

**Disability and  
long-term health  
conditions: your  
right to reasonable  
adjustments in  
maternity care**

# Disability and long-term health conditions: your right to reasonable adjustments in maternity care

---

## What rights do I have to NHS maternity care?

Everyone is legally entitled to medical attention from healthcare professionals during their pregnancy, childbirth and after their baby is born.

This is because serious and occasionally life-threatening complications can occur in pregnancy and childbirth.

Article 2 of the European Convention on Human Rights protects everyone's right to life. It requires every country to give everyone access to basic life-saving services. These services include maternity care in hospital.

Human rights mean that you must be treated with dignity and respect during your care.

- You can read more in our factsheet *Human rights in maternity care*.

---

## Do I have the right to additional support during my maternity care if I am disabled or have a long-term health condition?

Yes. Human rights law and equality law give you rights to additional support

during pregnancy and childbirth if you are disabled. Equality law in England, Wales and Scotland describes disability as 'a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities'. This can include physical, sensory and learning impairments. It can also include long-term health conditions such as epilepsy. If you have an impairment or long-term health condition that meets this description you have the right to additional or different support even if you do not identify as disabled.

Your maternity care must be safe and support your needs. It must respect your dignity and allow you to make your own decisions. You must not be discriminated against because you are disabled.

This is covered in Article 14 of the [European Convention on Human Rights](#).

If you are disabled and need different or extra support during your pregnancy, childbirth and after the birth, talk to your midwife or other healthcare professional as soon as you can. Together you should be able to plan the support you need.

Your NHS Trust must make reasonable adjustments to make sure you can access the same maternity care as anyone else. This is covered in the [Equality Act 2010](#).

---

## What reasonable adjustments can I ask for?

Reasonable adjustments should be personalised for you, to make sure that you have equal access to care.

Reasonable adjustments are often fairly simple. For example, they might include:

- access to a disabled toilet and shower and any aids you might need
- space for your wheelchair in the postnatal room

- large print information or information in a suitable format for your screen-reading software
- appropriate and safe lighting - this could be lighting to enable you to lipread or it could be lighting that will not cause you pain or discomfort if you are sensitive to light
- longer appointments
- an advocate if you need communication support
- tours of the birth centre or labour ward even if these are not normally offered
- an opportunity to try getting into and out of a birthing pool to see what support you might need
- planning to minimise noise if it might cause you distress
- additional support on the postnatal ward.

The healthcare professionals supporting you should find out from you what your particular needs are and be flexible in finding the best support for you.

Your healthcare professionals should ask for help from other teams in the hospital, such as Occupational Therapy or the communication or information support teams if necessary. They may also wish to talk to any other professionals involved in your healthcare.

If you are receiving specialist care for any long-term conditions, your different healthcare professionals should work together to support you during your maternity care, even if they are based in different locations. You can talk to your midwife about how to record your needs so that everyone involved in your care can easily see what they are.

Our factsheets on *Can I choose where I give birth?* and *Consenting to treatment* describe some examples of reasonable adjustments that healthcare professionals could consider in different situations.

These are ideas only: reasonable adjustments must be based on your personal situation and needs.

- If you need advice on your right to reasonable adjustments, you can [contact us for advice](#).

You can find a list of additional resources which may be helpful if you are pregnant and are disabled or have a long-term health condition at the end of this factsheet.

---

### What if I am not disabled but I need additional support?

If you feel you need additional or different support, for example if you have previously experienced trauma, you can talk to your midwife during your antenatal care about what you need and what is important to you. It can help if you are able to explain why you need additional support. Your midwife should support you as far as possible.

---

### What other support and resources can I find?

If you are disabled and pregnant you may find the following organisations and resources helpful:

- [Mumslikeus](#) is a supportive network for disabled mothers and those who care to share resources, ideas and support for each other.
- [Remap](#) is a charity whose skilled volunteers custom-make equipment for disabled people, including baby care equipment.
- Charities such as [Scope](#) and [Mencap](#) can also offer advice and support to disabled parents. Organisations such as [Voiceability](#) can provide advocacy support.
- [The Elfrida Society](#) offers support to people with learning disabilities.

- The Maternal Mental Health Alliance provides and signposts to information and support on mental illness during maternity.
- Family Rights Group offers more information if you are disabled and would like help to care for your child.
- The Disability Law Service can provide free legal advice for disabled people.

# Law and guidance

---

## Article 14 of the European Convention on Human Rights

This prohibits discrimination on a wide range of grounds including disability, sex, race, religion, language, immigration status and national origin. It requires that all human rights and freedoms should be protected for everyone and applied without discrimination.

It requires that all of the rights and freedoms set out in the European Convention must be protected and applied without discrimination. This means that everyone should have equal access to safe and appropriate maternity care that respects their dignity and autonomy.

---

## The Equality Act 2010

This says that public bodies, such as the NHS, must take all reasonable steps to eliminate discrimination and advance equality of opportunity when providing services. This means that people with protected characteristics must be able to access the same maternity care as any other person, and that reasonable adjustments need to be made to facilitate this.

In practice this means that your maternity care providers should be talking to you about what support and adjustments you need to ensure that your access to maternity care is not disadvantaged. What is considered 'reasonable' is ultimately a decision for the Courts and may depend on different factors including effectiveness, practicality and cost, but Trusts should be engaging proactively with you about your personalised support needs and

thinking broadly about how they could be met.

The NHS has been trialling [Reasonable Adjustment Flags](#), a way for people's needs for extra support to be highlighted to healthcare professionals every time they use the health service.

---

## About Birthrights

Birthrights factsheets give you information about your human rights when you are pregnant and giving birth.

- Contact Birthrights for help on our [advice form](#) or by emailing [advice@birthrights.org.uk](mailto:advice@birthrights.org.uk).

Birthrights champions respectful care during pregnancy and childbirth by protecting human rights. We provide advice and information to women and birthing people, train doctors and midwives, and campaign to change maternity policy and systems.

We are a charity, independent of the government and the NHS.

[www.birthrights.org.uk](http://www.birthrights.org.uk)

Disclaimer: Our factsheets provide information about the law in the UK. The information is correct at the time of writing (May 2021). The law in this area may be subject to change. Birthrights cannot be held responsible if changes to the law outdate this publication. Birthrights accepts no responsibility for loss which may arise from reliance on information contained in this factsheet. Birthrights has provided links to third party websites where these may help provide relevant further information. Birthrights takes no responsibility for the contents of linked websites and links should not be taken as an endorsement.