

## **Policy on Supporting Staff going through the Menopause/Perimenopause**

### **Overview**

Managing the impact of the menopause at work is important for both employees and employers.

For the employee experiencing symptoms:

- it can be a difficult and stressful time
- a very sensitive and personal matter

For their employer:

- it is an employee health and wellbeing concern
- a matter needing particularly careful handling

### **Impact of the menopause on an employee**

#### **What is the menopause?**

The menopause is a natural stage of life for women, usually in their late forties/early fifties. It can also happen earlier or later. For many women symptoms last about four years, but in some cases can last longer - up to 12 years.

Part of the process includes what is termed the 'perimenopause' when a woman's body is starting to change in the build up to the menopause. The perimenopause usually starts in the mid-forties, but can start earlier or later and last several years. The perimenopause is not the same as an early menopause.

Employers should be aware that a trans man - someone who proposes to go through, is going through or has gone through a process, or part of a process, to change their gender from woman to man - may go through perimenopausal and menopausal symptoms.

#### **What are the symptoms?**

The number of symptoms can vary from person to person, and range from very mild to severe.

Some symptoms of perimenopause and menopause can be the same. They include:

- difficulty sleeping and night sweats
- feeling tired and lacking energy
- mood swings
- feeling anxious and panic attacks
- hot flushes
- struggling to remember things, concentrate and focus
- taking longer to recover from illness
- irregular periods which can become heavier
- aches and pains including muscle and joint stiffness
- urinary problems
- headaches including migraines
- putting on weight

- noticeable heartbeats
- skin irritation
- dry eyes

If an employee does not get the help and support they need, it is increasingly likely that the effects of the menopause can, for example, lead to them:

- feeling ill
- losing confidence to do their job
- suffering from mental health conditions such as stress, anxiety and depression <sup>2</sup> leaving their job

### **The early menopause**

As many as one in 20 women may go through an early menopause. It may happen for various reasons, including if a woman has had certain medical conditions and health treatment.

Employers, managers, supervisors and team leaders need to be aware that medically this can be a complicated area, and they should take this into account in supporting an employee through the menopause.

### **Why many workers do not reveal their menopause symptoms**

Currently, many workers do not disclose their menopausal symptoms at work. In addition, many who take time off work because of the menopause do not tell their employer the real reasons for their absence.

For example, this can be because the employee feels:

- their symptoms are a private and/or personal matter
- their symptoms might be embarrassing for them and/or the person they would be confiding in
- they do not know their line manager well enough
- wary because their line manager is a man, or younger or unsympathetic

Other worries may be that:

- their symptoms will not be taken seriously
- if they do talk, their symptoms will become widely known at work
- they will be thought to be less capable
- their job security and/or chances of promotion will be harmed

### **Supporting an employee through the menopause**

An employer must minimise, reduce or where possible remove workplace health and safety risks for workers. This includes:

- ensuring menopausal symptoms are not made worse by the workplace and/or its work practices
- making changes to help an employee manage their symptoms when doing their job

An employer must generally assess health and safety risks for employees. Regarding the perimenopause and menopause, an assessment should, for example, include:

- the temperature and ventilation in the workplace
- the materials used in an organisation's uniform, if there is one, and whether the uniform might make an employee going through the perimenopause or menopause feel too hot or worsen skin irritation
- somewhere suitable for the employee to rest
- whether toilet and washroom facilities are easily available
- whether cold drinking water is easily available

Flying Start Pre-School management would like all employees to feel that they are able to approach them and that they will be listened to in a professional and sympathetic manner. F

lying Start PreSchool management will ensure that if any member of staff discloses to them about going through the menopause/perimenopause that this will be treated with the strictest confidence.

Flying Start Pre-School management will ensure that it will handle menopause in the workplace sensitively and with dignity and respect.

### **Carefully manage sickness absence or a dip in job performance**

Flying Start Pre-School management will ensure that managing absence from work will be handled sympathetically because the menopause is a long-term and fluctuating health change. Management should be prepared to make changes to help the employee continue to work, and minimise, reduce or remove any dips in their job performance because of symptoms.

An employee should also be given a reasonable amount of time to adjust to changes.

In an employment tribunal, menopause symptoms have been accepted to be a disability. Consequently, it is advisable, as well as being good practice, for an employer to consider making changes for an employee experiencing perimenopausal or menopausal symptoms.

If an employee is off sick because of the menopause or perimenopause, management should not include these absences in their attendance record. This means that absence because of the menopause or perimenopause should not lead to a disciplinary warning.

Employers and managers need to be aware that there are risks of disability discrimination and/or sex discrimination, and/or age discrimination if an employee is mismanaged because of their menopause or perimenopause symptoms.

### **How the employer and employee together can find solutions**

#### **Know how to talk about the menopause...**

Flying Start Pre-School management are aware that the employee may find the menopause and perimenopause difficult topics to discuss as they are sensitive and personal.

The conversation should be confidential, friendly, honest, in private, and where both manager and employee feel as relaxed as they can in the circumstances, and where they will not be disturbed.

**As a manager**, you should find it easier to talk with an employee if you:

- know them because you already have regular one-to-one contact with them in the course of their work, and trust and respect one another
- have been trained to understand what the range of menopause and perimenopause symptoms can be and their effects
- have been trained to have sensitive conversations
- know staff in Flying Start Pre-School will support co-workers experiencing menopause and perimenopause symptoms
- know that an employee's concerns will be taken seriously and dealt with fairly

Also, Flying Start Pre-School Management should understand:

- their individual role in the situation
- that effects of the menopause and perimenopause can vary widely from person to person
- consequently, that the changes required to help support an employee can vary from person to person

Management must leave it to the employee to disclose their concern. A manager can ask general questions, such as 'How are you?', but the manager must not ask them if they want to talk about the menopause or perimenopause, or suggest they might be experiencing symptoms. And a manager should respect an employee's wish for privacy.

