

## **Pregnancy Policy**

This policy WILL be read and used in conjunction with the following documents.

### **Risk Assessment – Pregnancy**

To identify the possible hazards and risks **CSC Fleets Services Ltd** need to carry out a Risk Assessment. There should be always a Risk Assessment in place, but this is to be reviewed for everyone upon notification of pregnancy.

### **HSE Guidance Infection risks to new & expectant mothers**

**CSC Fleets Services Ltd** is required by law but also wishes to protect its pregnant employees and their child. Therefore, the company WILL follow the advice given at [Protecting new and expectant mothers at work - Overview - HSE](#)

Employers are responsible for providing a safe working environment while effectively managing risks to the health and safety of all employees through risk assessments.

This is particularly important for new and expectant mothers (those who are pregnant, have given birth in the last six months or are currently [breastfeeding](#)). This is because some working conditions and processes can potentially harm them and their child.

An employee does not have to tell you they are a new or expectant mother, but it is in their interests to let you know so you can make any necessary changes to support them, from adjusting working conditions to maternity pay. You should ask them to notify you in writing, so you have an official record.

You can also ask them to provide a certificate confirming the pregnancy from a registered GP or midwife, though you must allow reasonable time for completion of all examinations and tests.

You do not have to maintain any changes you have made to their working conditions or hours if your employee fails to produce this certificate in a reasonable period of time. (extracted from HSE site above)

### **Welfare and General**

When an employee has informed us in writing that they are a new or expectant mother, we should immediately check our existing workplace risk assessment for any known risks that could affect them. In doing this we must take account of any medical recommendations provided by their GP or midwife. (Notification to be included in employee handbook)

New and expectant mothers are entitled to more frequent rest breaks. We should discuss this with our employee and agree the necessary timing and frequency of rest breaks. Any arrangements must also apply to those Working from Home.

### **Welfare and rights of new and expectant mothers**

A new or expectant mother may work nights, provided the work involved presents no risk to her health and safety. However, we should offer suitable alternative day work on the same terms and conditions if our risk assessment review has identified a risk to her from night work, or if her GP/midwife has provided a medical certificate stating she should not work nights.

If it is not possible to provide alternative day work, we must suspend her from work on paid leave for as long as necessary to protect the health and safety of her and her child.

It is unlawful to dismiss or discriminate against an employee because they are a new or expectant mother. Pregnant workers are also entitled to paid maternity leave and paid time off for ante-natal appointments. More information on the rights of new and expectant mothers can be found in: [Pregnancy and maternity rights in the workplace](#).

### **Workplace safety law for new and expectant mothers**

[The Management of Health and Safety at Work Regulations 1999](#) (MHSW) implement the health and safety requirements of the [Pregnant Workers Directive](#) (92/85/EEC) into UK law.

The specific health and safety requirements relating to new and expectant mothers at work are mainly contained in Regulations 16 to 18 of the MHSW. Regulation 3 places a legal duty on employers to assess the health and safety risks that all their employees are exposed to at work. If risks are identified, then the employer is required to put in place appropriate health and safety measures to control them.

Employers have certain obligations once they have received notification in writing from an employee that she is a new or expectant mother, under Regulation 18 of the MHSW.

When an employee provides written [notification](#) that she is pregnant, has given birth within the past six months or is breastfeeding, the employer should immediately take into account any risks identified in their workplace risk assessment.

Regulation 17 of the MHSW states that, where a new or expectant mother works nights, but provides a medical certificate from her GP or midwife saying night shifts will affect her health, 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.

[The Workplace \(Health, Safety and Welfare\) Regulations 1992](#) (the Workplace Regulations) also protect the health and safety of new and expectant mothers at work.

They require employers to provide suitable rest facilities for workers who are pregnant or breastfeeding, which should be suitably located (eg near toilets) and, where necessary, include appropriate facilities for new or expectant mothers to lie down.

Equality Act 2010

Breaches of the MHSW may be unlawful discrimination under the [Equality Act 2010](#) depending on the circumstances. The Equality Act requires no length of service qualification and gives protective rights to a broad range of employees, including contract, agency, and apprentice workers. A breach of the Equality Act could lead to civil liability.

