



FALKIRK COUNCIL

**BREASTFEEDING AT
WORK POLICY**



November 2017

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PART 1

1.1 POLICY STATEMENT

Falkirk Council is committed to providing employees with the ability to balance their working lives with their personal lives including supporting employees with child care responsibilities. The Council recognises the health benefits to both mother and child that breastfeeding provides and is committed to making provision for female employees who wish to continue breastfeeding after their return to work following maternity leave.

PART 2

2.1 INTRODUCTION

The aim of this policy is to provide the support that is necessary to enable female employees returning to work following maternity leave to continue breastfeeding for as long as they deem appropriate.

The Council believes that by ensuring appropriate provisions are in place both the employee and the Council will benefit. These benefits may include reduced parental absence throughout the organisation, higher rates of women returning to work after giving birth, lower recruitment and training costs, improved employee continuity, more people being attracted to employment within the Council and increased morale and employee loyalty, enabling employees to make important choices for their families.

The Council has a duty to consider whether or not the mother's working conditions are a risk to her health or the health of her baby. The Workplace (Health, Safety and Welfare) Regulations 1992 state that employers must provide 'suitable facilities' for breastfeeding employees 'to rest'. These facilities should be close to toilet/washing facilities and there should be somewhere for mothers to lie down if necessary.

2.2 SCOPE

This policy applies to all female employees who make a request in writing to their line manager to provide support/facilities to enable her to continue breastfeeding upon her return to work.

It is the duty of the line manager to decide what the practical arrangements will be in agreement with the employee. This will depend on hours worked, service provision, the ability to use flexi-time, and where the baby is being cared for.

This policy may be used along with other policies and procedures including the Flexible Working and Family Leave provisions.

2.3 ROLES AND RESPONSIBILITIES

Directors and Heads of Service

- Support requests and supply the necessary facilities where reasonably possible;
- Ensure managers and employees are aware of the policy.

Line Managers

Ensure female employees are aware of the policy before starting maternity leave.

- Discuss breastfeeding arrangements with the employee before their return to work, once the employee has confirmed in writing their intention to breastfeed. This could be by phone, letter, email, or face to face. Arrangements could include reasonable breaks to express milk, a temporary change to shift patterns, or use of the Flexible Working Policy to allow home visits for feeding purposes.

Carry out a risk assessment (see appendix 1 for guidance note) using the General Risk Assessment (routine tasks) Form - HR16b on Inside Falkirk. This will identify any particular risks that need to be considered in relation to the arrangements put in place for the mother to continue breastfeeding. Some of these risks may include exposure to chemicals or lead or lead derivatives, infectious diseases, extremes of cold and heat, excessive physical or mental pressure, shocks/vibration, manual handling, etc. All options should be considered to accommodate both the employee and service provision.

- Explore all possible options to alter the work pattern or tasks to eliminate any identified risk. If after all possible consideration has been given to altering the work pattern, no alternative can be found, redeployment should be considered for a temporary period to facilitate breastfeeding arrangements. The service HR Business Partner must be consulted in this instance.

It should be noted that there is no legal requirement to allow breastfeeding mothers to return home during the working day to feed their baby and any agreement to such requests would take into account circumstances such as distance to the employee's home address. However, in terms of best practice line managers can consider such requests using flexible working options in the Flexible Working policy or a temporary change to shift patterns to accommodate any request where possible. It is, however, recognised that facilities must be provided to allow mothers to express milk at work (see 2.4 Practical Arrangements).

Employees

- The employee should inform her line manager in writing that she intends to continue breastfeeding upon her return to work. This should be done as soon as is reasonably possible, however, a minimum of 4 weeks notice prior to returning to work must be given.
- Discuss any breastfeeding arrangements with her line manager prior to returning to work. This could be by phone, letter, email, or face to face. For guidance on what should be considered see section 2.4.

- Take reasonable care to ensure her own health and safety and not to put others at risk from her actions, e.g. keep the breastfeeding area clean and tidy after use, storing breast milk appropriately, keeping to the arrangements agreed with the line manager etc.

2.4 PRACTICAL ARRANGEMENTS

The Council recognises that all women and children are different and require different arrangements to meet their needs. The length of time that a mother breastfeeds is based on her own personal choice and therefore there is no time limit on breastfeeding arrangements.

There is a wide range of flexible working arrangements available to help mothers continue breastfeeding while at work. This may involve a temporary change to the duties the employee carries out in her daily work for health and safety reasons, or a temporary change to the routine of the working day. This can be agreed through the Flexible Working Policy.

The line manager and employee should complete a risk assessment and discuss the practical arrangements before the employee returns to work; where possible this should be completed a minimum of 4 weeks prior to the employee returning to work. Areas for discussion will include working time, flexible working hours, times and arrangements for breaks for feeding/expressing milk, facilities etc. While it is the employee's own decision as to how long she will breastfeed, it is important also to agree a review date at this meeting to evaluate the practical implications and if necessary amend the previously agreed arrangements.

Reasonable time will be allowed during working hours to express milk. This in practice could mean agreeing extended lunch and/or other breaks, starting slightly later in the morning or leaving early in the evening, depending on service provision and within the context of the flexible working options.

