

breastfeeding after returning to work or study

Information
for employees
and employers,
students
and course
providers



in this booklet

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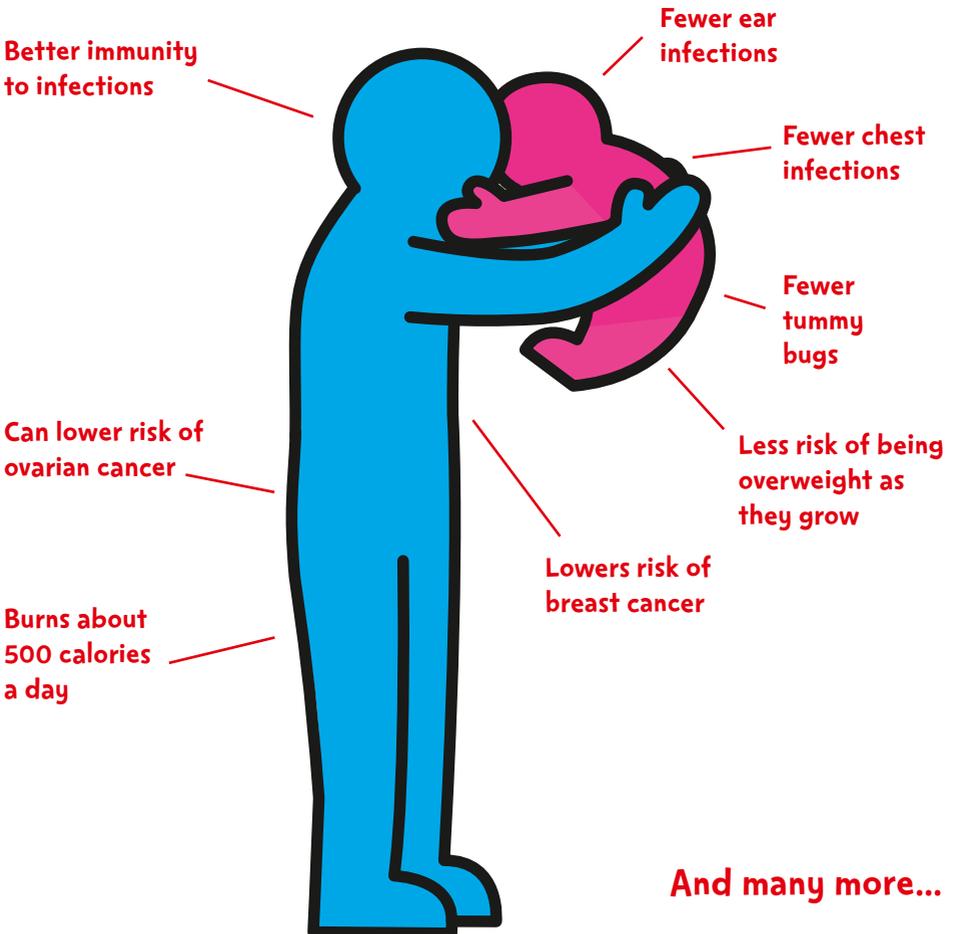
welcome to our guide to breastfeeding after returning to work or study

Going back to work or study may be the first time you have been separated from your baby for long periods. Continuing to breastfeed helps to keep the close relationship you've built up, providing your baby with extra comfort and security for as long as you both want.



Top reasons why breastfeeding is good for you and your baby:

- Even when you are no longer fully breastfeeding, one or two breastfeeds a day will still benefit your baby's health.
- Giving your baby a breastfeed after a busy day helps you and your baby unwind.
- It saves money – formula feeding can cost as much as £45 a month.



combining breastfeeding with work or study

How can I combine breastfeeding with returning to work or study?

You don't need to stop breastfeeding just because you're returning to work or study.

Many women find ways to continue breastfeeding their baby. Employers and course providers have certain obligations towards breastfeeding women to support your return to work or study (see below).

Here are some ways it could work for you:

- Have childcare close to your work or college, so that you can breastfeed during breaks or before and after work.
- Breastfeed at home and express milk (taking milk from your breast by hand or using a pump) so that your baby's carer can feed your baby while you are at work or study.
- Combine breastfeeding and formula feeding so your baby's carer can give your baby infant formula while you are at work or study.
- Try to get your baby used to taking expressed milk from a bottle or cup before you go back to work or study.

You must let your employer/course-provider know if you will be breastfeeding on return to work or study so that they can assess any health and safety risks.

