

Safety Resources

Pregnant workers – Risk assessment

Legislation

The Health and Safety at Work etc Act 1974 requires employers to ensure the health, safety and welfare of employees at work. This includes providing a safe place of work, safe systems of work, and information and training.

The Management of Health and Safety at Work Regulations 1999 (as amended) require suitable and sufficient assessments of health and safety risks at work to be carried out – this includes employers protecting the health and safety of new and expectant mothers from work related ill health.

The Workplace (Health, Safety and Welfare) Regulations 1992 require employers to provide adequate welfare facilities for new or expectant mothers.

New and Expectant Mothers are required to:

Notify an employer in writing that she:

- Is pregnant
- Has given birth within the previous 6 months; or
- Is breast-feeding

The employer must:

Assess the risks posed to new or expectant mothers and, where necessary, to take action to safeguard their health and safety. This could be achieved by carrying out a comprehensive risk assessment.

The risk assessment should:

- identify all the possible hazards e.g. Manual handling, the use of hazardous chemicals and substances, night work
- make sure that exposure to hazards is adequately controlled
- put in place appropriate control measures which are properly maintained
- provide information, instruction and training to new or expectant mothers.

You should ensure that all new and expectant mothers are provided with comprehensive and relevant information on:

- The risks to their health and safety as identified by the risk assessments; and
- The measures adopted by the employer to control these risks.

Where there are risks to the health and safety of a new or expectant mother, which cannot be avoided by the preventative measures taken, you will need to:

- Alter her working conditions and / or hours if possible and would avoid the risk. If this is not possible you must:
- Offer alternative work. If this is not possible:
- Suspend her from work. The Employment Rights Act 1996 requires that this be on full pay.

Review of Assessments

The risk assessment for the pregnant worker must be kept under review. Although the hazards are likely to remain the same throughout the pregnancy the risk may vary through the different stages of pregnancy.

Further information:

New and expectant mothers who work <http://www.hse.gov.uk/pubns/indg373.pdf>
FAQs <http://www.hse.gov.uk/mothers/faqs.htm>