

Beccles Town Council

New & Expectant Mothers Policy

Relevant Legislation	Health and Safety at Work Act 1974
	The Management of Health and Safety at Work Regulations 1666
	The Control of Substances Hazardous to Health Regulations 2002
	The Manual Handling Operations Regulations 1662
	The Health and Safety (Display Screen Equipment) Regulations 1662
	The Health and Safety (First-Aid) Regulations 1681
	The Regulatory Reform (Fire Safety) Order 2005

Approved by council March 2025. Review date: March 2028

Version History and Approval			
Review date	Version	Review	Description

Link to Government Guidance	https://www.hse.gov.uk/mothers/
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1. Introduction

Beccles Town Council's policy aims to protect the health, safety and welfare of those employees who are:

- Pregnant or may become pregnant
- New mothers (defined as having given birth within the previous 6 months);
- Breast-feeding

We recognise that certain factors arising from work may place new and expectant mothers ("you") at risk and we are committed to ensuring your continued health, safety and welfare within the workplace. These potential risks include those arising from tasks, the working environment and physical, chemical or biological agents.

Typical risks can include:

- Manual Handling
- Violence and aggression
- Noise
- Undue stress and work-related pressure
- Inability to take suitable rest breaks, particularly when pregnant
- Chemicals which affect genetic materials

It is important to recognise that pregnancy is not an illness and, if there are adequate arrangements in place, it should be possible for you, within the scope of this policy, to continue to work safely during your pregnancy.

2. Objectives

Beccles Town Council will take reasonable practicable steps to ensure that a safe working environment is provided for you and that risks are eliminated or reduced to the lowest practicable level for you and your unborn child and to ensure babies/toddlers are not harmed. We consider that your welfare is important and will endeavor to ensure that each person's needs are assessed on an individual basis, following the new and expectant mothers risk assessment.

Employees transitioning into maternity leave should refer to the Maternity Leave Policy for entitlements, including maternity pay and leave duration

3. Arrangements

Beccles Town Council will assess and record any general risk(s) that may be present in the workplace for employees covered by this policy. Where significant risk(s) are identified, we will take all reasonable steps to eliminate the risk(s) or reduce them to the lowest practicable level, then inform you (and others if appropriate) who maybe affected by the risk assessment.

When you have formally told us that you are a new or expectant mother we will, in conjunction with you, review the risk assessment and determine if any personal factors need to be assessed.

Where significant risk cannot be removed or adequately controlled, we will, in conjunction with the relevant teams to make suitable changes in the working conditions, tasks, hours of employment or redeploy you to avoid the risk. For details on maternity leave entitlements and pay, please refer to the Maternity Leave Policy.

4. New & Expectant Mothers Risk Assessment Procedure

4.1 Step 1 - New & Expectant Mothers Risk Assessment

A risk assessment of the work activities of a new and expectant mother must be undertaken as soon as the Manager is formally notified (in writing) of your condition. You must then complete the risk assessment with your Manager. You will be informed of the outcome of the assessment and any alterations to working practices or duties that are required. The risk assessment contains guidance notes to assist Managers in the completion of the risk assessment.

The Manager should send the completed risk assessment to the Clerk or Deputy Clerk to keep on file. All risk assessments and other information must be treated as confidential. The risk assessment(s) must include any physical, biological or chemical agents which may pose a threat to you.

A risk from any infectious or contagious disease needs to be assessed only if the level of risk is higher than the level of risk which you may be expected to experience outside the workplace.

4.2 Step 2 – Initial Protective / Preventative Action

If the risk assessment shows that there is a risk, their initial obligation is to take whatever protective or preventive action is required. A referral to an external Occupational Health Service can enable the Manager to receive advice if further action is needed.

4.3 Step 3: Alteration of Working Conditions

If preventative or protective action would not avoid the risk to you, if it is reasonable and would avoid the risk, we would alter your working conditions or hours of work with no detriment to your terms or conditions of employment.

Pregnancy-related sickness will be treated according to the guidelines in the Maternity Leave Policy.

4.4 Step 4: Suitable Alternative Work

If it is not reasonable to alter your working conditions or hours of work, or to do so would not avoid the risk to you, then your manager must consider whether it would be possible to offer you suitable alternative work.

The law makes specific provision for night work. If a new or expectant mother works at night and a certificate from their doctor or midwife shows that it is necessary for their health and safety that they should not do so for a period specified in the certificate, then their employer must consider whether it would be possible to offer the employee a suitable alternative job during the day.

Alternative work is “suitable” only if it is both suitable for you and appropriate for you to do in the circumstances. Factors that are likely to be relevant as to whether the work is suitable include the status of the post being offered, as well as the nature of the work, the place of work, travelling time, pay, hours and working conditions generally. The law stipulates that the alternative work must be on the same, or not substantially less favorable, terms to those which apply to you for performing the work you normally do.

In order for the work to meet the additional requirement of being appropriate for you to do in the circumstances, it should take into account your physical condition.

4.5 Step 5: Suspension

If introducing control measures and/or workplace adjustments do not reduce the risk(s) to you to an acceptable level then, as a last resort, consideration should be given to a temporary medical suspension for as long as is necessary to avoid the risk. This must only be done in line with

Regulation 16 of the Management of Health and Safety at Work Regulations 1992 and Sections 66-68 of the Employment Rights Act 1996.

All risk assessments and other information must be treated as confidential. The risk assessment(s) must include any physical, biological or chemical agents which may pose a threat to you.

A risk from any infectious or contagious disease needs to be assessed only if the level of risk is higher than the level of risk which you may be expected to experience outside the workplace.

5. Roles & Responsibilities

The Town Clerk/Deputy Town Clerk will:

- Identify and assess risks and take action to control any general risks present in their areas of responsibility to employees who are pregnant or may become pregnant, are new mothers or who are breast-feeding.
- Conduct a detailed new and expectant mother's risk assessment specific when they are informed this procedure applies.
- If requested by newly pregnant employee, refer to the Occupational Health Service where appropriate.
- When informed that an employee plans to continue breast-feeding when they return to work, re-assess the detailed risk assessment specific to the individual. For details on returning to work after maternity leave and flexible working options, refer to the Maternity Leave Policy.
- Provide suitable breast-feeding facilities. Nursing mothers must have access to the first aid rooms across all London sites and must be in a private environment which complies with health & safety requirements in which to express and store milk. Toilets are not a suitable environment.

Employees will:

- Assist us to ensure your wellbeing and when appropriate inform your manager if you believe that this policy applies to you.
- Obtain information or guidance from your Midwife, General Practitioner and provide this to your manager.
- Inform your manager, in writing, as early as possible, if you plan to continue breast-feeding when you return to work and if you will require suitable facilities in which to express and store milk.

6. Supporting Documents

Links to other Documents

- Maternity Leave Policy

- New & Expectant Mothers Risk Assessment Form
- Workstation Assessment (DSE) Form

7. Monitor and Review

A formal review will be completed every three years by Beccles Town Council Clerk and Deputy Clerk. However, changes may be made at any time if a need arises, such as changes in legislation or to take account of any feedback received.