit in the Risk Assessment Forms at the Health and Safety Section http://www.mytoolkit.net/hsafety/risk_assessments.asp

You will be advised of the outcome of the risk assessment and the measures to be put in place to protect you.

Your manager must regularly monitor and review any assessment made to take into account possible risks that may occur at different stages of your pregnancy.

If you use Display Screen Equipment (DSE) (eg computers) more or less on a daily basis and normally use it for continuous spells of an hour at a time, your manager will arrange for a DSE assessment to be undertaken. That assessment will look at your interaction with your DSE workstation and surroundings and identify any risks and hazards from your DSE activities. This assessment will be repeated periodically during the course of your pregnancy.

What sort of risk may I be exposed to?

The risks you may be exposed to will depend on the job that you do, your health and the stage of pregnancy that you are at. That is why the risk assessment is regularly reviewed throughout your pregnancy. It is important that your manager is made aware of anything that may require your risk assessment to be reviewed e.g. advice from your GP or midwife regarding your health.

What happens if there remains a risk to health and safety?

Every effort should be made to adjust your working environment to suit your needs and requirements in terms of health and safety. If this is not practicable then you should be offered suitable alternative employment, on the same terms and conditions, on a temporary basis.

Will I be allowed to attend antenatal appointments during working hours?

Yes, pregnant employees are entitled to reasonable paid time off work with pay for antenatal care. It does not matter how many hours you work or how long you have been an employee. Requests for time off must be submitted to your manager and be supported by an appointment card..

Does the council provide facilities for nursing mothers to express milk?

Yes. There is no legal time limit set on how long you can continue to breast feed or express milk.

The council will provide an appropriate private, healthy and safe environment for nursing mothers to express and store milk. Toilets are not regarded as suitable and should not be used for this purpose.

You should inform your manager, in writing, as early as possible that you plan to continue breastfeeding when you return to work in order that a risk assessment can be carried out. The risk assessment will be specific to you, based on the initial assessment and any medical advice you provide from your GP or midwife.

What can I do if I am exposed to passive smoking while meeting clients in their own home?

You can ask the person(s) to refrain from smoking for the duration of the visit, and if they decline to do so, you are entitled to suspend the visit. You should then report the matter to your manager who will make alternative arrangements with the client