



TUS

**Technological University of the Shannon:
Midlands Midwest**

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre Iarthar Láir

www.tus.ie



TUS Health & Safety Policy and Procedures for Pregnant, Post Natal and Breastfeeding Employees & Students

1.0 Introduction

The Safety, Health and Welfare at Work (General Application) Regulations 2007, Part 6, Chapter 2, Protection of Pregnant, Post Natal and Breastfeeding Employees (*within this policy will be referred to as The Pregnancy Regulations*) places a duty on employers to assess the risks to determine any possible effects on new/expectant mothers (employees) resulting from any activity at the place of work.

In complying with the regulations, TUS and its managers will ensure that the workplace does not pose a risk to the health of a pregnant employee or their developing child.

In this regard a risk assessment process will be used as the basis for determining the level of risk presented by articles or substances or activities in the workplace and which have an impact on **the** pregnant employee or the developing child. In relation to the identified risks, University measures will be implemented, so far as is reasonably practicable, to ensure and maintain a safe workplace.

The Pregnancy at Work Regulations apply from the time an employee informs their employer (e.g. their TUS relevant Line manager or campus HR department) that she is pregnant, has recently given birth or is breastfeeding and provides an appropriate medical certificate. As the earliest stages of pregnancy are the most critical ones for the developing child, it is in the employee's best interest to let their manager know as soon as possible that she is pregnant so that the University may implement the appropriate health and safety control measures. The University also recognises it has a duty of care to students and researchers undertaking academic work on any TUS campus and as such this policy is extended to cover such academic study, research and work.

2.0 Scope

This policy and its procedures apply to all TUS staff, students and researchers across all campuses. In particular, implementation is required when any employee, student or researcher first informs the university that they are pregnant, or have recently given birth or are breastfeeding.

3.0 Policy Definitions

Pregnant Employee

For the purposes of this policy, means a TUS pregnant employee, an employee who is breastfeeding or a post-natal employee;

Employee who is breastfeeding

Means an employee who, having given birth not more than 26 weeks previously, is breastfeeding.

Post Natal Employee

Means an employee who gave birth not more than 14 weeks preceding a material date.

TUS Manager

For the purpose of this policy means a TUS staff member assigned with responsibilities for managing TUS staff or students and or who has management control over assigned University activities and or management control of a Faculty, Department or Research Institute/facility/Lab or any other infrastructural element of the university.

4.0 Responsibilities & Duties

This section sets out the responsibilities and duties of TUS Managers, Employees/Staff, Students and Visitors in relation the implementation of TUS Policy and Procedures for Pregnant, Post Natal and Breastfeeding Employees & Students.

4.1 TUS Management Responsibilities

The Pregnancy at Work Regulations apply from the time an employee informs TUS (e.g. Line Manager or HR Department) that the employee is pregnant, or has recently given birth or is breastfeeding and provides an appropriate medical certificate. This TUS policy is also intended to provide protection to TUS University students and researchers undertaking academic work or research work on any TUS campus. Below is a summary of the University approved method for notifying the university that a person is pregnant and to permit the university to assess and implement any needed health and safety protection: -

- **Manager of a reporting TUS Employees**
Where a TUS employee informs their direct line manager that they are a new/expectant mother, then that manager must, i) Notify the HR Department, ii) undertake a Pregnancy at Work Risk Assessment with the employee and iii) The line manager must establish and implement risk assessment control measures with a view to reducing the identified risk(s) to as low as is reasonably practicable.
- **Manager or Academic Supervisor to an assigned Student or Researcher**
Where the student or researcher informs their Head of Department, or Academic Supervisor or Research Director, they are a new/expectant mother, then their reporting department's manager must, i) undertake a Pregnancy at work risk assessment with that student/researcher and ii) implement the risk assessment control measures with a view to reducing the risks to as low as is reasonably practicable.

4.2 Staff/Students/Visitors Duties

As the earliest stages of pregnancy are the most critical ones for the developing child, it is in the pregnant employee's or pregnant student's best interest to let the University know as soon as possible that they are pregnant.

Staff

The Pregnancy at Work Regulations apply from the time an employee informs the University (e.g. their direct Line Manager or their Head of Department or the HR Department) that she is pregnant or has recently given birth or is breastfeeding and where the employee provides the appropriate medical certificate.

