**Breastfeeding at Work**

**Policy and Guidance**

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| **Author/Originator and Job Title:** | Debbie Allcock (Health Improvement Coordinator) & Julia Carter (Health Improvement Specialist – 0-19 commissioner)  |
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| 15.09.22 | 2 | Samantha Pearce | Amends to recommendations around expressing facilities in the workplace.  |
| 16.09.22 | 3 | Julia Carter | Additional statements in introduction section and Bosom Buddy timetable. |
| 25.11.22 | 4 | Debbie Allcock | Updated as per HR advice regarding providing notice of intention to breastfeed when returning to work. |

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| **Name** | **Designation** | **Date Response Received** |
| Truda McNevin/Infant feeding operational group | NHS Bridgewater 0-19 Infant feeding lead | 10.11.22 |
| Sarah Whittaker | Head of HR & OD, WBC | 25.11.22 |

1. **Introduction / Purpose**

Breastfeeding is an important public health priority and offers the best possible start in life. Breastfeeding improves infant and maternal health and wellbeing in both the short and longer term.

Research by [Victoria and others, 2016](https://www.ncbi.nlm.nih.gov/pubmed/26869575) and the [World Health Organization (WHO)](https://www.who.int/mediacentre/news/statements/2011/breastfeeding_20110115/en/#:~:text=WHO%20recommends%20mothers%20worldwide%20to,of%20two%20years%25) demonstrates exclusive breastfeeding should be recommended for the first 6 months of life, with continued breastfeeding alongside solid foods for at least the first year of life.

In recognition of our legal obligations for breastfeeding mothers, this policy provides guidance to all staff in supporting breastfeeding mothers when returning to work from maternity leave.

1. **General Principles / Target Audience**

The policy applies to all employees within Warrington Borough Council. Also, the policy is intended to ensure a consistent approach is in place to welcome mothers who wish to breastfeed when accessing council services/premises.

1. **Policy**

Warrington Borough Council recognises the benefits of breastfeeding to mothers and infants and therefore will support staff members who choose to breastfeed their babies, including upon their return to work. The term ‘Breastfeeding’ includes expressing milk and the same rights under this policy will apply to employees who wish to express milk to give to their baby.

All mothers have the right to receive clear and impartial information to enable them to make a fully informed choice as to how they feed and care for their babies. Recommendations include exclusive breastfeeding for the baby’s first six months of life, with continuation of breast milk as part of the infant’s diet throughout the first year and beyond.

A mother who has chosen to breastfeed and return to work needs support from employers and colleagues to be able to continue breastfeeding for the optimum period of time.

* 1. **Recruitment incentive**

Being recognised as a family friendly employer is good for corporate relations, recruitment and retention of staff. If an employee feels that a flexible supportive environment exists she is more likely to return to work and more quickly. Skills and experience are retained within the organisation without incurring extra recruitment costs.

* 1. **Equal Opportunities**

Support for breastfeeding is crucial to enable mothers to combine work and family commitments and is a key part of The Equality Act 2010.

* 1. **Support and Responsibilities**

**3.3.1 Employee’s responsibilities**

At least 28 days’ notice should be given to the line manager when wishing to breastfeed on return to work, this must be given in writing. This will ensure that the employee and line manager can make the necessary arrangements to meet the request and the needs of the service.

To develop a breastfeeding plan on return to work, mothers can access additional support from their Health Visitor, local breastfeeding peer support service or the Warrington Specialist Infant Feeding Support Team. Please also see the ACAS guide to supporting breastfeeding in the workplace. See details in the references section at the end of this policy.

Employees are responsible for the safe cleaning and storage of their equipment in addition to the clear labelling, storage and collection of milk. It is recommended that a container is used from home and personal cool bags are used (including within a designated refrigerator if this is available). Milk stored in the fridge must always be removed by the individual to whom it belongs. **Warrington Borough Council accepts no responsibility for the incorrect storage, handling or labelling of expressed milk.**

**3.3.2 Organisations responsibilities**

Warrington Borough Council welcomes mothers who wish to breastfeed and will maximise opportunities for those who wish to breastfeed in public areas of our premises and provide private areas where available.

Warrington Borough Council will inform:

* All employees of the rights provided under this policy as part of equal opportunities training or the induction programme in order to foster a positive attitude towards breastfeeding
* Pregnant employees their rights under this policy
* All pregnant employees that they can get information and advice from local breastfeeding professionals (named in the references section of this policy).

All pregnant employees about the NHS Healthy Start Scheme. Healthy start supports those who are pregnant or have responsibility for at least one child under four years of age and who are on a low income. Anyone who is pregnant or families with children under 4 and in receipt of qualifying benefits may be entitled to get help to buy some basic foods and milk. Check eligibility here: [How to apply – Get help to buy food and milk (Healthy Start)](https://www.healthystart.nhs.uk/how-to-apply/)

Separate legalisation:

There is separate legislation in place protecting new and expectant mothers in the workplace. Employees of Warrington Borough Council who are breastfeeding are covered under these regulations, namely: the Management of Health and Safety Regulations 1999, the Workplace (Health, Safety and Welfare) Regulations 1992 and the Employment Rights Act 1996 (as amended by the Employment Relations Act 1999).

