

## Slough Borough Council

<b>Report To:</b>	Employment and Appeals Committee
<b>Date:</b>	12 October 2022
<b>Subject:</b>	HR Policies and Procedures: Menopause in the Workplace Guidance
<b>Chief Officer:</b>	Stephen Brown Chief Operating Officer
<b>Contact Officer:</b>	Surjit Nagra AD Human Resources
<b>Ward(s):</b>	All
<b>Exempt:</b>	NO
<b>Appendices:</b>	Menopause in the Workplace Guidance

### 1. Summary and Recommendations

1.1 This report sets out the rationale for producing a guidance to ensure employees going through menopause are fully supported in the workplace. The guidance includes:

- Clear explanation of menopause and common physical and psychological symptoms
- Who to talk to if you need support
- Adjusting roles with practical examples
- Checklist for discussing menopause (for both employee and manager)
- Agree and record an action plan of support
- Additional resources and sources of practical support and advice

Consultation in respect of the guidance document has been undertaken with the SBC Women's and all Network Groups, whose comments have been incorporated into the final guidance. It was also shared with Trade Union colleagues who are fully support of its introduction.

#### **Recommendations:**

The Committee is recommended to review and approve the guidance.

#### **Reason:**

This guidance supports the organisation's commitment to supporting equality and health and wellbeing in the workplace, acknowledging that menopause can have a significant impact on the working lives of council employees.

#### **Commissioner Review**

*Commissioners have seen this report.*

## Introductory paragraph

The council strives to be an inclusive employer and is committed to ensuring that the health and wellbeing of all staff is supported. The guidance aims to give both staff and managers improved awareness of symptoms of menopause and of the support that can be offered to employees both in and out of the workplace. The guidance will be supported by wider supportive information and resources for employees going through Menopause. In addition, the HR service is reviewing how best to augment it with peer-led support and further training to staff and managers.

## Background

- 2.1 Statistics show that around 1 in every 3 women has either experienced or is currently going through the menopause. Around 8 in every 10 women will experience noticeable symptoms and whilst some manage these easily, a significant proportion of women suffer considerable impacts. A 2017 survey conducted by the British Menopause Society (BMS) UK found that “almost half (45%) of women, whose menopause had a strong impact on their lives, felt their menopause symptoms have had a negative impact on their work”. The *Menopause and the Workplace Report* (Fawcett Society and Channel 4, 2022) polled 4000 women and found that 10% of respondents aged between 45 and 55 had left their jobs due to menopausal symptoms. The poll also found 14 per cent of women in this age group had reduced their hours and 8 per cent had not applied for a promotion because of symptoms.
- 2.2 Like most local authorities, Slough Borough Council employs more women than men. Around 62% of the current permanent workforce are women. Whilst the menopause can occur at younger ages, the most common age range for going through menopause is 45-55 years. More and more women are working well into their 50's and 60's: not only does menopause often coincide with women entering more senior roles, but it can also be a stage in their lives when they have not only more work responsibilities, but also more domestic responsibilities, including caring for others.
- 2.3 For SBC employees who are experiencing the menopause, it is vital that they know they will be supported at work through any difficulties they are having. Having published guidance establishes a clear organisational commitment to supporting these conversations in the workplace. We want to encouraging staff to discuss any difficulties they are having and be reassured that that what is often a very personal matter, will be treated empathetically and confidentially. We can also help signpost staff to trusted medical support and information.
- 2.4 Whilst it is important to have this written guidance, we will also be exploring through the SBC Women's Network, focus groups, and looking at other areas of best practice.
- 2.5 The guidance will be published and promoted across the organisation to improve awareness and understanding and we will be looking at how we can utilise both internal and external resources (from partners) to support additional guidance and support.

## 3. Implications of the Recommendation

### 3.1 *Financial implications*

There are no financial implications of the proposed action in terms of allocated budgets.

### 3.2 *Legal implications*

The impact of menopause is both an equalities and health and safety issue in the workplace. Under the Equality Act (2010) it is unlawful to discriminate against people at work because of a protected characteristic. The protected characteristics include age, disability, and sex. Age discrimination is when you are treated differently because of your age. Indirect age discrimination may be the result of a rule or policy which puts people within a certain age group at a disadvantage. Sex discrimination is when you are treated differently because of your sex.

Indirect sex discrimination may happen when an organisation has a particular policy or way of working that applies in the same way to both sexes, but which puts a woman at a disadvantage because of her sex unless it can be objectively justified. Therefore, if a woman experiencing the menopause is treated detrimentally because of menopausal symptoms and these are not considered within policies or practices, it could potentially give rise to sex and age discrimination.

In some circumstances, menopausal symptoms may meet the Equality Act definition of disability, where reasonable adjustments are legally required to be made by an employer to support that person in the workplace. The Public Sector Equality Duty (PSED) places further responsibilities on public authorities to advance equality of opportunity and pay "due regard" to the impact of policies and procedures on those groups that share protected characteristics.

The Health and Safety at Work Act (1974) and the Management of Health and Safety Regulations at Work (1999), requires employers to ensure the health and safety of all employees. Therefore, employers should include consideration of the specific risks for women experiencing the menopause.

### 3.3 *Risk management implications*

Failure to pay due regard to the health and wellbeing of staff risks challenge under the Health and Safety at Work Regulations (1999). Failure to adequately support staff going through menopause in the workplace risks challenge under the Equality Act (2010) based on sex and age discrimination. Although, not a protected characteristic, severe and long-term symptoms of the menopause may be classed as a disability and subject to the protections of reasonable adjustments under the Equality Act (2010).

Failure to support staff may lead to increased risk of staff absence due to menopausal symptoms in the workplace and associated costs thereof.

Indirect risks include perceived inequality between men and women in the workplace, leading to recruitment and retention issues.

Risks can be mitigated by having clear guidance in place that is widely communicated and available to all staff.

### 3.4 *Environmental implications*

There are no anticipated environmental implications

### 3.5 *Equality implications*

The guidance will have a positive impact on all women in the workplace. However, it will especially support specific age groups, and women with disabilities (whose conditions may be further exacerbated by symptoms of menopause). It is intended to improve gender equality generally and is relevant to ensuring that a wider range of employment policies (including sickness absence, performance management, dignity at work etc.), are fair to all staff.

### 3.7 *Workforce implications*

The council is committed to gender equality and to being an inclusive employer, attracting and retaining a talented and representative workforce. The council is committed to supporting the health and wellbeing of all staff.

## 4. **Background Papers**

None