Resources on Legislation and Useful links

[The Employment Rights Act 1996](#)

[Commission Guidelines 2000](#) On the guidelines on the assessment of the chemical, physical and biological agents and industrial processes considered hazardous for the safety or health of pregnant workers and workers who have recently given birth or are breastfeeding (Council Directive 92/85/EEC).

[Direct Gov](#) provides more details about employment relations, including maternity and paternity rights, leave and work life balance

[Equalities Act - Codes of Practice on Employment](#) The Equalities Act 2010 lists pregnancy and maternity as a protected characteristic. It is unlawful for an employer to subject a woman to unfavourable treatment during the 'protected period' as defined by the Act. Further information on pregnancy and maternity discrimination can be found in the Code of Practice on Employment.

[Acas](#) the Advisory, Conciliation and Arbitration Service, offers free, confidential and impartial advice on all employment rights issues. They also published the guide:

[Accommodating breastfeeding employees in the workplace.](#)

[NHS](#) website offers advice on maternity rights related to healthcare and their job.

[Breastfeeding and Work](#) This leaflet by the Department for Health explains how an employee can breastfeed and work. Many working women find ways to continue breastfeeding their baby and employers have certain obligations towards breastfeeding women.

[ACAS - Accommodating breastfeeding employees in the workplace guide.](#)

Breastfeeding in the workplace

As an employer we are legally required to provide somewhere for pregnant and breastfeeding mothers to rest and, where necessary, this should include somewhere to lie down.

There are no legal restrictions on breastfeeding at work and there should be no workplace time limits for expressing milk, so this is not something that should prevent anyone from returning to work. Toilets are not a suitable environment for expressing milk so we should provide rest facilities. We can provide a separate private environment for an employee to express and store milk, though there is no legal requirement for us to do so.

We should also consider any risks posed to breastfeeding mothers and their children if the work environment provides exposure to certain physical, chemical and biological agents (eg organic mercury, radioactive material or lead).

If we identify a significant risk through this process, we must take action. If we cannot remove the risk, we should do the following.

Action 1 – Adjust her working conditions or hours to remove the risk.

If that is not possible:

Action 2 – Give her suitable alternative work on the same terms and conditions

The [Employment Rights Act 1996](#) states that suitable alternative work should be offered, where appropriate, before any suspension from work. This alternative work should be on the same terms and conditions, including pay.

If that is not possible:

Action 3 – Suspend your employee on paid leave for as long as necessary to protect the health and safety of her and her child

Regardless of whether our risk assessment review identified risk, employers have a legal duty to revisit, review and revise the risk assessment if we suspect it is no longer valid or there have been significant changes to anything it relates to (including employees).

Having regular discussions with a new or expectant mother is an important way to monitor any changes and address any concerns about health and safety.

Depending on the work involved, this might mean ongoing reviews for a pregnant worker because their dexterity, agility, co-ordination, speed of movement and reach could be impaired as their size increases. Working conditions can also present a risk to mother and child at different pregnancy stages.

Common risks for new and expectant mothers

The most common risks from working conditions for new and expectant mothers include:

Standing or sitting for long periods

Lifting or carrying heavy loads

Long working hours

Temperature

Working at height

Workstation and posture issues

Work-related stress

There are also risks through exposure to:

Lead

Radioactive material

Carbon monoxide –

None of these have been identified at DCG Logistics UK Ltd locations.

Infectious diseases – COVID, Other transmittable diseases

Toxic chemicals like mercury

Pesticides – Any ground maintenance may use pesticides

We can find more information in the annexes of the [Pregnant Workers Directive 92/85/EEC](#).

Action Plan.

Each employee will have an agreed plan which sets out the working conditions over the pregnancy term.

Workstations and assessment

If workers use display screen equipment (DSE) daily, as part of their normal work, continuously for an hour or more, employers must do a workstation assessment. Pregnant workers may require some temporary adjustments to the workspace, or their work schedule. The law requires we make these, so far as reasonably practicable

Employers should look at:

the whole workstation, including equipment, furniture, and work conditions

the job being done

any special requirements of a member of staff, for example a user with a disability

Where there are risks, they should take steps to reduce them.

Employers must also do an assessment when:

a new workstation is set up

a new user starts work

a change is made to an existing workstation or the way it's used

users complain of pain or discomfort

Use this [DSE workstation checklist](#) to help make an assessment.

Video clip [Homeworkers \(hse.gov.uk\)](#)