

Maternity provisions – breastfeeding policy

New policy number: **313**
 Old instruction number: **PER:G025:a5**
 Issue date: **9 December 2002**
 Reviewed as current: **14 September 2023**
 Owner: **Assistant Director, People Services**
 Responsible work team: **Wellbeing**

Contents

- 1 Introduction 2
- 2 Health and safety 2
- 3 Risk assessment 2
- 4 Facilities 3
- 5 Restrictions on duties (gainful employment) 3
- 6 Duration 4
- 7 Training 5
- 8 Childcare allowance 5
- 9 Records 5
- 10 Help and support 5
- Document history 6**

1 Introduction

- 1.1 This policy sets out the Brigade's arrangements for supporting staff returning to work from maternity leave who wish to continue breastfeeding which will be facilitated as far as reasonably practicable. This policy applies to all employees.
- 1.2 This policy must be read in conjunction with [Policy number 523](#) - Accommodation on fire stations and [Policy number 555](#) – Family support leave (including maternity) policy.
- 1.3 This policy should be applied in line with the Brigade's [values](#):
 - Service – We put the public first.
 - Courage – We step up to the challenge.
 - Learning – We listen so that we can improve.
 - Teamwork – We work together and include everyone.
 - Equity – We treat everyone fairly according to their needs.
 - Integrity – We act with honesty.

2 Health and safety

- 2.1 For reasons of health and safety and in the absence of childcare facilities at Brigade workplaces, it is not possible for babies to be fed on Brigade premises. The provisions in this policy apply to nursing parents (you) who are currently breastfeeding at home and include the facilities available to you to express milk at work.
- 2.2 You will be responsible for providing the appropriate storage container; making sure that it is suitably labelled before placing it in the refrigerator; the hygiene and quality of the milk and the time it is left stored. Such milk will not be left in the refrigerator for more than one normal working day or overnight except when you are working on a night shift (up to a maximum of 24 hours).

3 Risk assessment

- 3.1 You are required to have a risk assessment to ensure your wellbeing in relation to the working environment as stipulated by Regulation 16 of the Management of Health and Safety at Work Regulations 1999.
- 3.2 The purpose of the risk assessment is to identify actual and/or potential hazards present in the workplace and to determine the extent of the risk from those hazards so that it can be decided what action or controls are necessary.
- 3.3 In the case where a generic risk assessment has not been carried out, which makes specific reference to the risks and hazards relating to breastfeeding, an individual risk assessment should be carried out.
- 3.4 Risk assessments should be undertaken before you are placed on new duties and reviews carried out periodically thereafter at six monthly intervals.
- 3.5 You should notify your line manager at the earliest opportunity, prior to your return to work, that you intend to breastfeed. Line managers should contact Health and Safety Services who will arrange for this assessment to be undertaken in liaison with you and your line manager.
- 3.6 The Brigade's Occupational Health Service (OHS) will be consulted for every risk assessment made where appropriate.

- 3.7 Reviews of risk assessments will be undertaken with you and your trade union representative as appropriate.

4 Facilities

- 4.1 Time during the day to express milk in a comfortable private room, with access to a lockable refrigerator where milk can be safely stored will be provided, taking into account any health and safety risks which could affect your health, or the health of the baby. This refrigerator should only be used for the purpose of storing breast milk.
- 4.2 Where there is a single gender room/area designated as the facility (as outlined in [Policy number 523](#) - accommodation on fire stations), this room should be equipped and made available as a rest area or area suitable for breastfeeding when necessary.
- 4.3 This room needs to have an easy chair and electric power point and be able to be locked from the inside to ensure privacy. The temperature of the room should be at a comfortable level. It should also be conveniently situated in relation to sanitary facilities and, where necessary, include the facility to lie down.
- 4.4 The Brigade intends to provide these facilities, especially in new build stations. However older facilities may lack some elements. If the facility arrangements are unsatisfactory, you should raise this with your line manager in the first instance, who will attempt to resolve as appropriate, and may seek help from Property Services or Wellbeing. If issues remain unresolved and you remain dissatisfied with the arrangements, you may ask to be relocated on a temporary basis, or for the duration of the period you continue nursing.

