
Menopause Policy

Committee considering report:	Personnel Committee 17 July 2020
Portfolio Member:	Councillor Jo Stewart
Date Portfolio Member agreed report:	02 July 2020
Report Author:	Katie Penlington
Forward Plan Ref:	PC3940

1 Purpose of the Report

- 1.1 This report seeks approval for a new Menopause Policy for the Council.
- 1.2 The menopause affects many employees, not just women, and can impact upon their working lives. The policy aims to raise awareness of the menopause and its impact, encourage open and supportive conversations between employees and their line manager so reasonable adjustments can be explored to support the employee at work and enable them to continue to be effective in their jobs.

2 Recommendation

- 2.1 Personnel Committee is recommended to approve the menopause policy and use of appropriate rest rooms.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	Property have advised that the cost to repaint each of the proposed rest rooms and equip them with a suitable chair and night light would total approximately £2200 and can be funded from the existing buildings and furniture replacement budgets without the need for further approval.
Human Resource:	N/A
Legal:	A number of menopause related employment tribunal claims against other employers have succeeded on grounds of discrimination. The policy aims to minimise the Council's risk

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	of menopause related tribunal claims by seeking to ensure appropriate action is taken to support employees.			
Risk Management:	The Policy aims to assess and minimise risks where appropriate for individual employees. A menopause risk assessment is attached.			
Property:	It is best practice to make appropriate rest facilities available. Property have suggested the first aid rooms at Market Street and West Street House, and the old reception room at Turnham's Green are used.			
Policy:	N/A			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			The policy aims to support employees affected by the menopause. The majority of these are likely to be women. The policy aims to raise awareness, encourage open conversations and facilitate implementation of appropriate reasonable adjustments to support affected employees to enable them to continue to be effective at work.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			The proposed policy aims to have a positive impact (as described in 'A' above) on the working lives of employees and may have a particular impact upon female employees, those aged between 40 and 60 and those whose menopausal symptoms meet the definition of a disability set out in the Equality Act 2010.
Environmental Impact:		X		

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Health Impact:	X			As above.
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:	X			Supporting employees continuing to be effective in their work will help to ensure core business is delivered.
Data Impact:		X		
Consultation and Engagement:	Consultation has taken place with: Laura Mayes and Mike Lindburn – Health and Safety, Andy Green – Property Catherine Greaves – Public Health HR Unison and GMB			

4 Executive Summary

- 4.1 This report seeks approval for the Menopause Policy in order to raise awareness of the menopause and its symptoms, help support employees have open conversations and provide managers and staff with guidance on how those affected can be supported at work.
- 4.2 To support implementation of the policy the report also seeks approval to use the first aid rooms at Market Street and West Street House, and the old reception room at Turnham's Green as places where those experiencing symptoms can, as a reasonable adjustment agreed with their line manager, go to rest.
- 4.3 To improve the suitability of the rooms mentioned in 4.2 as rest spaces, a small cost to existing budgets is suggested to equip the rooms with suitable chair, a 'night light' and repainting.
- 4.4 Approval of points 4.1 to 4.3 is recommended as they will help the Council achieve its commitment to promote equality and diversity as set out in its Equality in Employment

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Policy. Having a menopause policy that raises awareness, encourages open communication and support is best practice and recommended by organisations such as the Local Government Association, ACAS, the Institute of Personnel and Development and TUC Wales.

5 Supporting Information

Introduction

- 5.1 This report seeks approval for the Menopause Policy in order to raise awareness of the menopause and its symptoms, help support employees and provide managers and staff with guidance on how those affected can be supported at work.

Background

- 5.2 Menopausal symptoms can affect employees at work. Most women experience menopausal symptoms at some time in their lives. CIPD research found that 59% of women experiencing menopausal symptoms said it had a negative impact on their work yet many felt they could not raise this taboo subject with their line managers.
- 5.3 Other employees may also be affected by the menopause if their partner, family member or colleague has symptoms. Transgender employees and employees in other age groups may also experience symptoms. The effect of symptoms may have an impact on employees' ability to perform their role.
- 5.4 The Council has a high proportion of female employees – 78.04% of the workforce is female, 59.41% of female employees are in the 40 and 60 age category.
- 5.5 The Council has a duty to look after the health and safety of its employees and ensure that the workplace does not exacerbate symptoms.
- 5.6 The Council has committed to promote equality and diversity in its equality in employment policy. Implementing an effective menopause policy would support the Council in achieving this by fostering a gender and age inclusive workplace.
- 5.7 Having a menopause policy would help raise awareness of the issues, encourage open discussion and provide a framework for managers to support team members who are affected by the menopause at work. Implementing a policy is recommended by a wide range of professional organisations including the Local Government Association, ACAS and the Chartered Institute of Personnel and Development (CIPD). Unison requested that the Council develop a menopause policy.