**As an employee**, if you are having difficulties at work because of symptoms, you could:

- speak to someone at work about your concerns
- ask what support could be offered to help you manage your symptoms when doing your job

If you want some information about the effects of your symptoms to be shared, your manager should talk with you about:

- what you want and don't want your colleagues to know
- who will be told and who will do the telling

These must be the employee's decisions, without any pressure from the management.

Flying Start Pre-School management will keep a written record of what has been mutually agreed with the employee. A copy of the record will be given to the employee.

### **Agree changes at work**

There should be steps towards agreeing changes at work to help an employee manage their symptoms when doing their job:

- **Step 1** - an employee with concerns about the menopause or perimenopause may already have talked to their GP and/or a medical specialist.

- **Step 2** - Flying Start Pre-School management should be involved in confidential discussions with the employee, about their menopause or perimenopause concerns, the effects they are having difficulties with and how they might need support.

Flying Start Pre-School management and employee should discuss changes which would help the employee manage their symptoms when doing their job.

Flying Start Pre-School management will need to make sure they are objective and knowledgeable in discussing, considering and agreeing changes.

- **Step 3** - agree changes in writing and to have follow-up discussions to make sure the changes are working for both employee and employer.
- **Step 4** - follow-up discussions need to be whenever necessary, as an employee's symptoms can fluctuate and/or alter. This means the adaptations at work may need to change.

Changes, for example, might be as simple as:

- providing a fan
- allowing the employee to take breaks when needed
- providing a private area where the employee can rest for a while to help manage their symptoms
- being flexible where possible over the employee's start and finish times to help them manage their symptoms
- allowing the employee time off if they cannot carry on working that day

Alternatively, both management and employee might discuss and agree other changes which should be reviewed if the employee's symptoms alter. For example:

- changing certain duties in the employee's role
- the employee moving to a more suitable role in the circumstances
- the employee going part-time
- the employee switching to a job share

It is good practice for an employer to allow an employee to go to medical appointments, including about menopausal or perimenopausal symptoms. However, there is no right in law for time off, but the employee may have a right to unpaid time off as stated in their Contract of Employment.

## **Menopause and the law**

There are two main strands of law that may relate to the perimenopause and menopause:

- The Equality Act 2010 protects workers against discrimination. This includes because of their sex, a disability and their age
- The Health and Safety at Work Act 1974 says an employer must, where reasonably practical, ensure health, safety and welfare at work

## Risks of sex discrimination, disability discrimination and age discrimination

Menopause and perimenopause are not specifically protected under the Equality Act. However, if an employee is treated unfairly because of the menopause and perimenopause, this may amount to discrimination because, for example, of their sex and/or a disability, and/or their age.

**Sex discrimination:** Unfair treatment of an employee because of their sex could lead to a discrimination claim. For example, this is likely if an employer treats a woman's menopause or perimenopause symptoms less seriously than it would a male worker's health condition when considering a drop in job performance.

Also, for example, unwanted comments, jokes, banter or ridicule about a woman's menopause or perimenopause symptoms could amount to harassment, or sexual harassment depending on the nature of the unwanted behaviour.

**Disability discrimination:** An employee's menopause or perimenopause could potentially be regarded as a disability by an employment tribunal. If an employee has a disability, an employer must consider making changes to reduce or remove any disadvantages the employee experiences because of it. Regarding disability, the law calls these 'reasonable adjustments'. An employer must make adjustments if they are reasonable.

Also, disability law protects an employee against what is termed 'discrimination arising from disability'. This is where an employee is treated unfairly, not because of their disability, but because of something linked to it. For example, this could include an employee being dismissed because they forgot to do a task set by their employer. And this is when they have become forgetful and confused as a result of anxiety caused by their menopause. Their anxiety would have to meet the Equality Act definition of disability.

**Age discrimination:** Employees are protected against unfair treatment because of their age. This may include unfair treatment of workers because they are going through the perimenopause or menopause which are usually in their mid-forties to early fifties.

## Health, safety and welfare at work

Managing the effects of the menopause and perimenopause includes making sure health and safety checks are already in place, are regularly carried out, and risks minimised, reduced or where possible removed.

## Managing colleagues of an employee being supported through the menopause

Flying Start Pre-School management may make changes to support an employee going through the menopause or perimenopause. Some staff, particularly those not going through the menopause or perimenopause, may complain that the employee is being treated more favourably - for example, being allowed extra breaks, or flexibility over start and finish times on some days. Some may ask for similar flexibility.

Flying Start Pre-School management will bear firmly in mind that they agreed the changes for the employee experiencing the menopause or perimenopause to support them through

the health change. This does not mean management must or should then automatically make the same changes for other members of the team.

Flying Start Pre-School management should deal delicately with such a circumstance and respect wishes for privacy of the employee experiencing the menopause or perimenopause. This means management should not be drawn into giving information or details they had agreed to keep confidential.

### **Business reasons why an employer should handle the menopause sensitively**

It is very much in the interests of an organisation to support employees with perimenopausal and menopausal symptoms in the workplace. As well as being an important health and wellbeing matter, managing menopause in the workplace sensitively and effectively will help an employer retain and recruit skills and experience.

Most women over 50 will have, or have had, perimenopausal or menopausal symptoms that affect their work. For one in three the symptoms will be severe. For one in four the symptoms will be mild.

<b>This policy was adopted on</b>	<b>Signed on behalf of the nursery</b>
<i>26/04/2022</i>	<i>Sarah Maynard</i>