



Medway Council

Breastfeeding and Expressing Milk Policy

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1.0 Introduction

1.1 Medway Council is committed to providing employees with the ability to balance their working lives and their personal lives, including supporting employees with childcare responsibilities by encouraging employees and managers to have a positive, accepting attitude towards those who are breastfeeding.

1.2 Policy aims:

- Provide guidance to employees and managers on how to enable breastfeeding employees to return to work following maternity leave.
- Allow breastfeeding employees to continue with their breastfeeding for as long as they deem appropriate.
- Detail the legal responsibility of the council as an employer.

1.3 Supporting employees to continue breastfeeding when they come back to work may be achieved through the following steps:

- encouraging breastfeeding e.g. through internal communications, guidance and training
- creating a culture where managers and employees feel comfortable having conversations about breastfeeding when planning a return to work.
- endeavouring to provide suitable provisions to support breastfeeding and expressing milk
- assessing the needs of the breastfeeding employee and implementing any agreed adjustments in a timely manner
- regularly checking in on how the adjustments are working and adapting them as required if the needs of the employee change, and
- discussing flexible working options to help sustain breastfeeding.

1.4 Supporting employees to breastfeed brings health benefits to the parent and their baby and could contribute to:

- healthier children
- higher rates of parents returning to work
- increased staff loyalty and retention
- showing a commitment to be family friendly employer, and
- demonstrating the council's commitment to [Medway's Infant Feeding Strategy](#) and supporting [Beside You](#), the normalising breastfeeding campaign.

2.0 Scope

- 2.1 This policy applies to all employees who make a request in writing to their manager asking for support/facilities to allow them to keep breastfeeding when they come back to work.
- 2.2 The manager is responsible for discussing the needs of the breastfeeding employee, and to explore and agree what the practical arrangements of working and breastfeeding will be, including agreeing on a suitable location for expressing milk. Consideration shall be given to hours worked, service provision and the ability to use flexitime.
- 2.3 This policy should be used alongside other council policies such as [Our Ways of Working](#).

3.0 Equality Statement

- 3.1 The council is committed to ensuring that no service user, employee, job applicant, those with care experience, partner, contractor, supplier or member of the public will be unlawfully discriminated, harassed or victimised on the grounds of race; ethnicity; nationality; ethnic or national origin; colour; disability; gender identity or presentation; marital or civil partnership status; maternity or pregnancy; family and caring responsibilities; sex; sexual orientation; age; HIV status; religion or belief; political beliefs; social class; trades union activity; or irrelevant spent convictions.
- 3.2 Information regarding maternity rights can be found on the [Maternity Action website](#).

4.0 Legal duty and responsibilities

- 4.1 The [Management of Health and Safety at Work Regulations 1999 \(MHSWR\)](#) implement the health and safety requirements of the Pregnant Workers Directive (92/85/EEC) into UK law.
- 4.2 Employers are responsible for providing a safe working environment while effectively managing risks to the health and safety of all workers, including women of a childbearing age. These responsibilities include:
 - health and safety protection
 - flexible working arrangements
 - suitable facilities for a breastfeeding employee
 - protection from direct and indirect discrimination, and
 - protection from harassment.
- 4.2 Employers must provide a suitable area where pregnant workers and breastfeeding mothers can rest. It should:
 - include somewhere to lie down if necessary

- be hygienic and private so they can express milk if they choose to – toilets are not a suitable place for this
- include somewhere to store their milk, for example a fridge

It is not suitable for employees to use toilets for expressing milk. Employers should provide a private, healthy, and safe environment for employees to express and store milk.

- 4.3 Adjustments to support breastfeeding employees should mirror the accommodations made for disabled employees. This might include breaks for breastfeeding or expressing milk, shorter working days, or consistent shifts. If the workplace isn't conducive to breastfeeding due to factors like extensive travel or inadequate facilities, employees could be relocated to a different role or site. Sensitivity is crucial when handling discussions about breastfeeding needs.

5.0 Responsibilities

5.1 Managers' responsibilities include:

- making sure that employees are aware of this policy before they start their maternity leave
- discussing, agreeing and putting in place any arrangements before they come back to work
- confirming when reasonable breaks will be taken to express milk, any temporary change to shift patterns, or use of the [Our Ways of Working Policy](#) to work more flexibly
- carrying out a [risk assessment](#) to identify any risks that need to be considered in relation to the arrangements for the employee to breastfeeding at work.
- explore all possible options to alter the work pattern or tasks to eliminate any identified risk
- being aware of the employee's wellbeing when they come back to work and how the significant change in routine due to breastfeeding may affect them

5.2 Employee's responsibilities include:

- letting their manager know in writing, with a minimum of four weeks' notice, before they come back to work that they want to continue breastfeeding
- discussing any breastfeeding arrangements required before they come back to work
- labelling all milk expressed with their name and the date collected so that it is not confused with another employee's milk.