5 Restrictions on duties (gainful employment)

- 5.1 The Home Office recommends that operational staff should not return to operational firefighting duties until they have ceased breast feeding. Therefore, operational staff shall be relieved from operational duties whilst breastfeeding. Prior to the employee returning to duties following maternity leave, a medical appointment may be arranged and the OHS will advise suitable alternative duties.

Shift patterns

- 5.2 The European Council Directive 92/85/EC¹ stipulates that 'provision should be made for pregnant workers, workers who have recently given birth or workers who are breastfeeding not to be required to work at night where such provision is necessary from the point of view of their safety and health'.
- 5.3 Watch based staff will not necessarily be deployed to day duty if it can be found that night working poses minimal risks to their health and safety. The proposed arrangements and the nature of the work will be subject to an individual risk assessment. The results of the risk assessment should reveal any potential risks to your health and safety about following your watch on the shift duty system.
- 5.4 The risk assessment should be carried out before you are allowed to continue on night duties. If there is no evidence of any risk to health and safety, and you choose to remain on the shift system, this option will only be permissible for a maximum duration of six months and for as long as you can be found meaningful alternative duties to undertake.

¹ This continues to inform UK legislation and will remain until such time as it is superseded.

- 5.5 The Brigade recognises the importance of you remaining in contact with your watch so where as a result of the risk assessment, it is not recommended that you carry out night duties or where there is no gainful employment that can be undertaken on the station during the night period, you may be given the option of remaining with your watch by following a nine-day fortnight day duty related work pattern across your watch and other watches. However, the temporary arrangement of following the watch on the day duty shifts will only normally be agreed for a maximum six month period. Thereafter, a further risk assessment should be carried out and if you continue to breastfeed and are unable to work night duties, you maybe moved to another place of work e.g. the light duties pool. If you are not operational and work night duties (eg control staff) then you should follow the same process where applicable and if as a result of an assessment you are to be removed from night duties, you should undertake day duties over a 5 day week.
- 5.6 For the remaining day duties associated with working a nine-day fortnight, operational staff would be employed on a range of other duties to be agreed between the borough commander and the individual firefighter concerned. Alternatively, operational staff will be given the option of working a nine-day fortnight at another Brigade premises.
- 5.7 When an acceptable work programme cannot be agreed, the matter will be referred to the borough commander responsible for the Borough station in question; the senior control commander(s) or the head of section. A decision will be determined in consultation with the Wellbeing team and the relevant trade union, where requested by you.
- 5.8 Where you unreasonably refuse to undertake activities which have been assessed as suitable by the OHS and which have been assessed as being no risk to your health and safety, you will be subject to appropriate management action.

6 Duration

Impact on substantive position

- 6.1 The first six months of a baby's life is the critical period in which a baby benefits from being breastfed according to the Department of Health, although the parent may choose to continue breastfeeding for longer periods. However, in the interests of operational efficiency, it is not reasonably practicable for sections to sustain temporary arrangements for longer than six months.
- 6.2 In the event that meaningful alternative duties cannot be found for the employee whilst on night duty or after a period of six months from the date of their return to work, whichever is sooner, operational staff wishing to continue breastfeeding, should be posted to another place of work e.g. the light duties pool. After six months, operational staff would ordinarily lose their base posting and the position could be permanently filled by another employee.
- 6.3 On completion of the period of breastfeeding, if longer than six months, you would be given the chance to return to your previous base posting, although this may be as a supernumerary. Alternatively a choice of watch/station, dependent on vacancies and normally in the same area will be provided unless a Flexible Working Application is submitted, in which case any accommodation will be subject to the provisions of [Policy number 448](#) - Flexible working/work-life balance.
- 6.4 Before returning to full operational duties, a medical should be arranged. At this appointment the OHS will decide whether you are fully fit to return to full operational duties.

Review

- 6.5 Should you wish to continue breastfeeding for more than six months from the date of the return to work, the Brigade reserves the right to review the arrangements at the end of the initial six month stage and thereafter at regular six monthly intervals.

7 Training

- 7.1 The Brigade will consider providing reasonable training opportunities to equip you with the skills to undertake gainful employment during the breastfeeding period. Your line manager should arrange the training in consultation with you as part of an appropriate 'training needs assessment plan' in accordance with [Policy number 427](#) - Development and Maintenance of Operational Professionalism (DaMOP).