Breastfeeding breaks:

The law does not currently give the right to time off for breastfeeding breaks or to express milk. However, your employer must make sure that you and your baby’s health and safety are not put at risk. This means that your employer must make sure that you have sufficient rest breaks so that you can continue to take plenty of fluids and nutrition while you are breastfeeding. You should talk to your employer about the timing of your rest breaks and lunch break as it may be possible to breastfeed or express milk during those breaks.

Flexible working hours:

You have the right to ask for changes to your hours of work, days of work or place of work. This is called an application to work flexibly. If you want to make an application for flexible working, this should be done at least three to four months before you are intending to return to give your employer time to consider it and make changes. Private space:

On return and if required, Warrington Borough Council will endeavour to provide a private, hygienic, safe, and secure area where a breastfeeding mother can express milk. This could be an unoccupied office, or an area used for meetings, that can be locked. Access to water and washing facilities will also be available where possible.

In any event it is inappropriate to use toilets or sick rooms to breastfeed and/or express milk due to hygiene risk.

Facilitating storage of breastmilk:

In workplaces where it is practicably possible, Warrington Borough Council will provide a suitable and labelled facility e.g. a fridge or cool area, to store expressed milk. This must be stored in an appropriate sealed and clearly labelled container provided from home. If a fridge is not practical, personal cool bags with ice packs can be used as an alternative.

A guide for expressing and safely storing breastmilk provided by the NHS can be found in the references section at the end of this policy.

**3.3.3 Managers responsibilities**

Whilst on maternity leave, employees and line managers will be in regular contact, either in general or as part of keeping in touch days. It is possible at this stage for breastfeeding mothers to outline their views and suggestions as to what would work in their situation, which will allow line managers the opportunity to consider how the request can be accommodated.

To accommodate this, as stated above it is necessary for line managers to be given at least 28 days’ notice of an intention to breastfeed on return to work to ensure that any necessary arrangements can be made to both meet the needs of the request as well as the service. This also ensures that there is adequate time for a risk assessment to be carried out before returning to work to ensure all health and safety considerations have been explored.

The line manager will conduct a risk assessment specific to the individual using the pregnancy risk assessment form. For more information about carrying out a specific risk assessment for breastfeeding mothers, visit Equality and Human Rights Commission website (see references section at the end of this policy).

If any risks are identified then appropriate action will be taken to minimise these risks in line with the Management of Health and Safety at Work Regulations 1999 (Crown, 1999).

1. **How can council services support breastfeeding mothers?**

Breastfeeding is permitted and welcomed in all public areas of council premises except where there are overriding health and safety considerations. Individual services can support this by:

* Displaying window stickers / posters which show that breastfeeding is welcome
* Informing staff of the aims and principles of the policy
* Ensuring staff are trained in general customer care and familiar with the council’s service level standards
* Ensuring staff make themselves aware of the facilities available within their service to support breastfeeding mothers.

If a member of the public objects to a mother breastfeeding on the premises:

* The breastfeeding mother should not be asked to move, cover up or stop feeding her baby
* The staff member should tactfully and politely explain that the council supports breastfeeding mothers on the premises
* The staff member could ask the complainant to move to an area where they are no longer able to ‘view’ the mother
* If they continue to object, the staff member could suggest to the customer that they come back at a later time.

Please be aware that no individual staff members are expected to place themselves at risk by getting into conflict with a customer. The staff member is not obliged to approach a member of the public who is complaining if they do not feel comfortable in doing so. The staff member would however be expected to quietly withdraw and inform their line manager or supervisor of the situation.

1. **References**
* Bridgewater Warrington Infant Feeding information and advice - [Warrington Breastfeeding and Infant Feeding Services – Bridgewater Community Healthcare NHS Foundation Trust](https://bridgewater.nhs.uk/warrington/breastandinfantfeeding/warrington/)
* National breastfeeding helpline 0300 100 0212 - [National Breastfeeding Helpline – Helpline](https://www.nationalbreastfeedinghelpline.org.uk/)
* Equality and Human Rights Commission on 0808 800 0082 or [Home Page | Equality and Human Rights Commission (equalityhumanrights.com)](https://www.equalityhumanrights.com/en)
* Breastfeeding and going back to work - [Breastfeeding and going back to work - NHS (www.nhs.uk)](https://www.nhs.uk/conditions/baby/breastfeeding-and-bottle-feeding/breastfeeding-and-lifestyle/back-to-work/)
* Accommodating breastfeeding employees in the workplace - [Accommodating breastfeeding employees in the workplace | Acas](https://www.acas.org.uk/accommodating-breastfeeding-employees-in-the-workplace)
* Local breastfeeding support groups e.g. bosom buddies – see inserted timetable 