



Health and Safety Guidance Notes on Maternity issues

Introduction

Recent Health and Safety guidance has been published by the Health and Safety Executive (HSE) designed to help protect the health and safety of new (including breast feeding) mothers or expectant mothers at work. It also is relevant to female staff of child bearing age, as in most cases pregnancy goes undetected for the first 4-6 weeks. This note does not cover maternity rights per se and advice on this matter can be sought from the Personnel Office, www.rdg.ac.uk/personnel, contact Pam Scoble ext. 6492 or p.a.scoble@rdg.ac.uk.

Other useful websites are given in the Information Section at the end.

Main legislative requirements

General risk assessments have been a legal requirement for some time now. Under the Management of Health and Safety At Work Regulations 1999, specific risk assessments are required to be carried out for vulnerable workers such as young persons and new and expectant mothers. It is important to establish that we should not treat pregnancy as an illness, only a condition that requires some special attention.

What Schools/Departments should do

There are two very distinct measures to take.

Step 1 – Initial Risk Assessment

Heads of School/Departments must allow sufficient time and ensure that risk assessments are completed for new and expectant mothers. Area Safety Co-ordinators should, during their risk assessments duties, carry out an initial risk assessment where they need to specifically consider workers carrying out similar work involving similar risks, who are new or expectant mothers. Action should then be taken to ensure the individuals concerned are not exposed to any significant risk. Significant findings of the risk assessment must be conveyed **to all female staff of childbearing age**. They should also be informed of the need to notify Personnel Services in writing, as early as possible, when they are pregnant, breast feeding or have given birth in the last 6 months. An example of an initial risk assessment in an office-type environment is given in Appendix 1. A blank assessment form is given in Appendix 3.

In other work situations, hazards form physical risks, biological agents, chemical agents and working conditions, (for example working with pathogens or radiation), need to be considered.

Do not forget to consider atypical workers such as contractors, agency staff, staff on call and night workers (i.e. who have to work after 11pm). Although students will not have the same legal rights as staff, their work will also need to be risk assessed to ensure that they or their unborn child is not put at risk.

It is a legal requirement that rest facilities are provided for staff who are pregnant or breastfeeding.

Step 2 – Specific risk assessment

When a member of staff notifies the School/department she is pregnant, breast feeding etc. a **specific risk assessment** will need to be carried out based on the outcome of the initial risk assessment above, and any medical advice. It is important that she is asked to help during the risk assessment so that account is taken of any medical issues. It would be appropriate to contact the University Occupational Health Medical Adviser, Tel: 9873014, if any advice on medical issues is required.

Hierarchy of Control Measures

If a significant risk is found and the risk cannot be removed, you must take one of three actions:

Action 1	Temporarily adjust her working conditions and/or hours of work. If this will not avoid the risk or is not reasonable to do then →
Action 2	Offer her alternative work (at the same rate of pay) if possible, which must also be risk assessed. If that is not feasible →
Action 3	Suspend her from work on paid leave for as long as necessary to protect her and her child

As the pregnancy develops, the risks may vary so it is very important that a regular review is made to the risk assessment. You need to give special consideration for night workers. If a medical certificate is provided stating that night work could affect the employees health and safety, then she should be offered alternative daytime work, if available, or if not reasonable, suspended from work on paid leave, for as long as necessary. An example specific risk assessment is given in the Appendix 2. A blank assessment form is given in Appendix 4.

Breastfeeding

There are some specific risks associated with breast feeding that will need to be considered, such as working with organic mercury. The assessment must be valid for as long as the staff member wishes to breastfeed. It is good practice to provide facilities for nursing mothers to express and store milk such as a small refrigerator provided in the designated rest area.

Maternity rights

For more information on maternity rights please contact the Personnel Office.

Confidentiality

If a woman does not wish it to be known that she is pregnant, then the School/Department should follow her wishes. Where limited disclosure is necessary, then the agreement of the staff member in question should be sought.

Sources of information and help

1. HSE website for New and Expectant mothers
<http://www.hse.gov.uk/mothers/index.htm> and provides the following guidance:
 - New and expectant mothers at work - A guide for employers ISBN 0 7176 2583 4 (available from Safety Services).
 - New and expectant mothers at work - A guide for health professionals
 - A guide for new and expectant mothers who work ISBN 0 7176 2614 8
 - Working safely with ionising radiation. Guidance for expectant or breastfeeding mothers Leaflet INDG334 (available from Safety Services).
2. Infection risks to new and expectant mothers in the workplace: A guide for employers ISBN 0 7176 1360 7
3. Health and safety of new and expectant mothers in the catering industry (available from Safety Services) and from <http://www.hse.gov.uk/pubns/cais19.pdf>
4. Maternity rights: A guide for employers and employees 02/904 available at <http://www.dti.gov.uk/er/individual/maternity.pdf> and from DTI Publications Orderline: 0870 1502 500
5. University Safety Guides; *Biological agents - Safety Guide 14, Genetic Modification – Safety Guide 15* and *Safe use of contained Working with ionising radiations - Safety Guide 16*.

Debbie Sullivan
Food and Farming Safety Adviser
September 2003

Appendix 1

HEALTH & SAFETY RISK ASSESSMENT FORM FOR NEW OR EXPECTANT MOTHERS – Example of initial assessment	
School/ Department	<i>School of Good Practice</i>
Persons affected and main activities	<i>Administration staff, mainly office based and DSE work</i>
Please delete as appropriate	<i>New mother</i> <i>Expectant mother</i> <i>Breast feeding</i>
Identify the specific risks from the hazard categories overleaf	<i>Rest facilities</i> , many offices are shared <i>Seating</i> - backache may occur with prolonged sitting in an uncomfortable position as well as higher risk of thrombosis or embolism <i>Continuous sitting</i> <i>Manual handling</i> - are at much greater risk because of increasing size and ligament changes
Identify control measures	<u>Rest room</u> <i>The first aid room may be used for rest purposes. In view of its remote location you should tell another member of staff if you are using it.</i> <u>Seating</u> <i>A chair which is adjustable is important in achieving correct posture at the desk and when carrying out DSE work. All staff provided with an adjustable chair. A DSE assessment is carried out for all staff and attendance at safety training. You should request a further assessment or review from the DSE assessor if you experience discomfort or cannot achieve the correct posture.</i> <u>Continuous seating</u> <i>All staff have control over tea breaks and lunch breaks</i> <u>Manual handling</u> <i>Pregnant and post natal mothers must not lift heavy loads, such as boxes of photocopying paper or parcels. If heavy items such as furniture, post bags, computers have to be moved, staff already trained and risk assessed ie porters should requested to move items. Otherwise a specific risk assessment will be needed. Expectant and new mothers would not normally be involved in such tasks</i>
How staff are informed of the risk assessment	<i>E-mail sent around School re notification of pregnancy breast feeding etc and risk assessment outcome. A paragraph outlining the above was written into the School's Area safety Code. Also used as part of the induction package for the School.</i>
Risk assessment carried out by	<i>Ms. Y</i>
Date	<i>1 February 2003</i>
Review date	<i>1 October 2003</i>

HAZARD CATEGORIES - Please tick the appropriate hazards

Physical risks

- Movements and postures: prolonged sitting ; prolonged standing ; work in confined space
- Manual handling of loads
- Shocks and vibration
- Noise
- Ionising radiation
- Non-ionising radiation
- Hyperbaric (high pressure) atmospheres eg diving, compressed air
- Underground mining

Biological agents

- Biological agent of hazard group 2, 3 and 4,
- Biological agents known to cause abortion or physical and neurological damage
Examples of biological agents: Brucella spp., Chlamydia (psittaci/trachomatis), Listeria monocytogenes, Mycobacterium tuberculosis, Treponema pallidum (syphilis), Toxoplasma gondii, Cytomegalovirus, Herpes simplex. Hepatitis virus, HIV, Paramyxoviridae (mumps/measles), Parvovirus and Rubella
- Substances labelled R40 (Limited evidence of carcinogenic effect), R45 (May cause cancer), R46 (May cause heritable genetic damage), R49 (May cause cancer by inhalation), R60 (May impair fertility) R61 (May cause harm to the newborn child), R62 (Risk of impaired fertility) R63 (Possible risk of harm to the unborn child, R64 (May cause harm to breast fed babies) and R68 (Possible risk of irreversible effects) and preparations.
- Chemical agents and industrial processes subject to the control of carcinogenic substances procedures in COSHH
- Mercury and mercury derivatives
- Antimitotic (cytotoxic) drugs
- Chemical agents that can be absorbed through the skin eg pesticides
- Carbon monoxide
- Lead and lead derivatives