Refresher

- 7.2 You may require some re-familiarisation training in order to make sure you are fully fit to undertake the duties of the role, prior to returning to full operational duties. The station commander of the station where you wish to return to should organise any necessary training in line with the guidance contained in the 'Return to Ops' document. The station commander will carry out a training needs analysis and determine what level of training if any will be appropriate. Such training where necessary, will not commence until you have been assessed as fit for full duty by the OHS. The Brigade's Fitness Advisers are available to also support you.

8 Childcare allowance

- 8.1 The Brigade runs a childcare allowance scheme for eligible employees to assist with childcare costs. There is also an interest free loan to help with up front costs. Please visit the [childcare allowance scheme details on Hotwire](#).

9 Records

- 9.1 Please send records by email to RecordsServices@london-fire.gov.uk. Records will be kept on your electronic personal record file (e-PRF) and retained in accordance with [Policy number 788](#) - Electronic personal record files (e-PFR) policy. Personal data shall be processed in accordance with [Policy number 351](#) – Data protection and privacy policy.

10 Help and support

- 10.1 Please contact the Wellbeing Team by email to WellbeingTeam@london-fire.gov.uk.
- 10.2 This policy may also be available on request in other alternative accessible formats as set out in [Policy number 290](#) – Guidance note on translation and interpretation. Please contact Communications on extension 30753 and by email to communications.team@london-fire.gov.uk to discuss your needs and options.

Document history

Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	15/05/2024	SDIA	L - 28/07/23	HSWIA	01/08/23	RA	
-----	------------	------	--------------	-------	----------	----	--

Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
	Section 7 "Part Time Working/Reduced Hours" removed.	25/01/2010
Throughout	Minor changes made to wording of policy. Please read the policy to familiarise yourself with changes.	25/01/2010
Page 4 para 5.7	The term "principal controller" has been updated to "principal operations manager" in line with the current job title.	03/12/2010
Page 5 para 8.3	Equalities Services replaced by Corporate Management Team in line with legislation from the Top Management Review.	12/10/2011
Page 4 paragraph 5.7,	"senior group manager" changed to Borough Commander and "Equality Services changed to Corporate Management Team.	28/06/2013
Page 4, para 7.1	"Training section changed to HR Learning and Development Team.	28/06/2013
Page 5 paragraph 7.2	"Southwark Training Centre" changed to HR Learning and Development Team.	28/06/2013
Page 6	SIA date has been added to this policy.	09/07/2013
Page 6	Subject list and FOIA exemptions tables updated.	09/12/2014
Page 3 para 4.4 and throughout document	New paragraph added, and re-drafting across document. Updated department names, and minor amendments to conform with the LFB and the BMA' guidance on style, and appropriate language	12/04/2017
Throughout	Changes have been made to departments, team names and roles to reflect the abolition of the London Fire and Emergency Planning Authority, now replaced with the London Fire Commissioner. Counselling Services updated to Counselling and Trauma Services.	16/11/2018
Page 4 para 6.3	Added reference to Flexible Working Policy No 448.	01/07/2020
Page 5 para 7.1	Revision of guidance relating to training plan and DAMOP additional text.	01/07/2020
Throughout	Modification of references to job titles and teams amended as appropriate.	01/07/2020
Page 6	SDIA and HSWIA dated updated.	04/08/2023
Throughout	Reviewed as current with no changes.	14/09/2023

Throughout Page 5, para 8 and 9	Minor changes made. Records and Help and support details added.	07/11/2023
Page 2, para 1.2	References to PN555a and PN555b changed to new PN555.	13/12/2023
Page 5, para 8	Childcare allowance details added.	18/12/2023
Page 2, para 1.3	Values included.	25/03/2024
Page 5, para 9.1 Page 5, para 10.2	Data protection details added. Access to alternative policy format details added.	11/04/2024
Page 5, para 9.1 Page 5, para 10.1	Records Services details added. Wellbeing Team contact details updated.	20/05/2024

Subject list

You can find this policy under the following subjects.

Maternity	Breastfeeding
-----------	---------------

Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

Considered by: (responsible work team)	FOIA exemption	Security marking classification