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Caerdydd a'r Fro
Cardiff and Vale
University Health Board

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MATERNITY RISK ASSESSMENT AND BREASTFEEDING PROCEDURE

INTRODUCTION AND AIM

Cardiff and Vale University Health Board (the UHB) is committed to being a 'Great Place to Train, Work and Live' with inclusion, wellbeing and development at the heart of everything that we do. An important part of this is ensuring that our staff work in a safe environment. We are required by law to conduct a risk assessment of the work activities of pregnant employees, those who have given birth within the previous 6 months, and those who are breastfeeding. In the case of pregnant employees this should be carried out as soon as their manager is informed that the employee is pregnant. Managers should do whatever is reasonably practicable to control any risk to the health of the employee and child during or after the pregnancy or when breastfeeding. This may include temporary adjustments which need to be made to the employee's working conditions.

This procedure sets out the UHB's arrangements to meet both its legal and ethical obligations in the care of its employees who are breastfeeding, pregnant or have given birth in the last 6 months at work.

OBJECTIVES

- To create a safe working environment for pregnant employees, those who have given birth within the last 6 months, and those who are breastfeeding, ensuring they are protected from any significant occupational health risks.
- To ensure compliance with the statutory regulations.
- To ensure managers and heads of departments identify and assess the specific occupational health risks to pregnant employees and take the necessary measures to minimise and control them.
- To ensure risk management systems implemented are regularly reviewed, and revised as required.
- To support the outcome of a fit, healthy working employee nursing a healthy child.

Scope

This procedure applies to all of staff, including those with honorary contracts.

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For the purposes of this Procedure, the gender you were assigned at birth is not relevant.

Equality and Health Impact Assessment	A stand-alone Equality and Health Impact Assessment has not been completed, because this procedure and the Maternity, Adoption, Paternity and Shared Parental Leave Policy is covered by the 'family friendly policies' EHIA. This EHIA found there to be a positive impact.
Documents to read alongside this Procedure	Maternity, Adoption, Paternity and Shared Parental Leave Policy Maternity Leave and Pay Procedure
Approved by	Employment Policy Sub Group
Accountable Executive or Clinical Board Director	Executive Director of People and Culture
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Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Governance Directorate](#).

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Summary of reviews/amendments			
Version Number	Date of Review Approved	Date Published	Summary of Amendments
1	May 2011		Content previously included within the Procedure for Risk Assessment for New and Expectant Mothers
2	21 Jan 2015		Updated to reflect current UHB format
3	09 Jan 2019	22 Jan 2019	<p>Name changed from 'Risk Assessment for New and Expectant Mothers' to Maternity Risk Assessment Procedure</p> <p>Scope changed to explicitly state that this procedure is not restricted by the gender an employee was assigned at birth.</p> <p>References to 'she/hers' changed to 'they/theirs' throughout.</p>
3a			Gender neutral terminology used throughout (e.g. pregnant employee used instead of 'new and expectant mother')
4	05 Jun 2024	20 th August 2024	<p>Maternity Risk Assessment Procedure (UHB 060) and Combined BreastFeeding Guidelines and Returning to Work Guidelines (UHB 192) combined into one document</p> <p>More emphasis made to Health and Wellbeing of employee and their baby</p> <p>Clarification on Risk Assessment Form that needs to be completed and hyperlinks added to Health and Safety SharePoint site</p> <p>Where to go for more help section updated</p>

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1. DEFINITIONS

This Procedure applies to employees who are pregnant or have given birth in the last 6 months or who are breastfeeding. "Given birth" is defined in the Management of Health and Safety at Work Regulations as "delivered a living child or, after 24 weeks pregnancy, a stillborn child".

2. RESPONSIBILITIES

2.1 EXECUTIVES RESPONSIBILITIES

It is the responsibility of the Executive Director of People and Culture to ensure arrangements are in place to implement the procedure for employees who are pregnant, who have given birth in last 6 months or who are breastfeeding.

