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**BIRMINGHAM NEWMAN UNIVERSITY**

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## **New and Expectant Mothers Procedure**

### **1. Introduction**

This procedure and the accompanying Code of Practice set out the University's arrangements for managing New and Expectant Mothers.

All managers must be aware of the University's Code of Practice relating to New and Expectant Mothers.

### **2. Legal Requirements**

The legal requirements are covered by The Management of Health and Safety at Work (amendment) Regulations 1999, regulations 16-18 and are in alignment with the regulatory framework and the annexes of the Pregnant Workers Directive 92/85/EEC.

### **3. General Duties**

In accordance with legal requirements, the University will seek to avoid risks to the health and safety of all new and expectant mothers by undertaking risk assessments of their working conditions and environment. This is with particular emphasis on any chemical, biological or other hazards and adverse physical conditions. Following the risk assessment, action will be taken to minimise and control any risk identified.

Where a significant risk to a new or expectant mother cannot be avoided, consideration will be given to altering her working conditions or hours of work. Special consideration will be given to new and expectant mothers who may work evenings or weekends. This may involve a transfer to days or a reduction in hours. Where this is not appropriate, then the manager in consultation with Human Resources, will consider authorising special paid leave for the necessary duration to avoid the risk (subject to the Employment Rights Act 1996).

Risk assessments that are undertaken for new or expectant mothers must be recorded and kept under constant review to ensure their health, safety and welfare of the individual.

### **4. Duties of New and Expectant Mothers**

New and expectant mothers are required to notify their manager by providing a written and signed certificate from a registered medical practitioner or a registered midwife confirming the pregnancy, or that she has recently given birth or is breast feeding. This procedure only applies where the condition of the new or expectant mother has been confirmed.

The phrase 'new and expectant mothers' means a worker who is pregnant, who has given birth within the previous six months, who is breast feeding, or who has had a stillborn child after 24 weeks of pregnancy.

Facilities for nursing mothers to feed or express (and store) milk are available in the University's Welfare Room. This is available for both staff and students (baby changing facilities are available in the Atrium Ground Zero accessible toilet). In addition, nursing mothers are welcome to feed their baby in any public area on campus.

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New and expectant mothers are be required to complete a risk assessment template (available on the intranet) and to return the completed form to Health and Safety, following their manager's input and or review, at [Health and Safety@newman.ac.uk](mailto:Health_and_Safety@newman.ac.uk). This should be done as soon as reasonably practicable, in the case of pregnancy and preferably no later than 15 weeks before the Expected Due Date.

### **5. Information, Instruction Training, and Supervision.**

The Management of Health and Safety at Work Regulations 1999 requires employees to be given information, instruction, training and supervision on any identifiable risks to their health arising from their work activities.

The University will provide relevant information and support to all new and expectant mothers, and ensure actions are taken to protect as far as is reasonable practical risks to their health.

### **6. Role of Managers**

Managers who become aware that one of their staff is a new or expectant mother must request formal confirmation, complete a risk assessment and action plan, initiate and regularly review action to protect the health and safety of the individual. The Action Plan is recorded on the same assessment form. Further details are given in the Guidance for Managers Code of Practice.

Full details of the assessment and subsequent action must be recorded and kept within the new and expectant mother's department. The employee must be informed of any identified risk and the actions to be taken in reducing and controlling the risk.

Advice in respect of any identified risks on the new and expectant mothers' Risk Assessment is available from the Health and Safety Manager. Managers must ensure that the new or expectant mother has forwarded the completed risk assessments to the Health and Safety in box [Health and Safety@newman.ac.uk](mailto:Health_and_Safety@newman.ac.uk) as soon as is reasonably practicable.

### **Related documents**

1. NU New and Expectant Mother's Procedure PRO 011
2. NU New and Expectant Mothers Code of Practice for Managers
3. [NU New and Expectant Mothers Risk Assessment Form](#)
4. Maternity Policy

### **7. Review**

This New and Expectant Mothers Procedure supersedes all previous New and Expectant Mothers Procedures and shall be reviewed at no less than three yearly intervals.