Students/Researchers (Non- TUS Employees)

The University 'Pregnancy at Work Risk Assessment' process will apply from the time a student or researcher informs the University (i.e. their academic supervisor, or Research Director or Academic Head of Department) that they are a new or expectant mother.

5.0 Procedure

From the date an employee, student or researcher informs TUS that they are a new or expectant mother (see above definitions), the University will take steps to assess the specific work-related risks to that person and implement the appropriate Health and Safety control measures to ensure that the employee or student or researcher is not exposed to anything that would damage her health or that of her developing child.

To ensure compliance with this TUS Policy, all TUS Management should follow the procedural steps set out below which cover the notification, risk assessment, and review process.

Step 1 - Notification

For Employees

The Pregnancy at Work Regulations apply from the time an employee informs you that she is pregnant, has recently given birth or is breastfeeding and provides an appropriate medical certificate. Their TUS Line Manager must:

- i) On being informed, ask the employee to submit the relevant medical certificate to the HR department.
- ii) Begin the Pregnancy risk assessment process

For Academic Students/Researchers

While the Pregnancy at Work Regulations do not apply to non -employees, the University has a duty of care to ensure good standards of health and safety are in place for students and researchers performing their academic work and study on any TUS campus.

In this regard where a student/researcher informs their Academic Head of Department, or Director of Research, or Academic Supervisor, then the student's TUS manager must perform a Pregnancy Risk Assessment.

Step 2 - Pregnancy Risk Assessment

The Risk assessment involves identifying foreseeable hazards in the related workplace which can pose a health or safety risk to the new and expectant mother, then taking the appropriate action (control Measures) to remove or reduce the risk to acceptable limits. The expectant or new mother's reporting manager (i.e. see responsibilities for relevant manager) must carry out the risk assessment, in consultation with the pregnant person. Where needed, managers can seek additional support and/or advice from the, HR Department (for employees), Student Nurse (for Students) and Campus Health & Safety Offices. Please note that it is essential that the expectant or new mother is fully aware of the potential risks to themselves and their unborn baby within their working environment. Managers need to use the risk assessment forms which are set out below in Section 1, 2 and 3 to document and record the assessment.

Step 3 -Implement the Risk assessment Finding (control measures)

Once the risk assessment is complete (i.e. Sections 1, 2 and 3), The relevant manager needs to implement the control measures and agree dates for review of the assessment with the pregnant person. The Manager needs also to provide the expectant mother with a copy of the completed risk assessment. (Note HR departments should also be given a copy to keep on personal files).

Step 4 - Review

The risk assessment work should be reviewed where necessary (e.g. every trimester), or at reasonable intervals as the pregnancy progresses, and upon return to work. Once complete, agree dates for ongoing review. Again, any revisions or updates to the risk assessment should be documented and provided to the expectant mother. (Note HR departments will also need to keep a copy on personal files).

5.0 Data Protection & Confidentiality

For the purposes of complying with the General Data Protection Regulations (GDPR), the outcome of all pregnancy risk assessments will be treated as being private & confidential and the content are not to be divulged to a third party without the express (written) permission of the new or expectant mother. Assessment records will be kept for a period of 3 years and then be disposed of, (eg deleted from databases/shredded), unless there is good reason for retaining them (eg ongoing court case or insurance claim). In the event that a pregnancy risk assessment is retained beyond 3 years, it must be reviewed periodically, (eg annually) by the assessing Department/HR in consultation with the university Data Protection Officer, until it is disposed of. The assessing Department will be responsible for ensuring the requirements of GDPR are complied with.