2.2. LINE MANAGERS' RESPONSIBILITIES

Line managers have a responsibility to ensure the health and wellbeing of their team, part of this is ensuring that the workplace is a safe environment for employees who are pregnant or have given birth within the last 6 months.

By law managers must, assess the risks to employees of childbearing age as part of their general workplace risk assessment. In addition, an individual risk assessment must be carried out covering the employee's specific needs, when they have informed their manager that they:

- are pregnant.
- have given birth within the last 6 months
- are breastfeeding

Managers should review the risk assessment regularly to ensure the health and wellbeing of the employee is protected.

Managers should ensure they have been trained in the risk assessment process. If they have not then guidance on carrying out the risk assessment should be sought from a more senior manager who has undertaken the training.

2.3 EMPLOYEE RESPONSIBILITIES

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Under the Health & Safety at Work Act, individuals who are pregnant or breastfeeding have a personal duty of care to ensure their own health and safety at work and also that of their unborn or newly born child.

2.3.1 Employees who are pregnant

To notify their manager in writing as soon as possible when they are pregnant. (Until the UHB has received written notification it will not know that a risk assessment is required).

To comply with the risk assessment undertaken and follow advice given.

Not to expose themselves to any known hazard or potential risk.

2.3.2 Employee who have given birth within the last 6 months

To comply with the risk assessment undertaken on their return to work and follow any advice given.

2.3.3 Employees who are breastfeeding

Provide the employer with notification that they are breastfeeding. It is advisable to do this before they return to work (or a 'Keeping in Touch' day), so that the employer can ensure they return to a healthy, safe and suitable environment.

2.4 OCCUPATIONAL HEALTH SERVICE RESPONSIBILITIES

To provide advice to employees who are pregnant or have given birth in the last 6 months if requested regarding their health and their occupational hazards and risks.

To offer advice to managers as required.

To review and follow up with employees on return to work following the birth as appropriate.

2.5 PEOPLE SERVICES RESPONSIBILITIES

To offer consistent advice to managers if employees who are pregnant, have given birth in the last 6 months or who are breastfeeding need to be removed from an identified risk or from night work as follows:

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- To assist managers if working conditions and/or hours of work have to be temporarily adjusted.
- To assist managers in looking for suitable alternative work.
- If currently working nights and this could affect health and safety, to offer advice on finding suitable alternative daytime work.
- To advise on implications of suspending employees who are pregnant or have given birth in the last 6 months from work for as long as is necessary to protect their health and safety or that of the child.

3.RISK ASSESSMENT PROCEDURE

3.1 RISK ASSESSMENT PROCEDURE FOR PREGNANT EMPLOYEES

The risk assessment must identify risks that could cause harm to the employee during pregnancy. Any new hazards identified must be managed actively.

The Manager should discuss with the Employee whether there are any conditions or circumstances with their pregnancy that could affect their work and any concerns they have about how their work could affect their pregnancy. Account must be taken of any medical recommendation provided by the employee's doctor or midwife. The risk assessment should be documented on a [Part 2 H&S risk assessment form](#). To assess the risk to the employee, consideration should be given to hazards and control measures identified in other relevant existing risk assessments e.g. Manual Handling, Stress, COSHH. Further guidance for other considerations to assist the risk assessment is provided in Appendix 2 –. A risk assessment summary sheet is also provided in Appendix 3. However, this list is only a guide and other specific risks may be highlighted in certain areas.

The risk assessment should be undertaken with the employee so that they know how we will keep them and their child safe, and they are aware of any potential risks identified.

Working conditions could present a risk to the employee and/or child at different stages. As the pregnancy progresses, it may affect the employees: dexterity, agility, coordination, speed of movement, reach therefore the manager should review the Risk Assessment that has been undertaken regularly as this could change with time. This should be carried out with the employee as follows:

Documented Review (if there is no change to the risk just a note that the review has taken	<ul style="list-style-type: none"> • Monthly until 32 weeks • Fortnightly at 32 – 36 weeks • Weekly from 36 weeks
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place and the date this took place is sufficient)	
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If a risk is identified the employee should be made aware of this and what measures will be taken to prevent exposure to the hazards. If previous risk assessments have identified a risk to employees then adequate measures should be in place, these may need to be adjusted accordingly.