<b>Presented to Health and Safety Committee:</b>	<b>22/02/2024</b>
<b>Ratified by University Operational Team:</b>	<b>14/03/2024</b>

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**New and Expectant Mothers****Code of Practice for Managers****1. Introduction**

This code of practice is intended to give practical help and advice to managers to enable them to comply with Birmingham Newman University's New and Expectant Mothers Procedure.

A greater number of women now work for longer while they are pregnant, and many return to work while they are still breast feeding. Pregnancy should not be equated with ill health, however, health and safety implications may arise which can normally be adequately addressed by sensible health and safety management procedures.

Most hazards will be identifiable through the self-completed, risk assessment and review process. However managers will need to keep the relevant risk assessments under review to see if further control measures are required in the light of the changing condition of the new or expectant mothers.

**2. Definition**

The phrase 'new and expectant mothers' means a worker who is pregnant, who has given birth within the previous six months, who is breast feeding, or who has had a stillborn child after 24 weeks of pregnancy.

The Workplace (Health, Safety, and Welfare) Regulations 1992 do not put a time limit on when breast feeding should cease.

**3. What New and Expectant Mothers Should Do**

New and expectant mothers are expected to notify their managers and HR by providing a written and signed certificate from a registered medical practitioner or a registered midwife confirming the pregnancy or (if needed) that she has recently given birth.

Managers, who receive a verbal confirmation from the employee, should encourage that employee to obtain formal confirmation as soon as possible so that the relevant action can be initiated. Where a manager has not been informed and only suspects an employee has a condition which could lead to an increased risk to that employee or others, the matter may need advice from HR. This does not preclude Managers taking action where they feel certain a hazardous condition does exist.

**4 Risk Assessment**

The risks involved with new and expectant mothers include those to the unborn child or the child of a mother still breast-feeding and not just risks to the mother herself. A [specific risk assessment template](#) (with questions related to specific hazards) is completed by the individual and to be shared with their manager so that an agreed action plan can be recorded if needed.

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## 5 Action Plan

The Manager must decide what to do if the risk assessment reveals that there is a hazard or work process that presents a potential danger to the health or safety of the new or expectant mother or their future children. If managers require specific help this can be obtained from the Health & Safety Manager who may refer to occupational health.

All employees have the right to see and know the results of the risk assessment affecting them and what control measures are being taken to ensure they are not exposed to unnecessary risks. They will see this when they forward on the completed assessment to [health\\_and\\_safety@newman.ac.uk](mailto:health_and_safety@newman.ac.uk)

If after taking all the necessary steps to reduce the risk there remains a significant risk to the new or expectant mother then the following steps should be taken.

Step 1. Temporary adjustment of the working conditions, duties and or hours of work. If this is not reasonable to do, or would not avoid the risk, go to step 2.

Step 2. Offer alternative work if any is available; If this is not feasible, go to step 3

Step 3. Subject to regular review, authorise special paid leave from work as long as necessary to protect her health and safety or that of the child.

The actions in steps 1-3 above are only necessary if the result of the risk assessment or a medical certificate identifies a significant safety problem.

If in doubt about the action to take, managers should seek the advice of the Human Resources, and if necessary the Health and Safety Manager, either may seek further advice from the Occupational Health Service.

## 6 Evening Weekend Working

Managers should take special account of new or expectant mothers who may be required to work out of the normal daytime hours. Additional risks may apply due to lone or remote working. If a new or expectant mother provides a medical certificate stating that evening or weekend working is unsuitable due to their condition then alternative arrangements will need to be made. Refer to Steps 1-3 above.

## 7 Reviewing Risk Assessments

Risk assessments for new and expectant mothers must be kept under review particularly if there are significant changes to ensure compliance with their health, safety, and welfare.

