Definition of milk?

Means breast milk, cow’s milk or formula milk

Definition of a public place

Any place that the public has access to ie:

- Shopping centres, supermarkets
- Restaurants, cafes and licensed premises
- Leisure and recreational facilities
- Libraries, museums, theatres, cinemas and galleries
- Hotels and B&Bs
- Public transport
- Public parks and gardens
- Hospitals and GP surgeries
- Churches and places of worship

A full copy of the Act can be found at


“Breastfeeding for a healthy Highlands”

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This leaflet is available in different language, print and format on request.
The Breastfeeding etc (Scotland) Act 2005

What is the Act

This Act makes it an offence to prevent or stop a person in charge of feeding a child milk in a public place.

This means that the person in charge of a child under the age of two should be able to feed that child when required and in the most appropriate place, without the fear of interruption or criticism.

Breastfeeding gives the best start to a child’s health, offering protection against a wide range of conditions including chest and ear infections, stomach bugs, obesity and diabetes. It also reduces the risk to the mother of breast and ovarian cancer and hip fractures in later life.

Breastfeeding can be done any time, any place or anywhere and for it to be successful and effective both mother and baby need to be relaxed and comfortable.

The Employer’s Role

This Act applies to all employers and employees in premises where the public have general access. As an employer, all staff should be fully informed of the terms of this Act. Anyone who tries to prevent a child under the age of two from being fed milk can be prosecuted. However, if this takes place at work, the person’s employer will also be considered liable.

How to meet the legislation

**Employers should:**

- Ensure that all staff are made aware of this legislation.
- Ensure that staff are trained to be able to handle any situation which may arise, be it with other employees or customers.
- Be prepared to give assistance to mothers by offering a designated area if mothers would like the option to feed in private.
- Respect their privacy – try not to interrupt or disturb them.
- Join or support a local breastfeeding welcome scheme and display your support from outside your premises.

**Responsibility for terms of the act**

- It is an individual’s responsibility to ensure that mothers who are feeding their children are not obstructed or interrupted in any way.
- In a place of work, the employer has the ultimate responsibility to ensure that employees comply with the terms of the Act.
- You have no obligation under this Act to provide a suitable environment for expressing milk or suitable storage facilities.

What happens if a colleague or a customer complains?

Politely explain the terms of the Act and offer to relocate the complainant **NOT THE MOTHER.**