

CARDIFF COUNCIL

CODE OF GUIDANCE

NEW AND EXPECTANT MOTHERS AT WORK

Pregnancy should not be equated with ill health. It should be regarded as part of everyday life and the health and safety implications of pregnancy can be adequately addressed by normal health and safety management procedures. In most cases pregnancy usually goes undetected for the first 4 – 6 weeks. It is important for employers to identify specific hazards and risks for all female employees of childbearing age prior to notification by a member of staff that they are pregnant..

Managers should also take into account that some hazards can present more of a risk at different stages of pregnancy, including the postnatal period when she could be breastfeeding.- The Management of Health and Safety at Work Regulations 1999 specifically requires employers to take particular account of the risks to new and expectant mothers when assessing risks in the workplace.

The Code of Guidance addresses the following:

- 1.0 What is a “New and Expectant Mother”?
- 2.0 Notification to the Employer
- 3.0 List of Agents/Working Conditions which may pose a risk to New and Expectant Mothers
- 4.0 Risk Assessment
- 5.0 Aspects of pregnancy which may affect work
- 6.0 Further information

1.0 What is a New and Expectant Mother?

The phrase 'new and expectant mothers' means an employee

- who is pregnant
- has given birth within the previous six months
- who is breast feeding

'Given birth' is defined as 'delivered' a living child, or after 24 weeks of pregnancy, a still born child.

2.0 Notification

The employer is not under any duty to alter a woman’s working conditions or alter her hours of work until the employer is notified in writing that the employee is pregnant, has given birth in the previous six months, or is breastfeeding. It is the responsibility of the

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employee to advise the Line Manager of her pregnancy, but if this is done verbally before the written confirmation or certificate from the Doctor/Clinic, then it is considered good practice to undertake the risk assessment immediately. The employer may request confirmation by means of a medical certificate from a registered medical practitioner or a registered midwife.

If after a reasonable period of time the employee has not produced a certificate the employer is not bound to maintain changes to working conditions or to maintain paid leave. If the employee continues to breastfeed for more than six months after the birth, she must ensure that the employer is informed of this so that the appropriate measures can continue to be taken.

3.0 List of Agents/Working Conditions Which May Pose a Risk to New and Expectant Mothers

Physical Agents

Shocks, vibrations or movement

Manual handling

Noise

Ionising radiation

Non-ionising electromagnetic radiation

Extremes of cold or heat

Movements and postures, travelling, mental and physical fatigue and other physical burdens

Work in a hyperbaric atmosphere e.g. pressurised enclosures and underwater diving

Biological Agents

Any biological agent that may cause illness to the mother, and/or affect the foetus for example, hepatitis B, HIV, herpes, TB, syphilis, chickenpox, E Coli 057 and typhoid. These and further agents are listed as biological hazards in Schedule 3 of the COSHH Regulations as risk levels 2,3 and 4.

OR

Biological agents known to cause abortion or physical and neurological damage e.g. rubella. toxoplasma, cytomegalovirus, chlamydia.

Examples of where infection hazards may incur at work include those occupations where there may be contact with:

- human blood and body fluids, which may be infected;
- infected animals including parrots, turkeys, pigeons, ducks, cats, rodents, rabbits and sheep (during lambing);
- laboratory cultures etc;
- water or food contaminated by human or animal faeces.

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Chemical Agents

Substances labelled R40, R45, R46 and R47 under Directive 67/548/EEC (as amended).
Chemical Agents and Industrial processes in Annex 1 of Directive 90/394/EEC
Mercury and mercury derivative
Antimitotic (cytotoxic) drugs
Chemical agents of known and dangerous percutaneous absorption (i.e. absorbed through the skin) This includes some pesticides
Carbon monoxide
Lead and lead derivatives

Working Conditions

Work with display screen equipment (Note : Pregnant women do not need to stop working with display screen equipment but if concerned should have the opportunity to discuss their concerns with an adequately informed person).

