

Health and Safety Code of Practice

SCP33 New and Expectant Mothers

Responsibility for Policy:	Finance Director, Deputy Chief Executive and University Secretary
Relevant to:	All LJMU Staff and Students
Approved by:	Health and Safety Committee February 2004
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RELEVANT DOCUMENTS

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Display Screen Equipment Regulations 1992
- EH40/2005 Workplace Exposure Limits – second edition (Health and Safety Executive)
- CLP Regulation 2009
- A Guide for New and Expectant Mothers Who Work (Health and Safety Executive) 2005
- Data Protection Act 1988

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THIS CODE OF PRACTICE FORMS PART OF THE UNIVERSITY'S HEALTH AND SAFETY POLICY AND REPLACES ALL PREVIOUS ISSUES

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1. OBJECTIVE

The objective of this Code of Practice is to ensure that adequate consideration is given to the health, safety and welfare of new and expectant mothers - employees and students. The Code of Practice will also provide information on statutory requirements applying to new and expectant mothers.

2. DEFINITIONS

2.1 New or expectant mother

For the purposes of this Code of Practice the Health and Safety Executive's definition will be used, i.e. new or expectant mother means a worker who is pregnant, who has given birth within the previous six months, or who is breastfeeding.

2.2 Hazards

For the purpose of this Code of Practice, hazards which represent a specific increased risk to some pregnant workers are detailed in Section 4 below.

3. GENERAL DUTY TO UNDERTAKE RISK ASSESSMENTS

During the course of planning any activity, regard must be paid to the type of person who is likely to be exposed to hazards in the course of the work. If there is a possibility that any employees or students may be exposed to significant risks which are known to cause adverse effects during pregnancy or nursing, that must be identified in a risk assessment carried out for the work. **This is a routine requirement of the Management of Health and Safety at Work Regulations 1999 and should be taking place in any case.**

In every case the risk assessment is the responsibility of the person who supervises or directs the **activity**. The task may be delegated but the responsibility remains entirely with the supervising person. This should not be confused with any **specific** risk assessments for individual women (please see Section 6).

The risk assessment must be available to all participants.

Many women will work throughout pregnancy and return to work while breast feeding without any adjustments to their working environment. Although there is no legal requirement for an employee to inform an employer that she is pregnant, or a new mother, the employer is not able to take any specific action until written notification has been provided.

Most pregnant women and new mothers are no more vulnerable to most hazards in the workplace than other members of staff. Most control measures which are applicable to all staff are equally applicable to pregnant women and new mothers.

4. HAZARDS WHICH REPRESENT A SPECIFIC INCREASED RISK TO SOME PREGNANT WORKERS (please read in conjunction with the Appendix to this Code of Practice)

Hazards which represent a specific increased risk to some pregnant workers are as follows:

4.1 Manual handling

Pregnant women may be more vulnerable to some manual handling tasks than those who are not.

4.2 Ionising radiation

No staff or students should be exposed to a level of ionising radiation which is above the background level or even close to approved dose levels. This includes pregnant women. There are no classified radiation workers currently at the University and no work should involve significant exposure to ionising radiation. Further expert advice can be obtained from the Radiation Protection Adviser (contactable via the Health and Safety Unit).

4.3 Chemical agents

Pregnant women should not be exposed to chemicals identified by the hazard statements H340, H341, H360, H361 and H362. Work with such chemicals should be controlled to avoid exposure or avoided entirely during pregnancy. For further information see SCP6 Control of Substances Hazardous to Health (COSHH) Guidance: COSHH Labelling.

4.4 Biological agents

Some biological agents represent an increased risk to the unborn child during early pregnancy. The maternal immune system effectively protects the unborn child from most endemic community acquired infections and pregnant women do not need to avoid contact with healthy colleagues. Examples of biological agents which would represent an increased risk to the unborn child include Chlamydia abortus, Rubella virus, Varicella-zoster virus, Toxoplasma gondii, Cytomegalovirus and Listeria monocytogenes.

Pregnant women should not be exposed to these biological agents during laboratory work. Work with such biological agents should be controlled to avoid exposure or avoided entirely during pregnancy. If there is any doubt about the hazardous nature of a biological agent during pregnancy after completion of the COSHH risk assessment, advice about control measures should be sought from the Biological Safety Adviser.

4.5 Other hazards

There may be aspects of the work environment that may require assessment, for example in regard to the workstation.

5. RESPONSIBILITIES OF STUDENTS AND EMPLOYEES

In order for the University to carry out its duties with regard to new and expectant mothers, employees and students are advised to inform their supervisor or tutor as soon as they become aware that they are pregnant, in order that reviews of the suitability of the risk assessments are carried out.

6. SPECIFIC RISK ASSESSMENTS FOR ANY MEMBER OF STAFF/STUDENT WHO INFORMS THE LINE MANAGER/ACADEMIC SUPERVISOR THAT SHE IS PREGNANT

Upon being made aware of a member of staff or a student being pregnant, her supervising academic or line manager (who may not be the same person who undertook the risk assessments described in Section 3) must immediately meet with her and ensure that a risk assessment, **specific to that individual**, is undertaken. The form that accompanies SCP 18 Risk Assessment may be used for this purpose **and should focus on the hazards mentioned in Section 4 above**. Confidential medical information should not be shared at any point, as there is no reason for this and a Data Protection breach could result.

The supervising academic or line manager and the individual must, in addition, complete the New and Expectant Mother's Checklist together. The Checklist may be found as the Appendix to this Code of Practice. In all probability consultation with staff with responsibility for undertaking risk assessments in the Faculty/Division (mentioned in section 3 above) will have to take place.

