

# GUIDELINES FOR SUPPORTING PREGNANT EMPLOYEES

In the first instance, always consult your organisation's Policies & Procedures for the specific and current guidelines.

You should also take appropriate HR advice if required. e.g. where things are not straightforward.

The following is taken from the Health & Safety Executive's (HSE) Guidelines for New & Expectant Mothers. For further information, please refer to the HSE guidelines online – <https://www.hse.gov.uk/mothers>



Employers have certain obligations towards an employee once they have been notified in writing that she is a new or expectant mother.

When an employee provides written notification to her employer stating that she is pregnant, has given birth within the past 6 months or is breastfeeding, the employer must immediately take into account any risks identified in their workplace risk assessment.

If a risk assessment has identified any risks to the health and safety of the new or expectant mother, or her baby, and these risks cannot be avoided by taking any necessary preventive and protective measures under other relevant health and safety legislation, then employers must take action to remove, reduce or control the risk.

If the risk cannot be removed, employers must take the following actions:

- **Action 1:** Temporarily adjust her working conditions and/or hours of work; or if that is not possible –
- **Action 2:** Offer her suitable alternative work (at the same rate of pay) if available; if that is not feasible –
- **Action 3:** Suspend her from work on paid leave for as long as necessary.

Where a new or expectant mother works nights and she provides a medical certificate from her GP or Midwife which says that working night shifts will affect her health, then her employer must suspend her from work, on full pay, for as long as necessary. However, the Employment Rights Act 1996 provides that, where appropriate, suitable alternative work should be offered on the same terms and conditions, before any suspension from work is considered.

Although it is not a legal requirement for employers to conduct another specific or further individual risk assessments for new and expectant mothers, employers may choose to do so as part of the process by which they reach a decision about what action should be taken. An employer's risk assessment should have already considered any specific risks to new and expectant mothers when considering the rest of the workplace. This will enable employers to take immediate action, if and when necessary.

However, if an employer suspects that the general risk assessment is no longer valid or that there has been a significant change to the matters to which it relates, then the employer should revisit and review that risk assessment accordingly. This would be the case for all risks, including those to new and expectant mothers.