



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 27 July 2023

Report of the Executive Director - Corporate Services and Transformation

Menopause Policy

(Cabinet Member for Corporate Services and Budget)

1. Divisions Affected

1.1 Not Applicable

2. Key Decision

2.1 This is not a Key Decision

3. Purpose

3.1 To seek approval to adopt and publish a Menopause Policy as part of the implementation of the Wellbeing Strategy, aligned to the Council's People Strategy

4. Information and Analysis

4.1 According to Professor Jo Brewis, co-author Government Report on Menopause, those undergoing the menopause are the fastest growing workforce demographic, which is highlighted by the Office of National Statistics. Whilst the average age for a woman to go through menopause is 51 this can commence earlier for many women and symptoms can also start before the menopause during the perimenopause stage.

- 4.2 Currently 58% of the Council's total workforce are women over the age of 40 and 50% of the workforce are females over the age of 45 and therefore potentially could be experiencing symptoms of the menopause. The Council does not currently have a menopause policy in place however awareness events have been signposted previously.

Individuals will experience the menopause differently and whilst for some the symptoms can be mild for others the symptoms can be quite severe. This can cause those experiencing these symptoms to reduce hours, consider leaving their role or in some cases to leave employment.

In 2022 a menopause survey of over 4,000 women for a Channel 4 documentary, Davina McCall: Sex, Mind and The Menopause, the survey found that 1 in 10 women who have worked while going through menopause have quit their job directly because of their symptoms. They also discovered that 14% of women had reduced their hours at work, 14% had gone part-time and 8% had not applied for a promotion.

- 4.3 Whilst menopause itself is not a specific protected characteristic under the Equality Act 2010, it is possible that an individual experiencing the menopause could be covered under this act due to other protected characteristics, namely sex, age or disability. Employment tribunals are increasingly finding that symptoms of menopause can amount to a disability. In the case of *Donnachie v Telent Technology Services Ltd (2020)* the judge commented "*I see no reason why, in principal, typical menopausal symptoms cannot have the relevant disabling effect on that individual*"

The Health and Safety at Work etc. Act 1974 also places a legal obligation on employers to, where reasonably practicable, ensure everyone's health, safety and welfare at work. For all of the above reasons it is important that the Council ensures it has the right support in place. The benefits of implementing appropriate support also include:

- reduced sickness absence
- Engaged, motivated and retained talent
- A healthier more inclusive culture
- Improved performance
- Attraction of new talent to the organisation.

The right support means ensuring that the Council has in place suitable information and resources that create an environment which allows employees to talk about menopause openly and without embarrassment. It is a natural phase in every woman's life that should be normalised. Key

to this is ensuring information is available to line managers so that they have sufficient knowledge to understand and be able to support employees, as well as ensuring resources are accessible to employees.

- 4.4 As part of the Joined Up Care Derbyshire wellbeing partnership, the Council has been involved in developing a new system wide menopause policy. Each constituent organisation contributed to its development, personalised it to their organisation whilst keeping the core principals in place, and will seek approval through its own processes.

The new menopause policy sets out the Council's approach to supporting employees experiencing the menopause. The policy outlines the responsibilities of the line manager and employee, provides practical advice on workplace adjustments and signposts to resources, with the aim of improving an employee's experience when faced with menopausal symptoms in the workplace. The policy will provide a single reference point for line managers and employees thereby making it much easier to find and access the available support.

- 4.5 As part of the implementation of the policy the Council will also register on the Menopause Friendly Employer Scheme which is administered by Henpicked and seek Menopause Friendly Employer Accreditation. This accreditation scheme is already used by a number of major Employers such as Cadent, Fujitsu, Virgin Media/O2, Unilever, BAE Systems, Lloyds Bank, John Lewis, Boots Sainsburys, AXA, HSBC and Leicestershire County Council. Membership allows the Council access to continuous support and resources to strengthen our offer and help us to retain existing employees by continuing our supportive approach. It is also now being used by employers in their recruitment to promote them as an employer of choice and attract new talent.

- 4.6 The policy is brought to Cabinet for approval as it has been developed under the Wellbeing Strategy and to help the Council meet its statutory obligations under the Health and Safety at Work etc Act 1974, and health and safety functions in relation to employees are a matter for the executive as outlined in Appendix 1.

5. Consultation

- 5.1 As well as its development with Joined Up Care Derbyshire colleagues, the menopause policy has been reviewed and supported by Corporate Management Team, consultation with joint trade unions through the Policy Forum has also been held, alongside the policy having been discussed with the Women's Network Group. Representatives of this

group reviewed the draft policy and inputted content via the Menopause Stories section.

6. Alternative Options Considered

- 6.1 An alternative option would be to not have a menopause policy. If the organisation does not have a policy the Council may be at risk of not ensuring its wellbeing provision remains current and aligned to both employee and organisational need. Failure to signpost resources and support could limit line manager and employee understanding or awareness.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 Wellbeing Strategy approved by Cabinet on 17th November 2022.

9. Appendices

- 9.1 Appendix 1 – Implications
9.2 Appendix 2 - Menopause Policy

10. Recommendation(s)

That Cabinet:

- a) Approve the Menopause Policy for adoption and publication on 7th August 2023 as part of the implementation of the Wellbeing Strategy, aligned to the Council's People Strategy.
- b) Note that the Council will sign up to the Menopause Friendly Accreditation scheme as approved by CMT.

11. Reasons for Recommendation(s)

- 11.1 To ensure the organisation's Wellbeing Strategy remains current and the associated actions support promote the overall wellbeing of the Council's workforce with specific focus on the introduction of the new menopause policy.

12. Is it necessary to waive the call in period?

- 12.1 No

Report Author: Jerry Sanderson **Contact details:** Jerry.Sanderson@derbyshire.gov.uk

Implications

Financial

- 1.1 The cost of the Menopause Friendly Employer scheme is an initial one-off joining fee of £1,495 with an annual fee of £795 until accreditation is achieved. The accreditation application fee is £250 and following accreditation the annual fee reduces to £395. We will be seeking accreditation in the first year. These costs will be funded from the Health, Safety and Wellbeing budget within HR.

Legal

- 2.1 Legal implications are as outlined in the report.

Under section 2 of the Health and Safety at Work etc. Act 1974, it is the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all its employees. The employer is also required to prepare and revise as necessary a written statement of general policy with respect to the health and safety at work of its employees and the organisation and arrangements in force for carrying out that policy.

The Menopause Policy is part of the strategy to ensure the health and safety at work of employees. Therefore, it is appropriate to include it as a written policy within the Wellbeing Strategy.

In accordance with Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the functions relating to health and safety at work in the authority's capacity as an employer are a matter for Cabinet. Therefore, it is appropriate for the Menopause Policy to be considered by Cabinet.

Human Resources

- 3.1 Human Resources implications are as outlined within the report

Information Technology

- 4.1 Not applicable to this report.

Equalities Impact

- 5.1 Employee network group members have been engaged in the policy development as well as ongoing review of the equalities impact of the policy. The policy itself recognises some specific equalities issues and an Equalities Impact Assessment was undertaken for the Joined Up Care Derbyshire Wellbeing Partnership as part of the development of the system wide policy.

Corporate objectives and priorities for change

- 6.1 Menopause is listed as one of the key areas for deliverable actions in the Wellbeing Strategy, approved by Cabinet in November 2022. The menopause policy will help the organisation to meet this deliverable and support the organisation's ambition to be an employer of choice. The Wellbeing Strategy is a key enabler for deployment of the Council's People Strategy and aligns to the Council Plan.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

- 7.1 There have been no other implications in the report.