Proposals

- 5.8 The draft policy aims to raise awareness amongst staff and managers of the symptoms of the menopause, to encourage open conversations and to encourage exploration of reasonable adjustments to reduce the impact on work and to support affected employees.
- 5.9 The menopause policy was developed using information and best practice guidance from the NHS, ACAS, Chartered Institute of Personnel and Development (CIPD), TUC Wales and the Local Government Association (LGA) amongst others.

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- 5.10 The policy is accompanied by a risk assessment template to assist managers and staff in identifying the impact the menopause is having, where the workplace may be exacerbating symptoms and identify measures to address these issues.
- 5.11 To support implementation of the policy this report also seeks approval to use the first aid rooms at Market Street and West Street House, and the old reception room at Turnham's Green as places where those experiencing symptoms can, as a reasonable adjustment agreed with their line manager, go to rest. Providing a suitable rest place is advised by the LGA, ACAS and CIPD. Existing staff rest areas do not provide privacy and may not be quiet.
- 5.12 Rooms were suggested by the Maintenance and Facilities Manager. Health and Safety have been consulted on use of the first aid rooms and have agreed that these are suitable with minor modifications as they are rarely used for first aid. It is suggested that first aid treatment would take priority in the case of a room being required for both purposes at the same time.
- 5.13 To improve the suitability of the rooms mentioned in 5.10 as rest spaces, a small cost to existing budgets would equip them with a suitable chair, a 'night light' and repainting. Property have advised that the cost of redecorating would be up to £500 per room and can be funded from the existing buildings budget, and the cost of a suitable chair and night light would be approximately £200 and £10 each respectively which could be funded from the existing furniture replacement budget.

6 Other options considered

- 6.1 The Council could choose not to have a menopause policy. This approach is not recommended as it would miss the opportunity to foster an inclusive workforce where employees are supported to remain effective in their roles and where their well-being is shown to be valued. There have been successful tribunal claims relating to the menopause on grounds of gender and disability discrimination. Continuing without a policy may put the Council at greater risk of claims if managers are unaware of the reasonable action they should take if an employee is affected by menopausal symptoms at work.
- 6.2 Approval of the suggested (or alternative) rest rooms could be rejected. This is not recommended as it would limit the support that can be offered to those with some menopausal symptoms and could potentially result in higher sickness absence than if they are made available.

7 Conclusion

- 7.1 Personnel Committee is recommended to approve the menopause policy and use of appropriate rest rooms in order to support those experiencing menopausal symptom and to support them remaining affected within their roles.

8 Appendices

- 8.1 Appendix A – Equalities Impact Assessment
- 8.2 Appendix B – Draft Menopause Risk Assessment

Background Papers:

None.

Subject to Call-In:

Yes: No:

Wards affected: Not applicable.

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Change History

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1			
2			

Appendix A

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:***
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;***
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:***
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;***
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;***
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.***
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.***
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.***

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

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What is the proposed decision that you are asking the Executive to make:	Personnel Committee is being requested to approve a Menopause Policy that would apply to Council employees
Summary of relevant legislation:	The Equality Act 2010
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Katie Penlington
Date of assessment:	04/06/2020

Is this a:		Is this:	
Policy	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	New or proposed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Strategy	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Already exists and is being reviewed	Yes <input type="checkbox"/> No <input type="checkbox"/>
Function	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is changing	Yes <input type="checkbox"/> No <input type="checkbox"/>
Service	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To support employees affected by the menopause and support them in remaining effective in their roles.
Objectives:	To raise awareness of the menopause and how it can impact on employees, encourage open conversations between staff and managers, encourage consideration and implementation of reasonable adjustments that support employees at work and in remaining effective in their roles.
Outcomes:	Employees affected by the menopause are supported at work and remain effective in their roles.
Benefits:	Employees feel supported and remain effective. Further supports the Council's commitments within the Equality in Employment Policy.

<p>Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)</p>

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Group Affected	What might be the effect?	Information to support this
Age	Those most likely to be affected are women in their late 40s and early 50s, although those in other age groups can be affected	Information from the NHS website 78.04% of the Council's workforce is female, of these 59.41% are aged between 40 and 60.
Disability	Some symptoms of the menopause may fit the definition of a disability if they are long term and have an effect upon day to day activities.	ACAS
Gender Reassignment	Trans people can be affected by the menopause	NHS Wales guidance document ACAS 'Menopause at work'
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex	More women than men are likely to be affected by the menopause	ACAS
Sexual Orientation		
Further Comments relating to the item:		

Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide an explanation for your answer:	

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The policy aims to support all employees affected by the menopause regardless of sex, age, gender reassignment or disability (or any of the other protected characteristics).

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name:

Date:

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.