Expressing milk

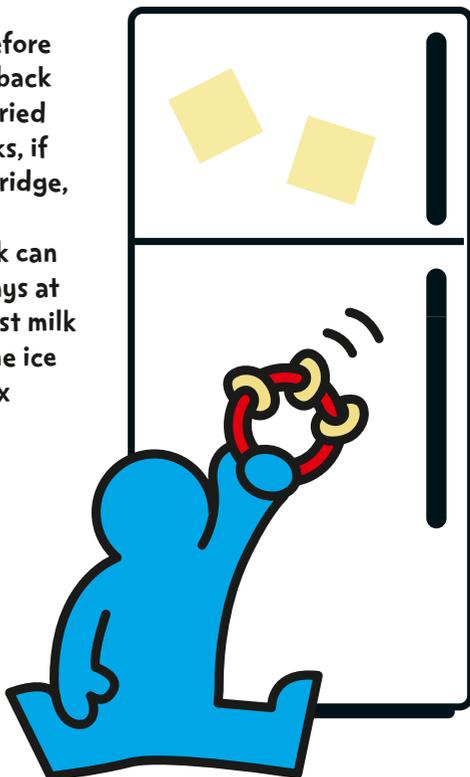
You can express milk by hand or by using a manual or an electric pump. Ask at the local breastfeeding drop-in how other mums are doing it. They will also be able to tell you about the different pumps that are available and how they get on with the different types. With just a little practice, hand expressing can be easier than using a machine. It's a good idea to start expressing a few weeks before returning to work or study to see what works for you as it can take a little while to get used to and you can work out how long it takes to express milk.

How often & how much?

How often you express milk and for how long is up to you. A baby under six months might need two to four feeds during the day. But after six months, as they begin to eat more solid food, the number of breastfeeds will go down. Some babies seem to take less milk when you are away from them and catch up when you are both back together.

Storing breast milk

Make sure all equipment is sterilised before you start. Milk should be stored in the back of a fridge and always transported/carried home in a cool bag with frozen ice packs, if possible. If you don't have access to a fridge, ask your employer if there is one, for example, in the first aid room. Your milk can be stored in the fridge for up to five days at 4°C or lower (usually at the back). Breast milk can be stored for up to two weeks in the ice compartment of a fridge or for up to six months in a freezer.



Defrost frozen breast milk in the fridge and once thawed use it straight away. If preferred, you can heat it to body temperature before feeding. Breast milk should never be re-frozen.

Useful tips

- Try out different containers so you know they won't leak when defrosting or travelling.
- Label and date expressed breast milk before putting it in the fridge or freezer. Have some milk in the freezer as a back-up to help you through the first few weeks.
- In the week or two before returning to work, have a trial run of your care arrangements.
- Be prepared by keeping an extra top and some breast pads at work or college.
- Defrost frozen breast milk overnight in the fridge to take to the baby's carer.
- If you are using milk within five days of expressing it is better to store it in the fridge than in the freezer. This means milk expressed on a Friday at work can be used on the following Monday without needing to freeze it.

Where to go for more help

National Breastfeeding Helpline

Breastfeeding support and information

Helpline **0300 100 0212**

NHS

Information about breastfeeding, expressing and sterilising equipment, see

www.nhs.uk/expressing-storing-breast-milk

La Leche League GB

Breastfeeding support

Website www.laleche.org.uk

Helpline **0845 120 2918**

National Childbirth Trust

Website www.nct.org.uk/parenting/about-breastfeeding

NCT Breastfeeding Line

0300 330 0771

continuing to breastfeed after returning to work

Do I have the right to breastfeed on return to work?

It's up to you to decide how long you want to give your baby your milk. The law does not provide a specific right to breastfeed on return to work but the law does require employers to protect the health and safety of mothers who have given birth in the last six months and mothers who are breastfeeding (regardless of how long you wish to breastfeed). In order to protect your health and safety you must notify your employer in writing that you are still breastfeeding.

Your employer must review the workplace risk assessment and take reasonable action to remove any health and safety risks to you or your baby. If the risks cannot be removed or reduced your employer must offer you suitable alternative work (or suspend you on full pay if there is no suitable alternative work available) for as long as the risks remain.

The Health and Safety Executive advises that specific risks to breastmilk are work with lead, organic mercury and radioactive materials as well as many of the same risks as during pregnancy such as lifting and carrying heavy loads, extremes of temperature, long working hours and work-related stress. If you are concerned about any aspects of your or your baby's health and safety you should talk to your GP and you could ask your GP to write to your employer outlining the health and safety risks that need to be addressed.