### References:

1. NU New and Expectant Mother's Procedure PRO 011
2. NU New and Expectant Mothers Code of Practice for Managers
3. NU New and Expectant Mothers Risk Assessment Form Template
4. Maternity Policy

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**New and Expectant Mothers Risk Assessment Form**
**SECTION ONE**

**To be completed by pregnant person/ new mother\* before review with manager/supervisor/tutor**

<b>Name:</b> Click or tap here to enter text.
<b>Assessment type:</b> <i>Tick/ complete which applies</i>
<b>Pregnant/ Expectant Mother:</b> <input type="checkbox"/> <b>Expected due date:</b> Click or tap here to enter text.
<b>New Mother *:</b> <input type="checkbox"/>
<b>Job role:</b> <i>Tick which applies</i>
<b>Staff</b> <input type="checkbox"/> <b>Student</b> <input type="checkbox"/> <b>Casual Staff</b> <input type="checkbox"/>
<b>Department/ Faculty:</b> Click or tap here to enter text.
<b>Line manager:</b> Click or tap here to enter text.
<b>Supervisor/tutor:</b> Click or tap here to enter text.
<b>Review:</b> By Manager/ Supervisor/ H&S – see section for Action Plan
<b>Date of Self-Assessment:</b> Click or tap here to enter text.

**Physical Risks**

*Please answer the following questions with Yes, No or N/A*

		<b>Y</b>	<b>N</b>	<b>N/A</b>
1.	Does your work involve Manual handling including lifting, pushing, pulling or carrying heavy loads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Is there impact on your movements and posture?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Are you exposed to shocks or vibrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	Are you exposed to loud or continuous noise?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	Do you work with Radiation (ionising) includes: X-rays; gamma rays; radioactive sources and naturally occurring radiation, such as radon?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	Are you exposed to Biological hazards including working with animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Does your work involve risk of infection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Do you work at height?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Does your work involve significant physical exertion e.g. walking, standing for extended periods?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Do you work with hazardous substance e.g. chemicals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*If you answer yes to any of the above, please provide further details here:*

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**Working Conditions**

Please answer the following questions with Yes, No or N/A

		<b>Y</b>	<b>N</b>	<b>N/A</b>
9.	Do you have adequate facilities for your welfare needs (including breast-feeding)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Do you have concerns relating to trip, slip and fall hazards at work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Is your workstation or DSE work causing you discomfort (including sitting for long periods of time)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	Is the temperature of your working environment causing discomfort?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	Do you need to travel for work or study purposes (other than commuting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	Will you be working on any other sites/ placements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15a.	Does your role involve any remote working?			
15b.	If your role involves remote working do you have any concerns regarding your work station (see question 11)?			
15.	Does your work involve a risk of violence or conflict?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.	Do you work alone for a significant proportion of time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17.	Do you work out of office hours?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18.	Are you required to wear Personal protective equipment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19.	Are you experiencing stress at work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*If you answer yes to any of the above, please provide further details here:*

**Other Issues**

Please answer the following questions with Yes, No or N/A

		<b>Y</b>	<b>N</b>
20.	Do you have any medical or personal factors you wish to consider as part of your assessment? (including mental health issues)	<input type="checkbox"/>	<input type="checkbox"/>
21.	Do you have concerns about emergency arrangements, including emergency evacuation?	<input type="checkbox"/>	<input type="checkbox"/>

*If you answer yes to any of the above, please provide further details here:*

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**SECTION TWO**

**To be completed by Line Manager/ Supervisor/ Tutor to add as an Agreed Action Plan if employee has answered yes to any of the above questions**

Please provide details:

**Date discussed with employee:.....Review**

**Date(s):.....**

If there are any significant changes and you wish to update your assessment, please do so and highlight any changes. Action Plans may also need to be updated.

If you have answered yes to any of the above Sections, provided details or communicated concerns, there may be additional follow up assessment review with Health & Safety. Thank you for completing this assessment.

Please return electronic/scanned completed forms to:[Health and safety@newman.ac.uk](mailto:Health_and_safety@newman.ac.uk) marked **Confidential**

***For H&S Records:***

- ***Date received:***
- ***Data complete: Y/N***
- ***Follow up review by H&S: Y/N***