- being responsible for proper storage and transportation of their own milk, and
- purchasing and cleaning of any associated equipment in line with manufacturer's guidance.

6.0 Expressing at work

- 6.1 It is advisable for employees to practice expressing milk prior to returning to work, as it can take a while to choose the right equipment, learn the best techniques and improve confidence when using. Practical advice and support can be obtained prior to returning to work from [Beside You Medway's](#), breastfeeding support page.
- 6.2 A breastfeeding employee may ask for a private, hygienic, safe and secure area where they can express milk. This could be an unoccupied office, or an area used for meetings that can be discretely screened. If in doubt the manager should ask the employee what would be most appropriate.
- 6.3 It is not appropriate in any event to use toilets or medical rooms as there may be a hygiene risk. A risk assessment should be carried out once a location has been agreed to ensure that it is a safe and suitable place.
- 6.4 Medway Council will try as much as reasonably possible, to provide a suitable private space to express milk. If after careful consideration, there is no appropriate space available, the manager and the employee should discuss this to see if there is any alternative facility.
- 6.5 For community-based employees who do not have a fixed worksite, arrangements need to be discussed and agreed with their manager. Breastfeeding friendly venues in Medway can be found on [Beside You's interactive map](#).
- 6.6 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.
- 6.7 Each employee is responsible for proper storage and transportation of their own milk. Expressed milk should be stored in a personal cool bag or if available, the cool bag can be placed in a refrigerator.

7.0 Requesting support

- 7.1 It is expected that managers and work colleagues will assist in providing a supportive and understanding approach to facilitating breastfeeding colleagues.
- 7.2 Breastfeeding employees are encouraged to be as open as possible regarding requiring advice, guidance and/or support.
- 7.3 Employees should initially talk to their line manager. However, if they are unable to do this, for any reason, they should contact [HR Support](#) on service desk or by calling 01634 334499.

- 7.4 Support and information is available from Medway Council's Public Health Infant feeding team by emailing ifp@medway.gov.uk. Any health-related disclosures during discussions with managers or the HR Support service will be treated with sensitivity and in confidence.

8.0 Flexible working requests

- 8.1 The council recognises that having the option to work more flexibly on a temporary basis may be appropriate for breastfeeding employees. For example:
- changing start and finish times where employees have an established breastfeeding routine, and/or
 - flexibility during the working day so employees may express milk.
- 8.2 Where employees feel that they would benefit from a temporary change to their working arrangement on an ad-hoc basis because of breastfeeding, they should discuss this with their manager.
- 8.3 Wherever possible, flexible working will be used to meet the employee's needs. A regular check in and review of the working arrangements should be done as part of normal catch ups/121s to make sure the needs of the employee and the service continue to be met.
- 8.4 If the employee requests additional short breaks to their normal break times, managers should consider the request reasonably and objectively, weighing up the needs of the employee and any impact it may have on service delivery.
- 8.5 Employees should carefully consider the type of flexible working they would like when they come back to work. Requests can also be made after the return as the employee may have more insight into issues they are coming across.
- 8.6 Any requests for flexible working need to be considered seriously in relation to the potential impact a refusal may have. In relation to requests which would allow the accommodation of breastfeeding to continue, refusing a request without clear and tangible business reasons could be deemed discriminatory.

9.0 Contacts for Support

- [Beside You](#)
- [Pregnancy and Breastfeeding Hub](#)
- [Breastfeeding friendly venues in Medway](#)
- [Contact a Breastfeeding Parent](#) in Medway Council's Public Health Team
- [Employee Wellbeing Champions](#)
- [Maternity Action](#)

- [National Breastfeeding Helpline](#)
- **NHS:** [Information on expressing and storing breast milk](#)
- [National Childbirth Trust](#)
- [La Leche League GB](#)
- [Association of Breastfeeding Mothers](#)
- [Working Families](#)
- [World Health Organisation](#)
- **UNICEF:** [UK Baby Friendly Initiative](#)
- [Equality and Human Rights Commission](#)

10.0 Version History

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