It is up to your employer whether they allow employees to bring children onto their premises. If your employer has a workplace nursery you should speak to your employer about arrangements for breastfeeding your baby.

It may be sex discrimination if your employer refuses to allow you to express milk or make reasonable adjustments to allow you to continue breastfeeding. It may be indirect sex discrimination if your employer refuses your request for flexible work without a good business reason and you or your baby are disadvantaged.

Ask your employer if they have a breastfeeding policy as some employers provide more than the legal minimum.

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 your 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 for flexible work. If you want to return to work part-time after your maternity leave or work from home you should make an application for flexible work at least three to four months before you are intending to return to give your employer time to consider it and make changes.



Your employer has a duty to seriously consider your request and can only refuse if there are good business reasons why it would not work for your job.

A request for flexible work usually results in a permanent change to your contract. If you would like to ask for changes to your working hours for a temporary period while you continue breastfeeding your baby you should discuss it with your employer. Your employer can agree to temporary changes if they wish and you should ask your employer to confirm it in writing. Alternatively you could ask for a trial period.

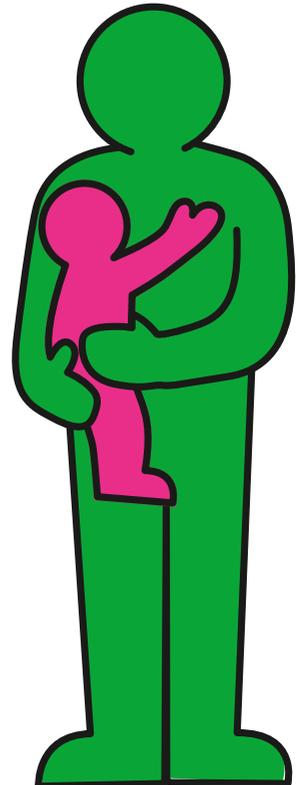
Facilities for breastfeeding or expressing

By law, employers must provide a suitable place for breastfeeding mothers to rest. The Approved Code of Practice issued by the Health and Safety Executive says that this should include the ability to lie down. This obligation lasts as long as the mother wishes to continue breastfeeding. The type of rest room that is available is likely to vary depending on your workplace but you should talk to your employer as it may be a suitable place in which to express milk.

Employers do not have to provide facilities for mothers to breastfeed but the Health and Safety Executive says that it is good practice for employers to provide suitable facilities such as a private room, washing facilities and clean fridge or section of a fridge for expressing and storing milk. The toilets are not regarded as a suitable place.

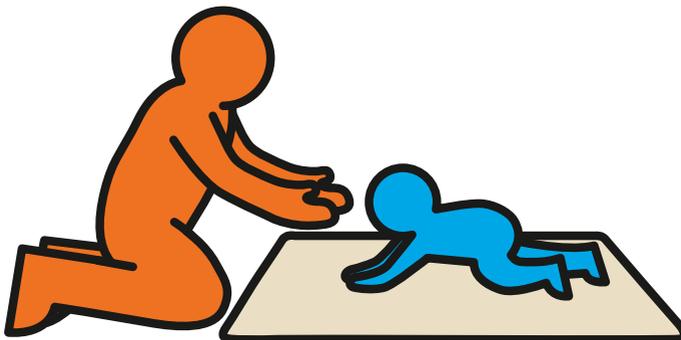
A good practice breastfeeding policy should include:

- flexible breaks so that mothers can express milk;
- provision of a private space for expressing;
- access to a clean fridge to store expressed milk or space for your own cool bag and icepacks; and
- flexible working hours.



Tips on negotiating with your employer

- Talk to your employer as early as possible about your plans to return to work. Allow about three to four months if you are requesting flexible work. This will give your employer time to make any changes.
- Many employers are not aware of these health and safety rights so you may need to point them out. There is guidance for employers on accommodating breastfeeding on return to work from Maternity Action and ACAS, see links below.
- Your employer may not know the health benefits of breastfeeding so it may help to give them some information. Ask your GP or health professional to provide a letter for your employer if there are any specific health risks you are concerned about.
- If your baby is under 6 months when you return to work you may have a stronger argument for reasonable adjustments to your working hours or conditions. After the first six months let your employer know if your baby has particular risks such as allergies or eczema.
- Much will depend on your type of work and attitude of your employers. Be ready to come up with practical suggestions as to how you can combine your work with continuing to breastfeed.