IF A RISK IS IDENTIFIED

If, after safety measures have been implemented, there is still a significant risk, then the following steps should be followed (in conjunction with Occupational Health and/or People Services).

Step 1 - Temporarily adjust the working conditions and/or hours of work; or if it is not reasonable to do, or would not avoid the risk –

Step 2 - Offer suitable alternative work if any is available. People Services may assist with finding alternative work elsewhere if there is no suitable alternative within the department. If that is not feasible, you must –

Step 3 - Suspend them from work (at the substantive rate of pay) for as long as necessary to protect their health and safety or that of the child.

These actions may only be necessary if there is still a significant risk. Further advice should be obtained from the Occupational Health Service/Health and Safety Department.

NIGHT WORK

Pregnant Employees undertaking night work must be given special consideration. If a General Practitioner or a registered midwife issues a Fit Note stating that night work could affect their health and safety, you should consider the following options:

Step 1 Offer suitable daytime work if available. If that is not reasonable:

Step 2 Suspend them from work (i.e. give paid leave) for as long as necessary to protect their safety or health or that of the child.

Further advice can be obtained from the Occupational Health Service.

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3.2 RISK ASSESSMENT PROCEDURE FOR STAFF WHO HAVE GIVEN BIRTH WITHIN THE LAST 6 MONTHS

If an employee returns to work within 6 months of giving birth, their manager should undertake a risk assessment before their return to assess any risks that may be associated with their return. If the employee is breastfeeding then a risk assessment should be carried out in line with section 3.3. below.

3.3 RISK ASSESSMENT PROCEDURE FOR EMPLOYEES WHO ARE BREASTFEEDING

Employee's who are breastfeeding are protected against harassment which could include detrimental treatment or offensive teasing on the grounds of breastfeeding. The law states that a mother can decide how long they wish to breastfeed and does not need to stop when they return to work.

Employees who are breastfeeding must not be exposed to risks that could damage health and safety for as long as they breastfeed.

The line manager must carry out a risk assessment to ensure that there are no risks to the breastfeeding employee, consideration should be given to hazards and control measures identified in other relevant existing risk assessments e.g. Manual Handling, Stress, COSHH. Further guidance for other considerations to assist the risk assessment is provided in Appendix 2 –. A risk assessment summary sheet is also provided in Appendix 3. However, this list is only a guide and other specific risks may be highlighted in certain areas.

As an employer the Health Board is legally required to provide somewhere for pregnant and breastfeeding employees to rest.

Guidelines recommend that employees should have access to a private, clean and comfortable room with a lockable door - not a toilet - in which to express.

Managers must arrange for employees who are breastfeeding to have a private, healthy and safe environment to express and store milk. If an office is used it must be appropriate, there should be a do not disturb sign on the door to ensure privacy. It is not suitable to use toilets for this purpose. Ideally it should be close to their work area to make this as easy as possible for them. Milk or cool bags stored in a fridge should be clearly labelled.

Temporary adjustments to working conditions or hours of work identified by a risk assessment; may need to be considered for example working shorter shifts, extra breaks for expressing milk, avoiding night work or overnight stays.

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Appendix 1

Where to go for more help

[Occupational Health](#): UHW 43264/42665 (external 029 2184 3264 / 2665)
or UHL 25140 (external 029 218 5140)

People Service Department: 36287 (external 029 21836287) or email
CAVHR_Actionpoint@wales.nhs.uk

UHB Health and Safety Department: 36560 (external 029 21836560) or
the [Health and Safety Sharepoint site](#)

Further information on legislation is available from the Health and Safety
Executive; www.hse.gov.uk

Maternity Action: Advice on maternity rights and benefits:
www.maternityaction.org.uk

Welsh Government Website: Information about breastfeeding and
returning to work.

www.wales.gov.uk

Equality and Human Rights Commission: Advice on discrimination and
human rights law. www.equalityhumanrights.com

National Breastfeeding Helpline: 0300 100 0212.

