

## Preventing discrimination

All employers should take steps to make sure pregnancy and maternity discrimination does not happen at work.

As an employer, you should aim for a culture where:

- everyone knows that pregnancy and maternity discrimination is not acceptable
- anyone who's pregnant, on maternity leave or returning to work feels safe, supported and valued
- you recognise and promote the benefits of an inclusive organisation

[Find out more about improving equality, diversity and inclusion](#)

## Steps for preventing pregnancy and maternity discrimination

Many ways to prevent discrimination apply equally to all 'protected characteristics'. You can find out more in our advice on [preventing discrimination](#).

Measures that are specific to preventing pregnancy and maternity discrimination include:

- having a pregnancy and maternity policy
- understanding your responsibilities as an employer
- making sure managers understand their responsibilities
- considering things that affect workers who are pregnant, on maternity leave or returning to work
- being aware of stereotypes
- recognising the impact of discrimination on mental health and wellbeing

If you're a small organisation with limited resources, you might not be able to take all measures. But you have a duty to prevent discrimination, and there's still a lot you can do. Making your organisation more inclusive does not have to be costly or complicated.

If you're a public sector employer, you also have legal responsibilities under the [public sector equality duty](#).

## Having a pregnancy and maternity policy

You should consider having a pregnancy and maternity policy. This can:

- help everyone understand their rights and responsibilities
- help to prevent discrimination, which can happen when employers make decisions without thinking them through

[Find out more about creating a pregnancy and maternity policy](#)

## Make sure other policies do not discriminate

You should check all relevant policies to make sure they do not discriminate. For example, policies around absence, recruitment or redundancy.

## Understanding your responsibilities as an employer

As an employer, you have certain legal responsibilities when someone is pregnant or on maternity leave. Understanding these can help to avoid discrimination.

Your responsibilities include:

- health and safety – you must do a risk assessment
- confidentiality – you must not share information about someone's pregnancy without their permission
- recruitment – you must not withdraw a job offer or promotion because someone is pregnant or on maternity leave
- following redundancy law – offering a suitable alternative vacancy to an employee who's pregnant or whose baby was born up to 18 months ago
- following the law on dismissals – you must not dismiss someone just because they're pregnant or on maternity leave
- communication during maternity leave – you must tell someone about important changes and opportunities
- returning from maternity leave – someone has the right to return to the same job, if it still exists

For more details of your responsibilities as an employer, read:

- [rights during pregnancy](#)
- [maternity protections](#)
- [redundancy protection for pregnancy and new parents](#)

## Making sure managers understand their responsibilities

You should make sure managers and supervisors understand their role in supporting workers who are pregnant or on maternity leave.

Managers should:

- know what the organisation's policies are around pregnancy and maternity
- support anyone who's pregnant and make sure they understand their rights
- agree how they will keep in touch with anyone going on maternity leave
- prepare for someone's return to work
- be a good example of inclusive behaviour for others to follow
- look out for any discriminatory behaviour
- deal with any discrimination that happens

## Considering things that affect workers who are pregnant or returning to work

Pregnant workers or those returning from maternity leave might have specific needs or things they're affected by.

Managers should talk with people about what they need and what support can be provided.

During pregnancy, this can include:

- time off for 'antenatal' appointments (pregnancy-related appointments made on the advice of a doctor, nurse or midwife)
- time off for pregnancy-related sickness
- support during a difficult pregnancy or after a pregnancy loss

During maternity leave or after a return to work, this can include:

- someone who's breastfeeding needing somewhere suitable to rest or express breast milk

- making a flexible working request to help with childcare

Find out more about:

- [NHS advice on breastfeeding and going back to work](#)
- [statutory flexible working requests](#)

## Being aware of stereotypes

Avoid making decisions based on assumptions about pregnancy and maternity.

Examples of stereotyping could include:

- assuming that women who have children are not interested in career development
- thinking that pregnant workers are less able to do their job or less committed

## Supporting mental health and wellbeing

Pregnancy and maternity discrimination can seriously affect someone's mental health and wellbeing. People often feel targeted, pushed out or ignored. It can have an impact on attendance and work performance.

People can also have mental health problems linked to pregnancy and maternity, for example postnatal depression.

As an employer, you have a 'duty of care'. You must do all you reasonably can to support the health, safety and wellbeing of your workers.

You do not have to be a mental health expert. But there are resources and support you can offer.

This might include:

- support through work, if you have an employee assistance programme (EAP) or a relevant staff network, for example a Women's Network
- help and information from a trade union, if someone is a member
- sharing details of specialist help and support from other organisations

Find out more about:

- [supporting mental health at work](#)
- [postnatal depression advice and support on the NHS website](#)

## Get more advice and support

If you need help to deal with any challenges in your organisation, you can:

- [contact the Acas helpline](#)
- [get tailored support for your organisation](#)
- talk to your recognised trade union, if you have one