Where an employee wishes to express milk at work the Council ideally should provide the following facilities:

- A warm clean room
- A low comfortable chair
- A lock or privacy sign for that room
- Electric sockets
- Hand-washing facilities in the room or near by
- A hygienic place to clean pumps and store sterilising equipment
- A fridge for storing milk at the appropriate temperature

While this has implications in terms of space and cost, an example of a suitable location would be a First Aid room. This could be used on agreement that should a first aid incident arise the mother must vacate the room.

Where working time or duties are amended whilst the employee is breastfeeding this will have no affect on the employee's salary.

PART 3

3.1 MONITORING & REVIEW

The Head of HR & Business Transformation along with Services and Trade Unions will monitor and review the policy as necessary.

FALKIRK COUNCIL
GUIDANCE NOTE FOR COMPLETION OF HR16b
BREASTFEEDING AT WORK
UNDERTAKING A GENERAL RISK ASSESSMENT OF ROUTINE TASKS

To assist risk assessors/managers/supervisors the following guidance for each section of form HR16b should be considered.

SECTION 1	TASK/S TO BE UNDERTAKEN
Task /s:	Breastfeeding at work
Reference Number:	<i>Provides an identification unique to the assessment</i>
Service:	<i>Identifies the Service involved.</i>
Employee/s Job Title:	<i>Identifies the job title of those persons involved with the task.</i>
SECTION 2	HAZARDS IDENTIFIED
<p>Select the hazards that may be applicable to the mother who is breastfeeding, this can vary depending on the type of job they have. The Line Manager should consider the working environment.</p> <p>Below are hazards that should be considered along with any the line manager / employee identifies within the workplace;</p> <ul style="list-style-type: none"> - Contamination/Disease: the line manager must notify the employee of the appropriate risk assessment, procedures, training and information that is available - Dust/Fumes & Hazardous Substances: line manager is to ensure that the appropriate Control of Substances Hazardous to Health (COSHH) risk assessment is carried out on any hazardous substance that any employee who is breastfeeding has contact with - Radiation & Ionising radiation: line manager to ensure breastfeeding mothers are given training, information and instruction to cover the fundamental and routine requirements in order to work with ionising radiation - Non-Ionising Electromagnetic Radiation: line manager to ensure that breastfeeding mothers should not exceed the restrictions on human exposure published by the National Radiological Protection Board - Stress: line manager to ensure that the appropriate risk assessments and support are in place - Temperature & Ventilation: line manager to ensure that the work area is at an adequate temperature that the work areas are appropriately ventilated and that there is adequate supply of drinking water - Work Equipment & Tools: line manager to ensure that all work equipment and personal protection equipment is fit for purpose and suitable to be used by the employee who is breastfeeding. - Working Practices: line managers may have to adjust working patterns to accommodate any employee who is breastfeeding and to ensure that the appropriate facilities are in place - Other: appropriate facilities are provided to employees for breastfeeding or expressing breastmilk as per section 2.4 of this policy. <ul style="list-style-type: none"> • Line manager to ensure that any employee who is breastfeeding does not work with lead, lead derivatives, mercury and/or mercury derivatives. 	
SECTION 3	PERSONS AT RISK
<ul style="list-style-type: none"> • The mother who is breastfeeding • Child receiving breast milk 	
SECTION 4	CONTROLS
<ul style="list-style-type: none"> • Number the hazards found in section 2 and list the control measure implemented by the line manager and/or employee who is breastfeeding and make a Y or N if this has been an adequate request 	
SECTION 5	COMMENTS
<ul style="list-style-type: none"> • Identify the hazards which have been assessed as having no means of control or as not being adequately controlled. Enter the number of the hazard identified previously in Sections 2 and 4; • Enter any recommendations which you, as Risk Assessor, propose to implement to reduce/eliminate the risk e.g. additional training, maintenance of equipment, mandatory checks, additional procedures, introduction of new safer working methods, use of Personal Protective Equipment (PPE) etc. 	

SECTION 6 OVERALL RISK RATING OF THE TASK/S TO BE UNDERTAKEN

- Determine the risk rating of the hazard/s relating to the task/s to be undertaken by referring to the Probable Frequency/Severity scale shown on form 16b i.e. Low 1 – High 5 and multiplying these figures;
- Provide reasons for coming to this conclusion e.g. potential for injury, level of control measures (good or bad), quality of training, working environment, accident rate etc.

SECTION 7 IDENTIFY OTHER RISK ASSESSMENTS REQUIRED

The Risk Assessor should:

- Circle and/or state as appropriate additional risk assessment/s required that are relevant to the task
- Print their name and sign and date where indicated.

Listed below are a number of other Risk Assessments that should be considered when completing the Breastfeeding Risk Assessment:-

- Control of Substances Hazardous to Health (COSHH)
- Lead
- Stress

SECTION 8 ACTION PLAN

The Risk Assessor should:

- enter any actions required as a result of undertaking this assessment;
- identify who is responsible for completing these actions and the target date for completion;
- enter the date of completion when the necessary actions have been completed;
- print their name and sign and date where indicated;
- identify the date for the review of the risk assessment (NB this should be undertaken at least annually).