Section 1 : Pregnancy at Work Assessment For H&S Support

Section 1 :	
Pregnancy at Work Assessment For H&S Support	
TUS Campus Unit Address/Location Details	
TUS Campus (e.g. Moylish, Athlone):	
TUS Unit's Name :	
TUS Unit's Location on Campus:	
TUS Unit's primary work activity or service delivery (e.g. Academic Department):	
Pregnant Person's Details	
Pregnant Person's Name:	
Pregnant Person's TUS status (e.g. Employee or Student):	
Pregnant Person's TUS Title (e.g. Lecturer)	
Expected Date of Delivery:	
TUS Manager Details	
TUS Unit Manager's Name (i.e. the line manager for the Pregnant Person)	
Name of TUS manager who carried out the assessment:	
Date when the TUS Unit Management was first notified by person that they are pregnant or have become a new mother within the past 6 months?	
Notes on Completing the Pregnancy at work Assessment :	
<ol style="list-style-type: none"> 1. The pregnant person and their direct line manager should work through the hazard identification questionnaire together and where a hazard is identified (i.e. where a 'YES' is answered), then that hazard needs to be risk assessed. 2. The Risk Assessment of an identified hazards should be recorded using the 'Pregnancy Risk Assessment Template' (see section 3). On completion, and in agreement with the pregnant person, the resulting control measures must be implemented. 3. Copies of the completed 'Pregnancy at Work Risk Assessment' should be i) provided to the pregnant person, and ii) retained by the relevant unit manager or on the HR personal employee files (HR Department). 4. Managers should where necessary periodically monitor and review the effectiveness of the control measures. 5. The content of a pregnancy risk assessment is subject to the General Data Protection Regulations (GDPR) and as such must be treated as being private and confidential and be disposed of as confidential waste after a period of 3 years, unless there is good reason to retain it. The content of the assessment should not be divulged to a third party without the express (written) permission of the pregnant person. 	

SECTION 2

Questionnaire – Hazard Identification

SECTION 2				
Questionnaire - Hazard Identification				
The manager and the pregnant person should work through this section 2 Questionnaire and where a Yes is answered to any of the questions (i.e. an Identified Hazard), that that hazard should be risk assessed using the pregnancy risk assessment form in section 3.				
Physical Hazards	Hazards Identification & Consideration		NO	YES
1	Manual Handling	<p>Does the person under assessment perform any Manual Handling Tasks as part of their normal duties?</p> <p>If 'NO' – Then move onto next Hazard item.</p> <p>If 'YES' then the Manager needs to consider the items below as part of a Manual Handling Risk Assessment, (The assessment should be documented using the template in section 2) :-</p> <ul style="list-style-type: none"> • Where an existing Manual Handling risk assessment exists, it should be reviewed and updated as a result of the person being pregnant. • Where the pregnant person performs Manual Handling Activities, ensure they have completed a Manual Handling Training programme and received a certificate. • Hormonal changes in pregnancy can affect the ligaments increasing susceptibility to injury and postural problems may increase as the pregnancy progresses. Managers with the person under assessment should consider reducing to a minimum (incorporate MH Handling Aids) or removing the need to perform Manual Handling activities. 		
Physical Hazards	Hazards Identification & Consideration		NO	YES
2	Working at Height	<p>Does the person under assessment, undertake any 'Working at Height' activities or tasks (Note: see 'Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Part 4 Work at Height for further helpful information in relation to working at height)?</p> <p>If 'NO' – Then move onto next Hazard item.</p> <p>If 'YES' - then the manager must risk assess the work at height activity to be performed by a pregnant person. <i>(Note : This will involve undertaking a working at height risk assessment and considering any additional risks to pregnant person arising from this activity e.g. the use of ladders). Note: It can be hazardous for pregnant women to work at heights, e.g. ladders, platforms.</i></p>		

Physical Hazards		Hazards Identification & Consideration	NO	YES
3	Display Screen Equipment (DSE) Work	<p>Does the person under assessment undertake any work with display screen equipment? <i>(Note: As an example, a person performing DSE work will be a person primarily performing computer work at a desk workstation).</i></p> <p>If 'NO' – Then move onto next Hazard item</p> <p>If 'YES'- then ensure a Display Screen Equipment Risk assessment is reviewed and updated as appropriate. <i>(Note: - TUS uses an external consultant to perform DSE ergonomic assessments and any TUS manager can make arrangements to have the consultant perform a DES assessment. On receipt of the assessment report, Line managers must ensure any necessary control measures are implemented).</i></p>		
Physical Hazards		Hazards Identification & Consideration	NO	YES
4	Shocks & Vibrations	<p>Does the person under assessment undertake any work associated with shock or 'Mechanical Vibration' that exposes the worker to;</p> <p>a) hand-arm vibration (HAV); and/or b) whole-body vibration (WBV) ?</p> <p><i>(Note : - HAV is caused by the use of work equipment and work processes that transmit vibration into the hands and arms of employees. WBV is caused by vibration transmitted through the seat or the feet by workplace machines and vehicles).</i></p> <p>If 'NO' – Then move onto next Hazard item.</p> <p>If 'YES' - then the manager must risk assess the planned work activity to be performed by the pregnant person. <i>(Further guidance on how to risk assess HAV & WBV is available in the 'Guide to the Safety, Health and Welfare at Work Chapter 2 of Part 5: Control of Vibration at Work)</i></p>		

