

HEALTH AND SAFETY

SAFETY POLICY & ARRANGEMENTS



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Subject: New & Expectant Mothers in the Workplace

Introduction

This document forms part of the National Ice Centre's organisational written safety policy arrangements.

Departments, services or teams may consider it appropriate to develop additional guidance and systems of work on specific work related activities.

Where proposals, additional guidance or changes to systems of work will have an impact on health, safety and welfare, this will be discussed and agreed at the Health & Safety Committee.

If you have any questions or require further information or support on the contents of this document, please contact The NIC Health & Safety Advisor or Corporate Safety Advice.

Overview Of Management & Colleague Responsibilities

Manager Responsibilities Below is an overview of the responsibilities which is intended to support managers in identifying their key duties that need to be taken to comply with the requirements of this document and the safety management systems of the National Ice Centre.

- Managers must identify risks that may present within the workplace been identified that may present a particular risk for a person who is or may potentially become pregnant been formally communicated to any colleague of child bearing age
- Managers must ensure that the 'New & Expectant Mothers Risk Assessment' been completed for any colleague that confirms to you that they are either pregnant or upon their return from maternity leave.
- Managers must implement all reasonably practicable control measures that remove, reduce or control the risks identified
- Managers need to agree with the colleague, meeting arrangements regarding to discuss the content of risk assessment to review the information regularly as the pregnancy progresses and on the colleagues return from maternity leave.

Employee Responsibilities

The Health & Safety at Work Act 1974 section 7 requires all employees to consider their own health & safety and the safety of others.

As an employee of the National Ice Centre, if you have concerns in relation to health & safety that is likely to cause you or someone else, injury or ill health then you must ensure that the concern is communicated to your manager immediately.

You are also required to co-operate with the management of the National Ice Centre to ensure compliance with the health & safety arrangements, policies and procedures and work to the requirements identified within this document.

Colleague's involvement in the Process

All colleagues are required to provide written notification that they are pregnant as soon as it is appropriate to so (people management handbook identifies that this should be at least 28 days before maternity absence begins).

Until written notification has been provided, an employer has no obligation to take any actions other than those resulting from the general risk assessments that are already in place which cover the employee’s activities.

Legislative Requirements

The Management of Health and Safety at Work Regulations 1999 require the health and safety of expectant and new mothers who work to be protected.

These regulations cover all female colleagues who are, or in the future could be, a new or expectant mother.

This requirement extends to cover women of childbearing age who:

- are or in the future could be pregnant;
- have given birth within the previous 6 months; or
- are breastfeeding.

Managers are required to ensure that a suitable and sufficient risk assessment has been completed where any part of the work that you manage, is such that it could present a risk to a colleague who is of child bearing age but is not currently pregnant.

This risk assessment information must then be communicated to all colleagues who may be identified.

Further detail and supporting information is provided within the INDG 373 leaflet - ‘A Guide for New and Expectant Mothers at Work’ – a Guide for Employers which can be downloaded from the Corporate Safety Advice intranet site.



Risk Assessments

There is a legal requirement for risk assessments to be completed for new and expectant mothers if they are in employment.

The risk assessment is considered to be a two stage process and covers the following:

Stage 1 – initial risk assessment (all workplace risk assessments)

All risk assessments that cover employees’ activities must take into account any significant hazards and risks which are normally present for women of childbearing age. This includes expectant and new mothers.

The risks include those to the unborn child or the child of a woman who is still breast feeding and not just risks to the mother herself.

If during the completion of any risk assessment, a potential issue is identified that will affect the health or safety of a new / expectant mother, then you must inform all female employees of childbearing age about the potential risks if they are, or could in the future be, pregnant or breastfeeding.

Stage 2 – Specific Individual Risk Assessment for New and Expectant Mothers

When a colleague formally notifies you that she is pregnant, has given birth within the last 6 months or is breastfeeding, their manager shall complete a specific ‘new and expectant mothers’ risk assessment.

Each colleague will require an individual assessment and it must consider both the needs of colleague and the potential risks to which they will be exposed

Information can be based on the content detailed within the initial risk assessment process and supporting information must be taken into account of any advice provided by the colleague’s medical professional.

It is a requirement that the manager and colleague discuss the hazards and risks involved and complete the risk assessment together and therefore a new assessment is required for each employee and each time a colleague becomes pregnant.

Reviewing Risk Assessment

The New & Expectant Mothers risk assessment needs to be regularly monitored and reviewed throughout the pregnancy and it is recommended that regular meetings are scheduled to discuss any potential issues.

The risk assessment must also take into account possible risks that may occur at different stages of the pregnancy.

Risks Associated With Work Activities

Managers are required to understand that new or expectant mothers may be at risk from different physical, biological and chemical agents, working conditions and processes.

These risks will be dependent upon the health of the new or expectant mother and may change at varying stages of the pregnancy.

Some common risks associated with new and expectant mothers may include:

- lifting/carrying of heavy loads;
- standing or sitting for long lengths of time;
- exposure to infectious diseases;
- exposure to lead;
- work-related stress;
- workstations and posture;
- exposure to radioactive material;
- threat of violence in the workplace;
- long working hours;
- excessively noisy workplaces.

The risk assessment pro-forma identifies a variety of work processes and activities that must be considered as part of the assessment.

Where activities or issues as part of that assessment template are seen to be irrelevant due to the nature of work, they need to be identified as N/A.

Manager Actions For Significant Risks

Where there is a significant risk at work to the health, safety or welfare of a new or expectant mother, which goes beyond the level of risk normally, found, the manager is required to take action to remove, reduce or control the risk.

Where the risk cannot be removed the following actions must be considered:

- Action 1:** temporarily adjust the colleagues working conditions and / or hours of work; or if it is not reasonable to do so, or would not avoid the risk:
- Action 2:** offer the colleague suitable alternative work (at the same rate of pay) if available; or if that is not feasible, you must:
- Action 3:** remove the colleague from work on paid leave for as long as necessary to protect her health and safety, and that of her unborn child.

The actions taken by management must be formally documented.

Breastfeeding

Managers must ensure, on receiving written notification that a colleague is breast feeding, that they are not exposed to risks that could damage either their health and safety or that of the child for as long as they continue to breastfeed.

Whilst mothers are breastfeeding, the provision of a healthy and safe environment should be in place for nursing mothers to express and store milk.

It is not suitable or hygienic to use toilets for this purpose.

References & Further Information

The following information and reference material is in place to assist managers to understand their responsibilities and duties.

NIC Documentation and Links

External References

- HSG122 - 'New and Expectant Mothers at Work – A Guide for Employers' (HSE)
- INDG373 - 'New and Expectant Mothers Who Work – A Guide' (HSE)