



Health and safety of new and expectant mothers in the catering industry

Catering Information Sheet No 19

Introduction

In recent years the law governing health and safety of new or expectant mothers has changed significantly. This information sheet summarises the legal position and gives guidance to employers on the implications for the catering industry. In practical terms, there are few real problems but the situation needs to be properly managed to ensure that any possible risks have been assessed.

Legal duties

The Management of Health and Safety at Work Regulations 1999 require you to assess workplace risks to all your employees. Where women of childbearing age are employed, the assessment must also cover risks specific to new and expectant mothers. These Regulations also require you to give employees information on the results of the risk assessment and the protective measures required.

Where you employ women of childbearing age and the work is of a kind which could involve risks to a new or expectant mother or her baby, the assessment should include such risks.

When an employee notifies you in writing that she is pregnant, has given birth within the last six months or is breastfeeding, and you find that after taking normal

safety precautions a significant risk to her health and safety remains, you must:

- temporarily adjust her working conditions and/or hours of work; or if this is not reasonable or would not amend the risk
- offer her suitable alternative work; or if this is not feasible
- suspend her from work (give her paid leave) for as long as necessary to protect her and the child's health and safety.

Practical application of legal duties

These requirements only apply when women of childbearing age are employed and the work would put them or the child at risk as a result of the mother's condition.

The term 'new or expectant mother' means an employee who is pregnant, has given birth within the previous six months, or is breastfeeding.

See Table 1 for the main catering risks which are likely to particularly apply to new and expectant mothers and may require adjustments to working conditions. The risks in catering are not large and the simple changes shown are all that is likely to be needed in most cases.

Table 1 Precautions to reduce risks for new and expectant mothers in catering

Risk	Precautions
During manual handling, increased risk of postural problems when pregnant or limitations of ability when the woman has had a Caesarean section.	Ensure the woman has light duties not requiring excessive physical exertion.
Risk of heat stress, dehydration or fatigue from extremes of hot or cold.	Ensure they have access to refreshments and can take regular short breaks.
Fatigue from prolonged standing or workload involving much physical effort can lead to problems with the development of the baby.	Ensure they can take short breaks. Ensure seating is available where possible.
Raised blood pressure associated with stress.	Discuss and agree the volume of work and the pace of work.
Morning sickness arising from early shift work.	Flexible rostering.
Morning sickness associated with nauseating smells.	Flexible work allocation.
Poor balance in later stages of pregnancy can increase the risks from slippery surfaces.	Clean spillages immediately and ensure sensible footwear is worn.

Each workplace is different and if there is any doubt over potential risks you may wish to seek professional advice, for example from an occupational health doctor or nurse.

Night work

Night work in itself is not thought to present any special risks to new and expectant mothers or their children. However, in some circumstances a doctor or midwife may consider that a risk exists and produce a certificate in which case you must offer alternative daytime work or suspend the woman (on paid leave).

Although not directed specifically at new and expectant mothers, the Working Time Regulations (1998) introduced a requirement for a free health assessment for anyone who has to work at night.

Involvement of GPs

Some catering employers have successfully involved women employees' GPs in the process of risk assessment once notification of their pregnancy has been received. This can reassure both employer and employee that all necessary measures are being taken.

Letters to employees

The following text is a useful model for letters to employees.

'Thank you for your written confirmation of your pregnancy. I am legally required to take all reasonable precautions to ensure your and your baby's health and safety at work. I have to assess any particular risks to you as an individual and consider any need for changes to your working conditions or hours of work.

This is quite a simple exercise but does mean that I need to know of any medical concerns relevant to your employment in order to ensure that proper precautions are taken.

I suggest you discuss this with your doctor. Please then let me know in writing if there are any concerns. I can then make sure that any adjustments to your work, for example restrictions in lifting heavy loads, can be introduced.'

Agency workers

Agency workers can pose particular problems. As a caterer, you must provide the agency with information on risks to their employees and the precautions applying to them. This will apply to risks to new and expectant mothers. You must also provide agency workers with information and appropriate instruction on risks to their health and safety.

Further reading

New and expectant mothers at work: A guide for employers HSG122 HSE Books 1994
ISBN 0 7176 0826 3

Infection risks to new and expectant mothers in the workplace: A guide for employers HSE Books 1997
ISBN 0 7176 1360 7

Management of health and safety at work. Management of Health and Safety at Work Regulations 1999. Approved Code of Practice L21 (Second edition) HSE Books 2000 ISBN 0 7176 2488 9

Suspension from work on medical or maternity grounds DTI booklet PL707

While every effort has been made to ensure the accuracy of the references listed in this publication, their future availability cannot be guaranteed.

Further information

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This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

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