Physical Hazards		Hazards Identification & Consideration	NO	YES
5	Temperature	<p>Does the person under assessment work in a hot or cold environment? <i>(Note : - Prolonged exposure of pregnant women to hot environments should be kept to a minimum, as there is a greater risk of the woman suffering from heat stress. Working in extreme cold may be a hazard for the pregnant woman and the unborn child).</i></p> <p>If NO – Then move onto next Hazard item.</p> <p>If YES - Then risk assess the work activity and environment. <i>(Note: - an example of a control measure can be adequate rest and refreshment breaks alongside unrestricted access to drinking water).</i></p>		
6	Noise	<p>Does the person under assessment undertake any work that may be classified as a noisy work environment (e.g. if a person finds it difficult to clearly hear a person talking to them at a distance of two metres, this could indicate a noisy workplace; Machinery and power tools generate) ? <i>(Note : There are no specific additional risks to new or expectant mothers or to the foetus but prolonged exposure to loud noise may lead to increased blood pressure and tiredness. There are no particular problems for women who have recently given birth or who are breastfeeding. Compliance with the Safety, Health and Welfare at Work (General Application) Regulations 2007, Part 5, Chapter 1, Control of Noise at Work should be sufficient to meet the needs of new or expectant mothers.)</i></p> <p>If 'NO' – Then move onto next Hazard item.</p> <p>If 'YES' then risk assess the work environment in accordance with the University Health & Safety Statement Policy on Noise Management & implement the controls.</p>		

Physical Hazards		Hazards Identification & Consideration	NO	YES
7	Working Alone	<p>Does the person under assessment undertake any work that may be regarded as 'Lone Working'?</p> <p><i>(Note: - TUS Staff are not permitted to perform lone working duties and Managers must ensure that staff are working in compliance with the University Lone working policy).</i></p> <p>If NO then move to next Hazard item</p> <p>If YES – then refer to the University Policy on Lone Working. <i>Note: - TUS Staff are not permitted to perform Lone Working duties and Managers must ensure that staff are working in compliance with the University Lone working policy.</i></p>		
Radiation Hazards		Hazards Identification & Consideration	NO	YES
8	Ionising Radiation	<p>Does the Person under assessment undertake work with ionising radiation ?</p> <p><i>(Note: Ionising radiations occurs as either electromagnetic rays (such as X-rays and gamma rays) or particles (such as alpha and beta particles). It occurs naturally (e.g. radon gas) but can also be produced artificially. Exposure to harmful levels of ionising radiation can harm the foetus either through external exposure or by breathing in/ingesting radioactive contamination). There are limits on the dose deemed to be acceptable for expectant mothers. Breast feeding mothers should not be permitted work where there is a risk of ionisation radiation contamination).</i></p> <p>If NO - Then move to next Hazard Item</p> <p>If YES - Then risk assess those activities which involve working with ionising radiation or where the person works in areas (i.e. the environment) where ionisation work is being performed.</p>		
9	Non-Ionising Radiation	<p>Does the pregnant person's work activities involve exposure to high levels of non-ionising radiation or electromagnetic radiation (e.g. ultraviolet (UV), visible and infrared and electromagnetic fields (power frequencies, microwaves and radiofrequencies) ?</p> <p><i>(Note: - Common Non-ionising Radiation sources found in the workplace can include radio waves, visible light, and microwaves. A pregnant or breastfeeding person is at no greater risk than other workers, working with such sources within acceptable EN limits. However, there are some specific work or research activities that involve Non-ionising radiation sources at more industrial levels and these activities will need to be risk assessed and the appropriate control measures implemented).</i></p> <p>If NO - Then move to next Hazard Item</p> <p>If YES - Then risk assess those activities which involve working with the equipment or machinery that produces non- ionising radiation.</p>		

Biological Hazards		Hazards Identification & Consideration	NO	YES
10	Biological Agents	<p>Do the pregnant person's work activities involve occupational exposure to Group 2, Group 3, or Group 4 biological agents, which cause human disease e.g. Measles, HIV or Rubella?</p> <p>If NO - Then move to next Hazard Item</p> <p>If 'YES'- there is a requirement to ensure the Biological Agents Risk assessment is reviewed and updated as appropriate.</p>		
11	Biological Agents Covid	Is there a potential for staff to be exposed to COVID-19? If so, there is a requirement to comply with the most up to date Governments Work Safely Protocol.		
Chemical Agents		Hazards Identification & Consideration	NO	YES
13	Chemical Agents	<p>Do the pregnant person's work activities involve exposure to chemical agents labelled as? :</p> <ul style="list-style-type: none"> • H350/H350i /H351 May cause cancer/may cause cancer by inhalation/suspected of causing cancer • H340/H341 May cause genetic effects/suspected of causing genetic effects • H360 May damage fertility or the unborn child • H360D May damage the unborn child • H360FD May damage fertility, may damage the unborn child • H360Fd May damage fertility, suspected of damaging the unborn child • H360Df May damage the unborn child, suspected of damaging fertility • H361 Suspected of damaging fertility or the unborn child • H361d Suspected of damaging the unborn child • H361f Suspected of damaging fertility • H361fd Suspected of damaging fertility, suspected of damaging the unborn child • H362 May cause harm to breastfed children • H370/H371 Causes damage to organs/May cause damage to organs <p>If NO - Then move to next Hazard Item</p> <p>If 'YES' there is a requirement to ensure the Chemical Agent Risk Assessment is reviewed and/or updated with the required Control Measures implemented to protect the pregnant person.</p>		
14	Chemical Agents	<p>Do the pregnant person's work activities involve exposure to any or all of the following : -</p> <ul style="list-style-type: none"> • mercury or mercury derivatives which could affect the foetus during pregnancy and slow its growth? •Antimitotic drugs also known as cytotoxic drugs? (Imuran, Cytoxan, and Rheumatrex taken for arthritis)? •chemical agents which allow percutaneous absorption through the skin e.g. some laboratory work? •lead or lead derivatives? <p>If NO - Then move to next Hazard Item</p> <p>If 'YES' there is a requirement to ensure the Chemical Agent Risk Assessment is reviewed and/or updated with the required Control Measures implemented to protect the pregnant person.</p>		

Personal Protective Equipment		Hazards Identification & Consideration		NO	YES
15	PPE	<p>Do the pregnant person's work activities require the wearing of PPE ? (Note: The selection and use of PPE is based on an assessment of the hazards in the workplace in order to identify the correct type of PPE to be provided and to ensure that PPE is appropriate to the risk).</p> <p>If NO - Then move to next Hazard Item</p> <p>If 'YES' then the manager with the pregnant person needs to risk assess to ensure there is no difficulty for the person wearing protective equipment due their change in shape as their pregnancy develops?</p>			

Section 3

Pregnancy at Work Risk Assessment Template

Section 3			
Pregnancy at Work Risk Assessment Template			
TUS Unit's Name			
Pregnant Person's Name:			
Assessment carried out by:			
Unit Manager's Name:			
Expected Date of Delivery:			
Identified Hazard	Existing Risk Level (H,M,L)	Control Measures (Required to be implemented to reduce the Risk to LOW)	Residual Risk (i.e. the Risk level after implementation of the Controls - The Unit must achieve a residual Risk rating of LOW)
Date this Risk Assessment was Completed			

Sources of Information:

1. *Pregnancy at Work : Workplace Health Toolkit to Assist Small Businesses: Published by the Health and Safety Authority : Web location*
https://www.hsa.ie/eng/publications_and_forms/publications/safety_and_health_management/section_6_pregnancy_at_work.pdf: accessed 10 June 2022
2. *Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007. Chapter 2 of Part 6, Protection of Pregnant, Post Natal and Breastfeeding Employees. These guidelines were amended in 2016 to take account of the Safety, Health and Welfare at Work (General Applications)(Amendment)(No.2) Regulations 2016. This Guide is aimed at safety and health practitioners, employers, managers, employees and safety representatives. Web address*
https://www.hsa.ie/eng/Publications_and_Forms/Publications/General_Application_Regulations/Protection_of_Pregnant_Post_Natal_and_Breastfeeding_Employees.html