What to do if things go wrong

If you think that your employer has not complied with their health and safety obligations or has refused your request for flexible work you should get advice from the organisations below.

- You can make a formal complaint using your employer's grievance procedure.
- You can talk to your workplace union or occupational health, if you have one, to see if they can offer any support.
- If you are thinking of making a claim in an employment tribunal you must contact ACAS first to see if you can resolve the matter by Early Conciliation.
- You must make a claim in an employment tribunal within three months.

Where to go for more help

Maternity Action

Information on rights at work and benefits for pregnant women and new parents.

Website www.maternityaction.org.uk

Maternity Action Advice Line 0845 600 8533

See 'Accommodating breastfeeding on return to work: Guidance for employers' www.maternityaction.org.uk/wp/wp-content/uploads/2014/11/BORTW-employer-leaflet-FINAL.pdf

Health and Safety Executive

Information on health and safety at work

Website www.hse.gov.uk/mothers/

See 'New and expectant mothers who work: A brief guide to your health and safety' www.hse.gov.uk/pubns/indg373.pdf

ACAS

Information, advice and conciliation services for resolving workplace disputes

Website www.acas.org.uk

ACAS Helpline **0300 123 1100**

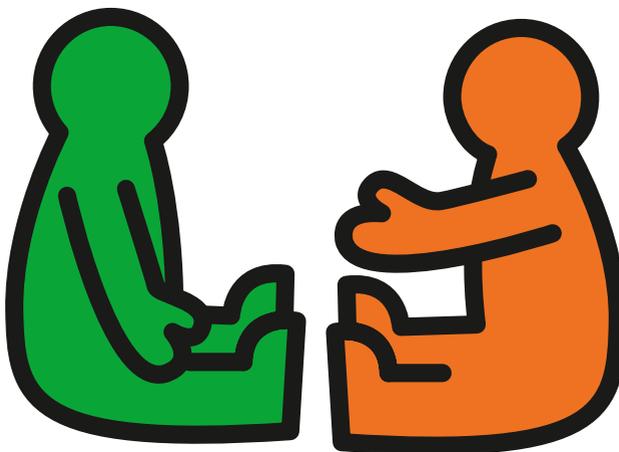
See 'Accommodating breastfeeding employees in the workplace'
www.acas.org.uk/media/pdf/b/s/Acas-guide-on-accommodating-breastfeeding-in-the-workplace.pdf

Equality Advisory and Support Service

Information and advice on equality and discrimination issues

Website www.equalityadvisoryservice.com

Helpline **0808 800 0082**



continuing to breastfeed after returning to study

What are my rights if I wish to continue breastfeeding on return to my studies?

It's up to you to decide how long you want to give your baby breast milk and how much time off you wish to take after having your baby. You should contact your course provider to agree when you will be returning to your studies. You must also notify your course provider that you will be breastfeeding so that they can assess any health and safety risks. If you are concerned about any health and safety risks arising from your studies you should talk to your GP and you could ask your GP to write to your course-provider.

The law protects students against maternity discrimination. This means that you are protected against unfavourable treatment because you have given birth in the last 26 weeks or are breastfeeding a baby under 26 weeks. Your course provider must not treat you unfavourably because you are breastfeeding. Unfavourable treatment could include refusing to allow you to take part in the course, refusing certain benefits or services or treating you differently.



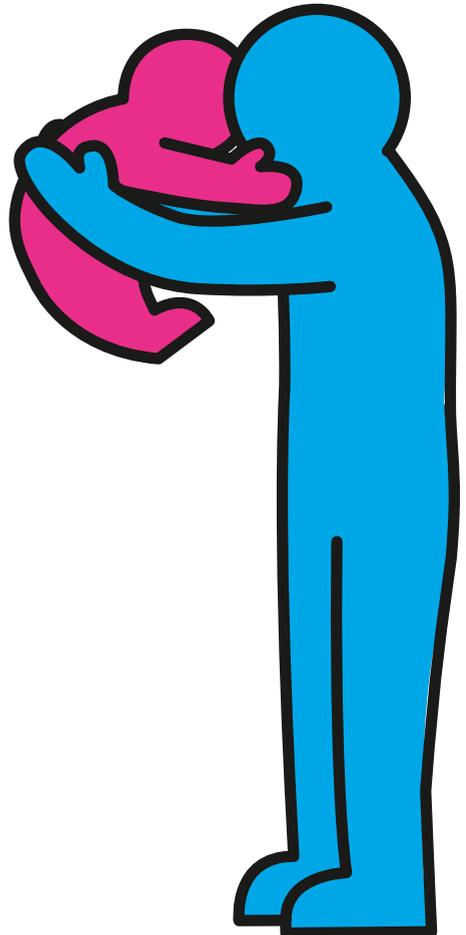
If your baby is over 26 weeks old it is likely to be direct sex discrimination if you are treated less favourably than you would have been treated if you were not breastfeeding.

