

Dear Colleagues

## REVISED GUIDANCE FOR PREGNANT EMPLOYEES

### Background

1. The Department of Health and Social Care (DHSC) Occupational health advice for pregnant women in the workplace was first produced in March 2020 to support both employers and pregnant women with the risks associated with COVID-19 at work, following the decision to place pregnant women in a high-risk category. It is applicable in England, Wales, Scotland and Northern Ireland.

2. In light of the recent data, the DHSC has revised and updated the Guidance for pregnant employees and their employers. This guidance was updated on 2 November 2021.

3. The Guidance should be referred to in full to understand it in context but the key changes are summarised below.

### What has changed?

#### 4. Previously the Guidance advised:

- All pregnant women should undergo a risk assessment in the workplace and continue to work if it is safe to do so.
- Women who are 28 weeks pregnant and over should take a more precautionary approach in light of the increased risk.

#### 5. The revised Guidance advises:

- All pregnant women should undergo a risk assessment in the workplace and continue to work if it is safe to do so.
- Pregnant women who are unvaccinated at any gestation should take a more precautionary approach in light of the increased risk.

**DL (2021) 43**

**22 November 2021**

---

### **Addresses**

#### For action

Chief Executives,  
Chairs,  
HR Directors,  
Nurse Directors,  
Medical Directors, Local Authority  
Chief Executives, Chief Social Work  
Officers,  
Chief Officers.

#### For information

Infection Control Managers, Public Health  
Directors,  
Employee Directors,  
Representatives, Workforce  
Senior Leadership Group  
Members.

### **Enquiries to:**

Scottish Government  
Directorate for Health Workforce  
St. Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

E-mail

[HWFDirectorateSupportUnit@gov.scot](mailto:HWFDirectorateSupportUnit@gov.scot)

---

**In practice the Guidance advises that:**

6. If and as required by any health and safety or other legal obligations, employees who are pregnant at any gestation must have a workplace risk assessment with their employer and should only continue to work if the risk assessment advises it is safe to do so.

7. The Scottish Government Covid 19 [Guidance](#) on individual occupational risk assessment is available for this purpose. In line with any health and safety and other legal obligations, employers should continue to factor in workplace risks and control measures that can be put in place to protect staff as well as the local prevalence of the virus.

8. Women who are pregnant with significant congenital or acquired heart disease continue to be on the Scottish Government's Highest Risk List. Further information is available on the Scottish Government [website](#).

9. Non Vaccinated or not fully vaccinated employees who are pregnant have an increased risk of becoming severely ill and of pre-term birth if they contract COVID.

Employers should undertake a workplace risk assessment as set out above, and **where appropriate** consider both how to redeploy and how to maximise the potential for homeworking, **wherever possible**.

10. If and as required by any health and safety or other legal obligations where adjustments to the work environment and role are not possible and alternative work cannot be found, pregnant staff should be suspended on paid leave. Advice on suspension and pay can be found in [HSE guidance](#).

11. Boards may wish to use previous mitigations and options utilised for those who were on the Highest Risk (previously Shielding) List, depending on individual needs and risks assessed.

12. If any employers/Health Boards are unclear about what health and safety or other legal obligations apply to them, whether referenced in the UK Government's Guidance or not, and how to discharge those obligations particularly in relation to employees who are pregnant, independent legal advice should be sought.

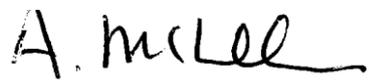
**Vaccination**

13. [COVID-19 vaccines are recommended in pregnancy](#). Women who are pregnant should be offered their COVID-19 vaccination at the same time as non-pregnant women, based on their age and clinical risk group, in line with Joint Committee on Vaccination and Immunisation (JCVI) advice.

14. Vaccination is the best way to protect against the known risks of COVID-19 in pregnancy for both women and babies, including admission of the woman to intensive

care and premature birth of the baby. However, Having a COVID-19 vaccine does not remove the requirement for employers to carry out a risk assessment for pregnant employees.

Yours sincerely,

A handwritten signature in black ink that reads "A. McMahon". The letters are cursive and fluid.

Professor Alex McMahon  
Interim Chief Nursing Officer

A handwritten signature in black ink that reads "Gregor Smith". The signature is more stylized and cursive than the one above.

Dr Gregor Smith  
Chief Medical Officer