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<b>Validated By:</b> Health and Safety Committee		<b>Date:</b> 22/03/2018	
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<b>Review dates may alter if any significant changes are made</b>		<b>Review Date:</b> 01/03/2021	
<b>Which Principles of the NHS Constitution Apply?</b> 3 - The NHS aspires to the highest standards of excellence and professionalism		<b>Which Staff Pledges of the NHS Constitution Apply?</b> 1- positive working environment for staff 4 - health, wellbeing and safety.	
Does this document meet the requirements of the Equality Act 2010 in relation to Race, Religion and Belief, Age, Disability, Gender, Sexual Orientation, Gender Identity, Pregnancy & Maternity, Marriage and Civil Partnership, Carers, Human Rights and Social Economic Deprivation discrimination? <b>Yes</b>			
<b>Document for Public Display: Yes</b>			
Reference Check completed by.....Joanne Phizacklea.....Date.....9.4.18..... To be completed by Library and Knowledge Services Staff			

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## BEHAVIOURAL STANDARDS FRAMEWORK

To help create a great place to work and a great place to be cared for, it is essential that our Trust policies, procedures and processes support our values and behaviours. This document, when used effectively, can help promote a workplace culture that values the contribution of everyone, shows support for staff as well as patients, recognises and celebrates the diversity of our staff, shows respect for everyone and ensures all our actions contribute to safe care and a safe working environment - all of which are principles of our Behavioural Standards Framework.

### Behavioural Standards Framework – Expectations ‘at a glance’

Introduce yourself with #hello my name is... 	Value the contribution of everyone	Share learning with others
Be friendly and welcoming	Team working across all areas	Recognise diversity and celebrate this
Respect shown to everyone	Seek out and act on feedback	Ensure all our actions contribute to safe care and a safe working environment
Put patients at the centre of all we do	Be open and honest	For those who supervise / manage teams: ensure consistency and fairness in your approach
Show support to both staff and patients	Communicate effectively: listen to others and seek clarity when needed	Be proud of the role you do and how this contributes to patient care

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## 1. SUMMARY

By assessing the risk to these employees, the Trust needs to specifically consider workers who are new or expectant mothers, and to take action to ensure that they are not exposed to any significant risk.

## 2. PURPOSE

The purpose of this policy is to ensure that the Trust adopts effective management of the new or expectant mother within their workplace, in line with current legislation, industry best practice and NHSLA guidelines for the period of pregnancy and subsequent post-natal period as defined in the guidance.

## 3. SCOPE

This policy applies to all Trust staff who are new or expectant mothers or a mother who is breastfeeding and their managers.

## 4. POLICY

### 4.1 Introduction

The Management of Health and Safety at Work Regulations 1999<sup>1</sup> require under Regulation 16 employers to take account of risks to new and expectant mothers when assessing risks arising from work activities.

If an employer is unable to avoid a risk, changes will be required to conditions of work and possibly hours or alternative work offered. If no suitable alternative arrangements can be made the worker should be given paid leave for as long as necessary to protect her health and safety or that of the child.

This action must be taken when the employer presents their pregnancy documentation as issued by the GP/ Midwife.

### Definitions

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

The phrase “given birth” means delivered a living child or, after 24 weeks of pregnancy, a stillborn child.

### 4.2 Policy Statement

The Trust will endeavour to comply with the Management of Health and Safety at Work Regulations 1999<sup>1</sup> and guidance to ensure that risks in the workplace are assessed and that adequate control measures are put into place to protect the pregnant worker and the unborn child.

### 4.3 Legal Requirements

**The Health and Safety at Work etc. Act 1974<sup>2</sup>** requires that the Employer ensures there is a health and safety policy in place which sets out the Trust’s commitment, organisation

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and arrangements for managing health and safety at work.

This includes adequate mechanisms for providing information, instruction and training and clear assignment of responsibilities.

### **The Management of Health and Safety at Work Regulations 1999<sup>1</sup> (MHSW)**

The health and safety of new and expectant mothers at work is covered by the Management of Health and Safety at Work Regulations 1999 (MHSW)<sup>1</sup> within which the Trust is required to assess risks to all its employees and to do what is reasonably practicable to control these risks. The Trust is also required to take into account risks to new and expectant mothers when assessing risks in the workplace.

The Trust will need to ensure that the person carrying out the Risk Assessment is competent and able to take due account of all relevant information.

The Regulations also require that all risks associated with work must be assessed and control measures put into place. There must be competent health and safety advice available and a means of providing information for employees and others affected by the risks within the workplace.

### **The Workplace (Health, Safety and Welfare) Regulations 1992**

The Approved Code of Practice (ACoP) require rest facilities to be provided for pregnant women and nursing mothers.

### **The Equality Act 2010**

Protection must be provided to pregnant women and those on maternity leave against discrimination. This can include failing to carry out a risk assessment under MHSW regarding a pregnant worker.

## **4.4 Training**

The Trust will provide so far as is reasonably practicable, all its employees with the necessary information, instruction and training to equip employees to work in a safe manner.

Those required to undertake risk assessments with new or expectant mothers must have a good understanding of the risk assessment process and the ability to recognise the factors affecting safety during pregnancy or post-pregnancy return to work as detailed within the policy. Risk assessment training is available and is booked via TMS.

Where it is identified that specific or additional training is identified by risk assessment, this will be delivered appropriately e.g. additional manual handling training by the Manual Handling Champion, postural awareness when using Display Screen Equipment<sup>3</sup> by the Display Screen Equipment Assessor within the area .

## **4.5 Procedural Arrangements/Documents**

**4.5.1** Where the assessment reveals a potential risk exists to new or expectant mothers, employers must inform female employees of childbearing capacity about the potential risks if those employees are or could in the future be pregnant or breastfeeding.

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**4.5.2** Where a new or expectant mother is identified to be coming into contact with ionizing radiation or Nuclear Medicine please refer to the Radiation Policy and local rules of ionising radiation.

**4.5.3** The Line Manager or his / her deputy is to assess the risks to the new or expectant mother as soon as they are told by the employee of the pregnancy. This must be undertaken with the individual and all control measures discussed.

**4.5.4** Where an expectant mother, or suspected pregnant mother, or a female who is actively trying to become pregnant may come into contact with radiation from an external source during a major incident they should be reassigned from the work area, to prevent risk to the foetus.

#### **4.5.5 Risk Assessment**

The findings of the risk assessment should be recorded on the Trust's General Risk Assessment form which can be found on the Procedural Documents Library.

All work activities must be assessed for risk, where the assessment reveals risk from the following an overarching Departmental risk assessment must be in place showing control measures to ensure early identification and robust protection for new and expectant mothers:

- **Physical Risks**
  - Exposure to vibration, shocks or movement
  - Manual handling activities
  - Exposure to high noise levels, which might increase blood pressure and tiredness
  - Exposure to ionising radiation (X-Rays)
  - Exposure to non-ionising radiation (sun, UV, radios, lasers), which could raise body temperature
  - Postural change, sitting, standing, twisting etc
  - Work in high/low pressure atmospheres
  - Exposure to extremes of temperature – (hot, cold)
  - Anaesthetic gases
- **Biological Agents**
  - Exposure to biological agent of hazard groups 2, 3 and 4 ie Hep B, Hep C, HIV, Herpes, TB, Syphilis, Chickenpox, Typhoid
  - Exposure to biological agents that are known to cause abortion or physical, neurological damager eg rubella (german measles).
  - Work in labs dealing with infected materials
- **Chemical Agents**
  - Exposure to any substances labelled:
    - H315 causes skin irritation
    - H335 may cause respiratory irritation
    - H340 may casue genetic defects
    - H341 suspected of causing genetic defects
    - H351 suspected of causing cancer
    - H360 may damage fertility or the unborn child
    - H361 suspected of damaging fertility or the unborn child
    - H362 may cause harm to breast-fed children
    - H370 causes damage to organs

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- H371 may cause damage to organs
  - H372 causes damage to organs through prolonged or repeated exposure
  - H373 may cause damage to organs through prolonged or repeated exposure
- Carcinogenic and mutagenic substances
- Lead and derivatives
- Mercury and derivatives
- Carbon monoxide
- Substances that may be absorbed through the skin
- **Working conditions**
  - Risk of physical or mental fatigue
  - Passive smoking
  - Lone working
  - Workstations – DSE , seating
  - Working at height
  - Personal Protective Equipment
  - Violence and Aggression
  - Night working
- Aspects of pregnancy which may affect work – the impact of the aspects listed below will vary during the course of pregnancy and will tend to reoccur during pregnancy

Aspects of Pregnancy	Factors in work
'Pregnancy' sickness	Early shift work
Headaches	Exposure to nauseating smells
Backache	Standing/manual handling/posture
Varicose veins	Standing/sitting
Haemorrhoids	Working in hot conditions
Frequent visits to toilet	Difficulty in leaving job, site of work
Increasing size	Use of protective clothing Work in areas with limited space Manual handling
Tiredness	Overtime Evening work
Balance	Problems of working on slippery, wet surfaces Work at heights
Comfort	Problems of working in tightly fitting work uniforms

It is important to consider who may be harmed and how? Different risks may exist reliant upon whether workers are pregnant, having recently given birth or are breastfeeding. There is an example new and expectant mothers risk assessment on the the procedural documents library.

**4.5.6** Significant risks to the health and safety of new or expectant mother require action to be taken via the following hierarchy:

- remove the hazard;
- prevent exposure to the risk;

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control the risk; and  
remove the new or expectant mother from the risk.

**4.5.7** A copy of the risk assessment must be placed on the personal file and available to the staff member. A copy should also be forwarded to the Occupational Health department should assistance be required.

**4.5.8** Review the risk assessment on a frequent basis e.g. monthly and if a change in condition or environment occurs . The review needs to be undertaken with the staff member present.

**4.5.9 Returning to work**

For all information regarding returning to work refer to the Trust's Family Leave Policy which can be found on the procedural documents library.

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## 4.6 Roles and Responsibilities

### 4.6.1 Chief Executive

Responsible for ensuring that the Trust complies with current health and safety legislation and industry good practice.

### 4.6.2 Governance Director

Responsible for ensuring the implementation of all Health and Safety legislation, policies and procedures relating to New & Expectant Mothers.

### 4.6.3 Triumvirate

Responsible for ensuring that all overarching departmental risk assessments are in place and up to date and that the Divisional Risk Register appropriately reflects identified risks.

### 4.6.4 Departmental Manager

Responsible for making staff aware of the policy and of any overarching departmental risk assessments.

Ensuring that there is a clear process for managing the risk in their area.

Responsible for meeting with the staff member at the earliest opportunity to discuss areas of risk and personal factors which may impact on work and the staff member during their pregnancy.

Frequent review of the risk assessment.

Referral to occupational health if there are any medical concerns.

### 4.6.5 Health and Safety Dept.

Providing advice as required.

Responsible for auditing against the New & Expectant Mothers Policy

### 4.6.6 Employees' responsibilities

Ensure early identification of pregnancy is highlighted to management to ensure processes are followed.

It is the responsibility of the employee to be aware of risks in their workplace to themselves at this time from workplace duties. They must also ensure that their manager is aware of any changes that are occurring and becoming problematic to their work.

## 4.7 Additional Information

Further information on the completion of risk assessments can be obtained from the Health and Safety Department.

A copy of all of the Trust's risk assessment proformas can be found on the procedural documents library

A copy of the completed Generic risk assessments can also be found on the Health & Safety Intranet site in relation to manual handling, sharps, COSHH, ligatures, department specific and lasers

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## 4.8 Further Sources of Advice and Guidance References

When completing risk assessments the Health and Safety Department can assist. It is also advisable to read the HSE leaflet risk assessment – a brief guide to controlling risks in the workplace for more guidance.

Once a risk assessment has been carried out by the manager, it may be necessary to send a copy to the Occupational Health Department. If the Risk Assessments are received into the Health and Safety Department they are forwarded onto the Occupational Health Department.

Bank nurses and Consultants can be referred or can get referred to the Occupational Health Department for a pregnancy Risk Assessment if they do not have anyone to carry this out for them.

Workforce and Organisational would also suggest reading the Family Leave Policy, Work and Home Life Policy and Attendance Management at Work Policy on the procedural documents library.

5. ATTACHMENTS	
Number	Title
1	Equality & Diversity Impact Assessment Tool

6. OTHER RELEVANT / ASSOCIATED DOCUMENTS	
Unique Identifier	Title and web links from the document library
Obs/Gynae/Guid/112	Neonatal Breastfeeding and Lactation Guideline <a href="http://uhmb/cs/tpdl/Documents/OBS-GYNAE-GUID-112.docx">http://uhmb/cs/tpdl/Documents/OBS-GYNAE-GUID-112.docx</a>
Corp/Pol/072	Display Screen Equipment <a href="http://uhmb/cs/tpdl/Documents/CORP-POL-072.docx">http://uhmb/cs/tpdl/Documents/CORP-POL-072.docx</a>
Corp/Pol/040	Transferring of Dependant Patients Using a Hoist or Stand aids <a href="http://uhmb/cs/tpdl/Documents/CORP-POL-040.docx">http://uhmb/cs/tpdl/Documents/CORP-POL-040.docx</a>
Corp/Pol/041	Manual Handling of Inanimate and Patient Loads <a href="http://uhmb/cs/tpdl/Documents/CORP-POL-041.docx">http://uhmb/cs/tpdl/Documents/CORP-POL-041.docx</a>
Corp/Guid/013	The Management of Bariatric/Obese/Morbidly Obese Patient <a href="http://uhmb/cs/tpdl/Documents/CORP-GUID-013.docx">http://uhmb/cs/tpdl/Documents/CORP-GUID-013.docx</a>
Corp/Pol/135	Family Leave Policy <a href="http://uhmb/cs/tpdl/Documents/CORP-POL-135.docx">http://uhmb/cs/tpdl/Documents/CORP-POL-135.docx</a>
Rad/Pol/001	Ionising Radiation <a href="http://uhmb/cs/tpdl/Documents/RAD-POL-001.docx">http://uhmb/cs/tpdl/Documents/RAD-POL-001.docx</a>

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<b>7. SUPPORTING REFERENCES / EVIDENCE BASED DOCUMENTS</b>	
References in full	
<b>Number</b>	<b>References</b>
1	Great Britain (1999) Management of Health and Safety at Work Regulations 1999. Available at: <a href="http://www.legislation.gov.uk/ukxi/1999/3242/regulation/8/made">http://www.legislation.gov.uk/ukxi/1999/3242/regulation/8/made</a> (accessed 9.4.18)
2	Great Britain(1974) Health and Safety at Work Act 1974. Available at: <a href="http://www.legislation.gov.uk/ukpga/1974/37">http://www.legislation.gov.uk/ukpga/1974/37</a> (accessed 9.4.18)
3	Great Britain (2992) The Workplace (Health, Safety and Welfare) Regulations 1992. Available at: <a href="http://www.legislation.gov.uk/ukxi/1992/3004/contents/made">http://www.legislation.gov.uk/ukxi/1992/3004/contents/made</a> (accessed 9.4.18)
4	Great Britian (2010) Equality Act 2010. Available at: <a href="https://www.legislation.gov.uk/ukpga/2010/15/contents">https://www.legislation.gov.uk/ukpga/2010/15/contents</a> (accessed 9.4.18)
	Health and Safety Executive (HSE) Display Screen Equipment. Available at: <a href="http://www.hse.gov.uk/msd/dse/">http://www.hse.gov.uk/msd/dse/</a> (accessed 9.4.18)
	Health and Safety Executive (HSE) INDG163(rev4) (2014) Risk Assessment – a brief guide to controlling risk in the workplace. Available at: <a href="http://www.hse.gov.uk/pubns/indg163.htm">http://www.hse.gov.uk/pubns/indg163.htm</a> (accessed 9.4.18)
<b>Bibliography</b>	
	Health and Safety Executive (HSE) Controlling the risks in the workplace Available at: <a href="http://www.hse.gov.uk/risk/controlling-risks.htm">http://www.hse.gov.uk/risk/controlling-risks.htm</a> (accessed 9.4.18)
	Health and Safety Executive (HSE) New and expectant mothers. Available at: <a href="http://www.hse.gov.uk/mothers/">http://www.hse.gov.uk/mothers/</a> (accessed 9.4.18)
	Health and Safety Executive (HSE) INDG373(rev2) (2013). New and expectant mothers who work: A brief guide to your health and safety. Available at: <a href="http://www.hse.gov.uk/pubns/indg373.pdf">http://www.hse.gov.uk/pubns/indg373.pdf</a> (accessed 9.4.18)

<b>8. DEFINITIONS / GLOSSARY OF TERMS</b>	
<b>Abbreviation or Term</b>	<b>Definition</b>
DSE	Display Screen Equipment - monitor, keyboard, mouse, chair, surrounding environment, accessories

<b>9. CONSULTATION WITH STAFF AND PATIENTS</b>		
Enter the names and job titles of staff and stakeholders that have contributed to the document		
<b>Name</b>	<b>Job Title</b>	<b>Date Consulted</b>
Health and Safety Committee	All members	
Health and Safety Reps/Champions	All members	
Human Resources		

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<b>10. DISTRIBUTION PLAN</b>	
Dissemination lead:	Lynne Tracey
Previous document already being used?	Yes
If yes, in what format and where?	Procedural Documents Library
Proposed action to retrieve out-of-date copies of the document:	
<b>To be disseminated to:</b>	
Document Library	
Proposed actions to communicate the document contents to staff:	Include in the UHMB Weekly News – New documents uploaded to the Document Library

<b>11. TRAINING</b>		
Is training required to be given due to the introduction of this procedural document? *Yes / No Please delete as appropriate		
Action by	Action required	Implementation Date

<b>12. AMENDMENT HISTORY</b>				
Version No.	Date of Issue	Page/Selection Changed	Description of Change	Review Date
7		Whole document	No changes . Put into new format	May 2018
7		5.4	Strengthened risk assessment processes and an additional table detailing physical risks, biological agents and working conditions/processes	May 2018
7		5.8	Additional section – Returning to Work	May 2018
7		6	Strengthened Roles and Responsibilities	May 2018
7.1	04/10/2017	Page 3	BSF page added	01/05/2018
8	April 2018	S3 S4.3 S4.5.3 S4.5.4 S4.5.5 S4.5.7	Addition of “mother who is breastfeeding Addition of Workplace Regs and Equality Act Wording strengthened Inclusion of details from an external major incident Table removed – now listings under different headings Inclusion of hazard phrases Change of wording from morning sickness to pregnancy sickness Wording change to include	01/03/2021

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12. AMENDMENT HISTORY				
		S4.7	"if assistance required" Inclusion of Risk assessment inventory Change of name – 5 steps to risk assessment is now controlling risks in the workplace Procedural documents library referred to	
		S4.8		
		Throughout		

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### Equality Impact Assessment Form

Department/Function	Health & Safety			
Lead Assessor	Lynne Tracey			
What is being assessed?	New & Expectant Mothers Policy			
Date of assessment	04/04/2018			
What groups have you consulted with? Include details of involvement in the Equality Impact Assessment process.	Equality of Access to Health Group	<input type="checkbox"/>	Staff Side Colleagues	<input checked="" type="checkbox"/>
	Service Users	<input type="checkbox"/>	Staff Inclusion Network/s	<input type="checkbox"/>
	Personal Fair Diverse Champions	<input type="checkbox"/>	Other (Inc. external orgs)	<input type="checkbox"/>
	Please give details:			

1) What is the impact on the following equality groups?		
Positive:	Negative:	Neutral:
<ul style="list-style-type: none"> <li>➤ Advance Equality of opportunity</li> <li>➤ Foster good relations between different groups</li> <li>➤ Address explicit needs of Equality target groups</li> </ul>	<ul style="list-style-type: none"> <li>➤ Unlawful discrimination, harassment and victimisation</li> <li>➤ Failure to address explicit needs of Equality target groups</li> </ul>	<ul style="list-style-type: none"> <li>➤ It is quite acceptable for the assessment to come out as Neutral Impact.</li> <li>➤ Be sure you can justify this decision with clear reasons and evidence if you are challenged</li> </ul>
Equality Groups	Impact (Positive / Negative / Neutral)	Comments
<b>Race</b> (All ethnic groups)	Neutral	<ul style="list-style-type: none"> <li>➤ Provide brief description of the positive / negative impact identified benefits to the equality group.</li> <li>➤ Is any impact identified intended or legal?</li> </ul>
<b>Disability</b> (Including physical and mental impairments)	Neutral	
<b>Sex</b>	Positive	Applies to women
<b>Gender reassignment</b>	Neutral	
<b>Religion or Belief</b>	Neutral	
<b>Sexual orientation</b>	Neutral	
<b>Age</b>	Neutral	
<b>Marriage and Civil Partnership</b>	Neutral	
<b>Pregnancy and maternity</b>	Positive	Relates to pregnancy and maternity
<b>Other</b> (e.g. caring, human rights)	Neutral	

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2) In what ways does any impact identified contribute to or hinder promoting equality and diversity across the organisation?	
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3) If your assessment identifies a negative impact on Equality Groups you must develop an action plan <b>to avoid discrimination and ensure opportunities for promoting equality diversity and inclusion are maximised.</b> <ul style="list-style-type: none"> <li>➤ This should include where it has been identified that further work will be undertaken to further explore the impact on equality groups</li> <li>➤ This should be reviewed annually.</li> </ul>
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Action Plan Summary
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Action	Lead	Timescale

*This form will be automatically submitted for review for Policies and Procedures once approved by Policy Group. For all other assessments, please return an electronic copy to [EIA.forms@mbht.nhs.uk](mailto:EIA.forms@mbht.nhs.uk) once completed.*

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