Further advice on the risks above and how to avoid them can be found on the Health and Safety Executive Internet site <http://www.hse.gov.uk/mothers/index.htm> or can be purchased 'New and expectant mothers at work - A Guide For Employers ' HSE publication. C100 ISBN 0- 7176- 2583- 4

Infection risks to new and expectant mothers in the workplace - A guide for employers HSE publication ISBN 0-7176-1360-7

3.0 Risk Assessment

In assessing risks, attention must be paid not just to the new and expectant mother but also risks to the unborn child or the child of a woman who is breast feeding. All female employees of childbearing age should be informed of any **specific** risks shown above which could have an effect on them, their unborn or recently born child so that they are aware of the need to inform their employer of their condition/circumstances as soon as possible

For the majority of Council staff the risks to a woman or an unborn child will be very low, but there is a need to ensure that regular Display Screen Equipment assessments are carried out as the pregnancy progresses.

Consideration will need to be made of the physical environment, as to whether the work area is too hot, cold, whether there are welfare facilities and rest areas available close by etc.

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The initial risk assessment must be based on any medical advice received by the employee from her Doctor, midwife or Consultant.

Although any hazards are likely to remain constant, the possibility of damage to the foetus as a result of the hazard will vary at different stages of pregnancy. Dexterity, agility, co-ordination, speed of movement and reach may be impaired because of increasing size. –There are other risks to consider for women who are breast feeding for example, certain substances, mercury being one, can be transferred from blood to milk causing a potential risk to the newborn baby if the mother has been highly exposed during pregnancy.

Employers who have employees of childbearing age and are likely to be in contact with infected people and animals, their blood, body fluids and wastes, or contaminated environments and objects, should ensure that their COSHH Assessments take account of the possibility of infection and ensure that adequate controls are in place to combat the threat.

If an employee, who is a new or expectant mother, works at night and has a medical certificate stating that night work may affect her health and safety, she must be offered suitable alternative daytime work if any is available, or if that is not reasonable, she should be suspended (with paid leave) for as long as is necessary to protect her health or safety. Suspension (with paid leave) also applies if the employee has a medical certificate which states that it is necessary for her health or safety to refrain from working for any period identified on the certificate.

The Workplace (Health and Safety and Welfare) Regulations 1992 require suitable facilities to be provided for workers who are pregnant or breast feeding to rest.

Suitable control measures where risks cannot be reduced adequately

- Step 1 : Temporarily adjust the working conditions and/or hours of work; OR (if it is not reasonable to do so, or would not avoid the risk)
- Step 2 : Offer suitable alternative work if any is available; OR (if that is not feasible)
- Step 3 : Suspend from work with paid leave for as long as necessary to protect the safety and health of the mother and her child.

Risk assessments for new and expectant mothers must be kept under review.

5.0 Aspects of Pregnancy That May Affect Work

Apart from the hazards listed above, there are other aspects of pregnancy that may affect work. The impact will vary during the course of the pregnancy and should be kept

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under review, e.g. the posture of expectant mothers changes to cope with the increasing size.

Aspects of Pregnancy Which May Affect Work

<u>Aspects of Pregnancy</u>	<u>Factors in Work</u>
Morning Sickness	Early shift work
Backache	Exposure to nauseating smells
Varicose veins	Standing/manual handling/posture
Haemorrhoids	Standing/sitting
Frequent visits to the toilet	Working in hot conditions
Increasing size	Difficulty in leaving job/site
	Use of protective clothing
	Work in confined areas
	Manual handling
Tiredness	Overtime
	Evening work
Balance	Problems of working on slippery, wet surfaces
Comfort	Problems of working in tightly fitting workspaces

6.0 Further information:

New and expectant mothers at work - A guide for employers. Health & Safety Executive. 2002

Infection risks to new and expectant mothers in the workplace - A guide for employers HSE publication 1997.

Management of Health & Safety at Work Regulations 1999.

Manual Handling Operations Regulations 1992.

Health & Safety (Display Screen Equipment) Regulations 1992.

Personal Protective Equipment at Work Regulations 1992.

Occupational Exposure Limits HSE Guidance Note EH40.

Control of Substances Hazardous to Health Regulations 2002

Control of Lead at Work Regulations. 2002

Control of Noise at Work Regulations 1996.

Health and Safety Advisers, Corporate Services, 02920 872635

Occupational Health Team – referral via HRPS

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