Unicef Baby Friendly Initiative www.unicef.org.uk/babyfriendly/

Training and Resources

Risk Assessment Training - [IMS 13 - Training \(sharepoint.com\)](#)

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Appendix 2

RISK ASSESSMENT

A Risk assessment for employees who are pregnant, have given birth in the last 6 months or who are breastfeeding is carried out in the same way as other risk assessments using Part 2 of the Health and Safety Risk Assessment Form. Advice on risk assessment and checklists are available on the [Health and Safety Sharepoint site](#).

Examples of Hazards in Health Care facilities which might be relevant are:

<p>PHYSICAL</p> <ul style="list-style-type: none"> • Prolonged standing, sitting, poor posture and confined spaces • Manual handling of loads where there is a risk of injury • Shocks and vibration • Noise • Ionising radiation • Non-ionising radiation • Slips, trips and falls 	<p>BIOLOGICAL</p> <ul style="list-style-type: none"> • Infectious diseases • Any biological agent that could be hazardous to an employee who is pregnant or their unborn child, has given birth in the last 6 months or is breastfeeding • These are found particularly in a lab or ward environment and include agents such as: rubella, varicella zoster, hepatitis A, B, C, tuberculosis, HIV/AIDS, typhoid, herpes, cytomegalovirus, listeria • Sharps injury
<p>CHEMICAL</p> <ul style="list-style-type: none"> • Substances labelled R40, R45, R46, R49, R61, R63, R64 and R68 • Other chemical agents – consult COSHH assessments • Mercury and mercury derivatives • Lead • Radioactive materials • Cytotoxic drugs • Chemical agents of known and dangerous skin absorption (see COSHH assessments) • Carbon monoxide 	<p>WORKING CONDITIONS</p> <ul style="list-style-type: none"> • Long hours, shift work and night work • Rest and hygiene facilities • Storage facilities for breastfeeding employees • Mental and physical fatigue and working hours/overtime • Occupational stress • Extremes of heat or cold • Work with VDUs - poor posture • Working alone • Working at heights • Travelling • Work related violence

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	<ul style="list-style-type: none"> • Work equipment and personal protective equipment (PPE) • Hazards as a result of inappropriate nutrition (i.e. regular breaks)
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Once the hazards have been identified it is necessary to assess the risk i.e. the likelihood of the hazard causing injury. The risk assessment tools provide a scale to estimate risk and give advice on the need for intervention. Further advice is available e.g. from safety data sheets, the Health and Safety Department, the Manual Handling Advisers, and the Occupational Health Service.

If the risk assessment reveals an unacceptable risk managers should look for ways of eliminating the risk or otherwise reducing the risk to it's lowest level e.g. by doing the work in another way or using a different agent. Alternatively temporary redeployment to other duties should be sought. If this is not feasible, the employee who is pregnant, has given birth in the last 6 months or is breastfeeding should be removed from duties which result in exposure to this hazard.

At all times it is essential to keep the employee informed of the progress and findings of the risk assessment.

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Appendix 3

RISK ASSESSMENT SUMMARY SHEET	
Name of member of staff:	
Department:	
Occupation:	
Pregnancy or new mother details, date of commencing maternity leave/medical certificate from GP:	
Expected/Actual date of delivery:	
Has a risk assessment of the workplace been undertaken? If <i>NO</i> , complete risk assessment as soon as possible - <i>date completed</i> : (a risk assessment form is available on the sharepoint site)	YES / NO
Has a risk been identified?	YES / NO
Has the employee been informed of the potential risk?	YES / NO
Do special precautions need to be considered?	YES / NO
Do you need to adjust their working conditions?	YES / NO
Are you able to offer suitable alternative work (if applicable)?	YES / NO
Is there still a potential risk to the new or expectant mother?	YES / NO
If <i>YES</i> , does medical suspension apply?	YES / NO
Date:
Is referral to Occupational Health required? Date referred to Occupational Health: Response received:	YES / NO
Action required:	
Name of person completing form: Designation: Signature: Date: