

POLICY AND PROCEDURE



**SoLO
Life
Opportunities**

38 Walnut Close
Chelmsley Wood
Birmingham
B37 7PU

Charity No. 1102297
England Company No.
5025939

New and expectant mothers at work

Category: Staff and Volunteers

Introduction

SoLO wishes to support new and expectant mothers at work to continue within their role in a safe manner that enables them to enjoy their confinement period whilst being able to work effectively and efficiently. This policy is designed to enable the staff or volunteer to enjoy the continuation of their role in such a way that will not cause any detrimental effect to either themselves or the unborn child. The aim of this policy is to ensure that SoLO and the new or expectant mother is aware of any potential risks and can take appropriate action.

SoLO therefore recognises its duties under the Management of Health and Safety at Work Regulations 1999 to assess the workplace risks for all its employees, and take practical action to control these risks. SoLO recognises the particular account to be taken of risks to new and expectant mothers* who may be part of the paid staff or work as a volunteer within the organisation.

(* the definition of a new or expectant mother is someone who is pregnant, has given birth within the previous six months, or is breastfeeding)

SoLO is committed to identifying hazards in the workplace that could pose a health and safety risk to new and expectant mothers and will take the appropriate action to remove or reduce the risk.

Responsibility of Staff and Volunteers

The expectant mother, if a paid member of staff, once having shared the news verbally must inform SoLO in writing that she is pregnant. This is the responsibility of the expectant mother and SoLO cannot be held responsible for any additional working pressures related to the pregnancy until informed. Volunteers should inform SoLO verbally through their line manager. The expectant mother (paid member of staff) must also provide written medical evidence to confirm the pregnancy. This is to ensure that any specific

medical advice given to the individual can direct the risk assessment to ensure that appropriate action can be taken to reduce any risks.

The medical evidence can be in the following formats:

- Medical Statement (Med 3) Doctors are required to record advice given to patients about their ability to perform their own or usual type of occupation on medical statements. Where the doctor considers work adjustments are required during pregnancy or breastfeeding this should be recorded under section 3 “advice to the employee and the employer” or under section (a) advising the women to “refrain from work”.
- Maternity Certificate (Mat B1) this is required for a member of staff who wishes to claim statutory maternity pay (SMP) or maternity allowance (MA). This is issued around the 20th week of pregnancy.

Undertaking a risk assessment

SoLO will require the expectant mother to help with the completion of the risk assessment. The expectant mother will be required to communicate any special medical advice that she has been given. This could be in relation to:

- Pregnancy related medical conditions (e.g. high blood pressure) This could require SoLO to make special allowance with regard to reduced hours or an offer of alternative suitable work. This may mean a movement to another area of work or suitable project that reduces the risk to the expectant mother. If necessary, the pregnant worker may need to take time off work which will either be treated as sick pay (where the statutory sick payment will be implemented) or statutory maternity pay, if it is after the 20th week of pregnancy.
- Health related problems caused by the woman’s work. The Line Manager will discuss with the pregnant worker specific issues in relation to the working conditions which will help to identify risks which might cause health problems for her or her child. The risk assessment flow chart can be located at
- <http://www.hse.gov.uk/pubns/indg373.pdf> which is a useful tool to enable this risk assessment to be carried out. Lifting and handling are specific issues that should be taken into account, as will working with children or adults who display physically challenging behaviour.
- Physical hazards – awkward spaces and workstations, noise, vibration or radiation (covered by specific legislation)
- Biological agents – Infections
- Chemical hazards – handling specific chemicals, drugs, etc.
- Working conditions – inadequate facilities (including rest rooms), excessive working hours (nightwork etc.) unusually stressful work, exposure to dangerous substances, high or low temperatures, lone working, work at heights, travelling, exposure to violence.

The pregnant worker or new mother will be made aware of SoLO's obligation to conduct a risk assessment and to take action on it. The working situation should be reviewed on a regular basis to ensure that no new risks arise. The pregnant worker has a responsibility to inform the line manager of any new developments that occur within the pregnancy which could impact on the risk.

New mothers returning to work after the birth of a child must have a return to work risk assessment carried out post-natal in the same way as pre-natal. The Line Manager of the worker will be responsible for carrying this out immediately prior to the return date or upon return to work.

Rest facilities for pregnant and breastfeeding women

SoLO recognises that pregnant women feel tired and need to rest. SoLO will make available a quiet area for workers who are pregnant or breastfeeding. Where possible, arrangements will be made for breastfeeding mothers to express and store milk.

Night Work

Where a worker is required to work overnight (on a residential leisure experience) a risk assessment will be carried out, and if there are any concerns about the health of the pregnant worker or her unborn child, the worker will not be required to attend.

Lone working

Where the worker is required to work in a one to one capacity, a further risk assessment should be carried out and where there is a deemed risk an alternative will be offered.

Impact on maternity rights, including maternity pay, of issuing a Medical Statement, eg. Med 3

SoLO operates a sick pay scheme, which is outlined in the worker's contract of employment. This sick pay scheme will operate during the first 3 – 6 months of sickness absence.

Pregnant workers may be disadvantaged after the first 4 weeks of full pay and second 4 weeks of half pay if they are issued with a medical statement of incapacity as their only source of income after this period will be Statutory Sick Pay. This might impact on their Statutory Maternity Pay, if the period used for calculating their earnings is whilst they are in receipt of SSP, although they may be able to claim Maternity Allowance.

If a worker is signed off sick for a pregnancy-related reason at any time after the beginning of the fourth week before her expected week of childbirth her maternity leave will automatically be triggered, irrespective of when she intended to start it.

Associated information

This policy is written with reference to:
HSE (www.hse.gov.uk)