Working conditions

- Resting facilities
- Hygiene facilities
- Storage facilities
- Mental and physical fatigue and working hours
- Occupational stress
- Passive smoking
- Extremes of temperature
- DSE work
- Lone working
- Working at height
- Travelling inside and outside the workplace
- Work-related violence
- Work equipment and personal protective clothing ie ill fitting
- Appropriate meal and refreshment breaks

Personal factors

- Morning sickness
- Backache
- Varicose veins
- Haemorrhoids
- Frequent visits to the toilet
- Increasing size
- Tiredness
- Balance
- Comfort

Appendix 2

HEALTH & SAFETY RISK ASSESSMENT FORM FOR NEW OR EXPECTANT MOTHERS – Example of specific risk assessment	
Name of person	<i>Ms. X</i>
School/ Department	<i>School of Good Practice</i>
Main activity	<i>Lecturer with some administration, mainly computer work. Visiting Tutor for 5-6 students on work placements, typically one per week.</i>
Please delete as appropriate	New mother <i>Expectant mother</i> Breast feeding
Identify the specific risks from the hazard categories overleaf	<p><u>Movement and postures</u> <i>Prolonged standing during lectures, can be of several hours duration in total, Sitting whilst doing administration and computer work can be up to 4 hours per day. Ms. X expressed concern regarding work with DSE and increased risk of miscarriage.</i></p> <p><u>Travelling</u> <i>Travelling to student placements by rail, and own car within the UK, in variety of locations, usually whole day visits, does entail sitting in traffic on occasions and crowded public transport. Travel in hot weather could pose an additional risk.</i></p> <p><u>Facilities</u> <i>Shares office with two other colleagues, therefore ability to rest is difficult.</i></p>
Identify control measures Note: Use the hierarchy Remove risk, if no 1) Adjust working conditions/hours, if no 2) Provide suitable alternative work, if no 3) Suspend on full pay	<p><u>Movement and postures</u> <i>Provide chair in lecture room, initially. May need to consider re-arrangement of lectures as the pregnancy progresses, so that they are more spread out during the day allowing time for rest in between. Advised to avoid any tasks which involve stretching up, down or out eg retrieving items from under desks or from between cabinets particularly when uncomfortable to do so.</i></p> <p><u>DSE</u></p> <ul style="list-style-type: none"> • <i>DSE work - DSE workstation checklist reviewed and chair was reported to be uncomfortable as it was increasingly difficult for the back to be supported. An alternative chair with a sprung loaded back was found in the Department. A lumbar support may also help in this respect. Additional space was required for moving the chair forwards and backwards. Slight rearrangement of furniture will resolve this. The staff member will have control over the work and have rest/breaks as required.</i> • <i>Concerns over work with DSE, advice sought form Safety</i>

	<p><i>Services and Occupational Health that current scientific evidence states there is no increased risk for pregnant workers working at DSEs. However, to reduce any anxiety and any stress, advised staff member to see Occupational Health.</i></p> <p><u>Travel</u></p> <ul style="list-style-type: none"> ● <i>Each placement location should be risk assessed. Only locations requiring up to 2 hours travelling time per day will be visited to avoid excessive fatigue and ensure reasonable access to welfare facilities. Travel out of rush hour to be arranged. Maximum time at site to be no more than half a day.</i> ● <i>Ms. X will at all times take one of the departmental mobile phones and report back to Line Manager, or Departmental secretary in his/her absence after a the visit has been completed. A check will be carried out if no call is received after anticipated time of return.</i> ● <i>All work locations to be advised of Ms. X's condition so that prompt emergency help and access to welfare facilities is available at all times.</i> ● <i>Car use - University car hire company to be used and air conditioning to be provided. Ergonomic concerns will be monitored to ensure that she is able to turn head/body comfortably and there is sufficient space between body and steering wheel and frequent back pain is not experienced. When or if this is not achievable, car journeys will not be undertaken. Distant checks will therefore be carried out.</i> <p><u>Resting facilities</u> - <i>to use first aid room where there is a telephone for breaks and rest in privacy and without disturbance</i></p>
How will risk assessment be monitored	<i>Every 3 weeks talks with line manager</i>
Risk assessment carried out by	<i>Ms. Y</i>
Date	<i>1 May 2003</i>
Review date (max 3 months)	<i>1 June 2003 or earlier if staff member has concerns or a medical condition arises</i>