It is up to course-providers whether they allow students to bring their children onto their premises. However, it may be discrimination if your course-provider refuses to allow you to use student services or facilities because you are breastfeeding your baby.

You could ask your course-provider if they have a policy outlining the support they provide for students who are parents. A good practice policy could include agreeing a student support plan during pregnancy and maternity and on returning to study.

Facilities

Course-providers are not required to provide facilities for breastfeeding students but a refusal to allow you to express or continue breastfeeding could amount to discrimination. Course providers must provide a place to rest for any employees that are breastfeeding so you could ask them about making the same facilities available to students or you could ask your course provider to provide a designated room.



Where to go for more help

If you are treated unfavourably because you are breastfeeding you can make a complaint to your course-provider. You should ask about their complaints procedure. If you cannot resolve it you could bring a claim for discrimination in a County Court but you should seek advice first. Any complaints must be brought within six months. Claims for discrimination in vocational training should be brought in an employment tribunal within three months.

Students' Unions

May be able to provide advice and support

Website www.nus.org.uk/en/students-unions/

Equality Challenge Unit

For more information on the law and good practice in higher education see 'Student pregnancy and maternity: implications for higher education institutions' which is available from:

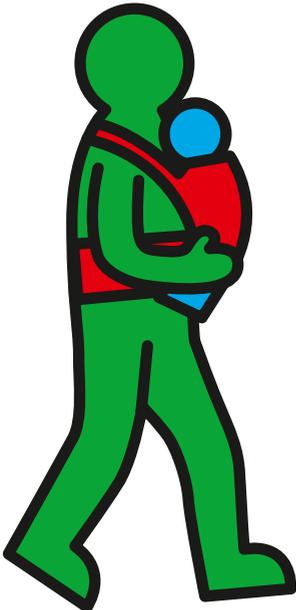
www.ecu.ac.uk/wp-content/uploads/external/student-pregnancy-and-maternity-implications-for-heis.pdf

breastfeeding in a public place

What counts as a public place?

Public places include any organisations or places that provide services to the public. This includes parks, transport, shops, libraries, hospitals and sports facilities.

The only places in which you could be refused access to breastfeed could be men-only single sex services or where there is a health and safety risk to you or your baby such as exposure to radiation.



Protection from discrimination

The law protects you against maternity discrimination and unfavourable treatment because you are breastfeeding for 26 weeks after you have given birth. This means that a service provider should not treat you unfavourably because you are breastfeeding. Unfavourable treatment could include refusing to serve you, giving you a poorer service or treating you differently because you are breastfeeding.

If your baby is over 26 weeks old it is likely to be direct sex discrimination if you are treated less favourably than you would have been treated if you were not breastfeeding.



Where to go for more help

If you are asked to stop breastfeeding or treated unfairly you can make a complaint. Ask who to speak to or ask about the organisation's complaints procedure. If you cannot resolve it you can make a complaint in a County Court but you should seek advice. Any complaints must be brought within six months.

Equality Advisory and Support Service

Information and advice on equality and discrimination issues

Website www.equalityadvisoryservice.com

Helpline 0808 800 0082

need help with anything else?

If you need to talk to someone about anything in this booklet, or anything to do with your baby's health, please ask.

You can:

- Talk to your midwife or health visitor and ask them for the following booklets:
 - ‘Off to the best start’ all about mum’s milk and the early days with your new baby, see www.nhs.uk/Start4Life_Off_To_The_Best_Start_leaflet
 - ‘Introducing solid foods’, see www.nhs.uk/introducing_solid_foods
- Sign up for free emails, videos and texts from Start4Life throughout your pregnancy and as your baby grows at www.nhs.uk/start4life
- Call Start4Life on **0300 123 1021***.
- Visit your local Sure Start Children’s Centre.
See www.gov.uk/find-sure-start-childrens-centre for where to find your nearest centre.



* Calls to 03 numbers should cost no more than geographic 01 or 02 calls and may be part of inclusive minutes subject to your provider and your call package. The Start4Life lines are open from 9am to 8pm, 7 days a week.

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