

# POLICY AND PROCEDURE



Solihull  
Life  
Opportunities

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Charity no: 1102297  
Company no: 5025939

## New and expectant mothers at work

**Category: Staff and Volunteers**

### Introduction

Solihull Life Opportunities (SoLO) 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.

This policy is available to all workers to ensure that any female member of staff or volunteer of childbearing age is made aware of the risks and knows the appropriate action to be taken.

### Responsibility of Staff

The expectant mother, if a paid member of staff, must inform SoLO in writing that she is pregnant. (Volunteers should inform SoLO verbally through their Project Leader who, in turn, has a responsibility to inform the Project Manager) The expectant mother (paid member of staff) must also provide written medical evidence to confirm this. This is to ensure that any specific medical advice that has been 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:

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- 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 20<sup>th</sup> 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 regards to reduced hours or an offer of alternative suitable work. 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 20<sup>th</sup> 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 (appendix one) is a useful tools 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 cigarette smoke, high or low temperatures, lone working, work at heights, travelling, exposure to violence.

The pregnant worker will be made aware of SoLO’s obligation to conduct a risk assessment and to taken action on it. The working situation should be reviewed on a regular basis to ensure that no new risks arise. The pregnant

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worker has a responsibility to inform the Line manager of any new developments that occur within the pregnancy which could impact on the risk.

### **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.

### **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 workers 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](http://www.hse.gov.uk))

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