HAZARD CATEGORIES - Please tick the appropriate hazards

Physical risks

- Movements and postures: prolonged sitting prolonged standing work in confined space
- Manual handling of loads
- Shocks and vibration
- Noise
- Ionising radiation
- Non-ionising radiation
- Hyperbaric (high pressure) atmospheres eg diving, compressed air
- Underground mining

Biological agents

- Biological agent of hazard group 2, 3 and 4,
- Biological agents known to cause abortion or physical and neurological damage
Examples of biological agents: Brucella spp., Chlamydia (psittaci/trachomatis), Listeria monocytogenes, Mycobacterium tuberculosis, Treponema pallidum (syphilis), Toxoplasma gondii, Cytomegalovirus, Herpes simplex. Hepatitis virus, HIV, Paramyxoviridae (mumps/measles), Parvovirus and Rubella
- Substances labelled R40 (Limited evidence of carcinogenic effect), R45 (May cause cancer), R46 (May cause heritable genetic damage), R49 (May cause cancer by inhalation), R60 (May impair fertility) R61 (May cause harm to the newborn child), R62 (Risk of impaired fertility) R63 (Possible risk of harm to the unborn child, R64 (May cause harm to breast fed babies) and R68 (Possible risk of irreversible effects) and preparations.
- Chemical agents and industrial processes subject to the control of carcinogenic substances procedures in COSHH
- Mercury and mercury derivatives
- Antimitotic (cytotoxic) drugs
- Chemical agents that can be absorbed through the skin eg pesticides
- Carbon monoxide
- Lead and lead derivatives

Working conditions

- Resting facilities
- Hygiene facilities
- Storage facilities
- Mental and physical fatigue and working hours
- Occupational stress
- Passive smoking
- Extremes of temperature
- DSE work
- Lone working
- Working at height
- Travelling inside and outside the workplace
- Work-related violence
- Work equipment and personal protective clothing ie ill fitting
- Appropriate meal and refreshment breaks

Personal factors

- Morning sickness
- Backache
- Varicose veins
- Haemorrhoids
- Frequent visits to the toilet
- Increasing size
- Tiredness
- Balance
- Comfort

Appendix 3

HEALTH AND SAFETY RISK ASSESSMENT FORM FOR NEW OR EXPECTANT MOTHERS - Initial assessment			
School/ Department			
Persons affected and main activities			
Please delete as appropriate	New mother	Expectant mother	Breast feeding
Identify the specific risks from the hazard categories overleaf			
Identify control measures			
How staff are informed of the risk assessment			
Risk assessment carried out by			
Date			
Review date			

HAZARD CATEGORIES - Please tick the appropriate hazards

Physical risks

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- Increasing size
- Tiredness
- Balance
- Comfort

Appendix 4

HEALTH AND SAFETY RISK ASSESSMENT FORM FOR NEW OR EXPECTANT MOTHERS – Specific Risk assessment			
Name of person			
School/ Department			
Main activity			
Please delete as appropriate	New mother	Expectant mother	Breast feeding
Identify the specific risks from the hazard categories overleaf			
Identify control measures Note: Use the hierarchy Remove risk, if no 1) Adjust working conditions/hours, if no 2) Provide suitable alternative work, if no 3) Suspend on full pay			
How will risk assessment be monitored			
Risk assessment carried out by			
Date			
Review date (max 3 months)			