The completed New and Expectant Mother's Checklist, a copy of the **specific** risk assessment and a completed Display Screen Equipment Self Assessment Checklist (please see SCP20 Display Screen Equipment) should be sent to the Health and Safety Unit, who may arrange a subsequent meeting to discuss the responses, within the constraints of the Data Protection Act.

7. REFERRALS TO THE OCCUPATIONAL HEALTH UNIT

If the expectant mother has been advised by her General Practitioner/Midwife that her work should be adjusted in any way, she must provide written details to her Line Manager and Human Resources Adviser or her academic supervisor, who may organise a referral to the Occupational Health Unit for an assessment of fitness to work/study and a decision on adjustments. **This is the only place at the University where medical information should be discussed.**

The expectant mother may request a referral to the Occupational Health Unit in circumstances other than when advised by her General Practitioner/Midwife.

8. REST FACILITIES AND EXPRESSING AND STORING MILK

The University is legally required to provide somewhere for pregnant and breastfeeding members of staff to rest. Where necessary, this should include somewhere for them to lie down.

It is not suitable for new mothers to use toilets for expressing milk. A private, healthy and safe environment for members of staff to express and store milk may be provided. Although there is no legal requirement for this, every reasonable effort should be made to provide such a facility.

"Keep in Touch Days" provide a good opportunity for expectant mothers to discuss such arrangements in advance of their return to the University.

9. ADVICE

Advice is available from the Health and Safety Unit/People and Organisational Development/Occupational Health Unit if required. (The Health and Safety Unit will provide advisory booklets for all members of staff/students who are pregnant upon receipt of the New and Expectant Mother's Checklist). Students should seek advice from Student Advice and Wellbeing if they have concerns about issues not covered within the scope of this Code of Practice.

APPENDIX



Health and Safety Unit

New and expectant mother’s checklist

Private and confidential, for use by Liverpool John Moores University only

Employee’s/student’s name:	
Employee/student number:	
Occupation/course title:	
Location of work/study:	
Line manager/academic supervisor’s name:	

Hazards which represent a specific increased risk to some pregnant women are as follows:

1. Manual handling

Pregnant women may be more vulnerable to some manual handling tasks than non pregnant women.

Are you exposed to this hazard? Yes/No (please delete as appropriate)

If yes, the Line Manager/Academic Supervisor should review the manual handling risk assessment as part of the risk assessment specific to the pregnant employee/student named above.

2. Ionising radiation

No person should be exposed to a level of ionising radiation which is above the background level or even close to approved dose levels. This includes pregnant women. There are no classified radiation workers currently at LJMU and no work should involve significant exposure to ionising radiation.

Are you exposed to this hazard? Yes/No (please delete as appropriate)

If yes, the Line Manager/Academic Supervisor should review the risk assessment(s) for work with ionising radiation as part of the risk assessment specific to the pregnant employee/student named above.

Further expert advice can be obtained from the Radiation Protection Adviser, who can be contacted via the Health and Safety Unit.

3. Chemical agents

Pregnant women should not be exposed to chemicals identified by the hazard statements H340, H341, H360, H361 and H362. **Work with such chemicals should be controlled to avoid exposure or avoided entirely during pregnancy.**

Are you exposed to this hazard? Yes/No (please delete as appropriate)

If yes, the Line Manager/Academic Supervisor should review the CoSHH risk assessment(s) for work with chemical agents as part of the risk assessment specific to the pregnant employee/student named above to ensure the exposure limits are not being exceeded.

4. Biological agents

Some biological agents represent an increased risk to the unborn child during early pregnancy. The maternal immune system effectively protects the unborn child from most endemic community acquired infections and pregnant women do not need to avoid contact with healthy colleagues. Examples of biological agents which would represent an increased risk to the unborn child include Chlamydomphila abortus, Rubella virus, Varicella-zoster virus, Toxoplasma gondii, Cytomegalovirus and Listeria monocytogenes. Pregnant women should not be exposed to these biological agents during laboratory work. Work with such biological agents should be controlled to avoid exposure or avoided entirely during pregnancy.

Are you exposed to this hazard? Yes/No (please delete as appropriate)

If yes, the Line Manager/Academic Supervisor should review the CoSHH risk assessment(s) for work with biological agents as part of the risk assessment specific to the pregnant employee/student named above.

If there is any doubt about the hazardous nature of a biological agent during pregnancy after reviewing the CoSHH risk assessment(s), advice about control measures should be sought from the Biological Safety Adviser (contactable via the Health and Safety Unit).

5. Other hazards

The pregnant employee should complete a Display Screen Equipment Self Assessment Questionnaire. If there are any other concerns, that are not medical in nature (which should be discussed with the GP/Midwife/Occupational Health Unit), these should be addressed as part of the risk assessment specific to the pregnant employee.

Have you been advised by your General Practitioner/Midwife that your work should be adjusted in any way? Yes/No (please delete as appropriate)

If yes, please provide written details to your Line Manager and People and Organisational Development Business Partner/academic supervisor, who may organise a referral to the Occupational Health Unit for an assessment of fitness to work/study.

Employee's/student's signature		Date	
Line Manager's/Academic Supervisor's signature		Date	

Please return the completed form **with the risk assessment specific to the pregnant employee/student named above, along with the Display Screen Equipment Self Assessment Questionnaire** to the Health and Safety Unit, 2nd Floor Exchange Station, Liverpool, L2 2QP, who may follow up on the responses to the questions asked above.

Thank you.