



REPORT TO CABINET

22 January 2020

Subject:	Menstruation to Menopause Policy
Presenting Cabinet Member:	Councillor Wasim Ali – Cabinet Member for Resources and Core Services
Director:	Executive Director – Resources – Darren Carter
Contribution towards Vision 2030:	 
Key Decision:	Not Applicable
Cabinet Member Approval and Date:	Councillor Wasim Ali – 31/10/2019
Director Approval:	Darren Carter
Reason for Urgency:	Urgency provisions do not apply
Exempt Information Ref:	Exemption provisions do not apply
Ward Councillor (s) Consulted (if applicable):	This not affect wards
Scrutiny Consultation:	Not Applicable
Contact Officer(s):	Richard Luckman – Head of Human Resources Richard_Luckman@Sandwell.gov.uk Louise Lawrence – HR Service Manager Louise_Lawrence@Sandwell.gov.uk Ian Markham – Assistant HR policy Officer Ian_Markham@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Cabinet:

1. implement a Menstruation to Menopause Policy and its accompanying guidance, in accordance with the details contained within this report.

- 1.1 To update Cabinet on the development of a Menstruation to Menopause Policy and guidance (attached as Appendix 1 & 2) and to seek its approval.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 Ambition 2 – Sandwell is a place where we live healthy lives and live them for longer, and where those of us who are vulnerable feel respected and cared for.
- 2.2 Ambition 10 - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 Sandwell Council is committed to ensuring that all individuals are treated fairly and with dignity and respect in their working environment.
- 3.2 Menstruation and menopause are natural stages of life that usually occurs between early adolescence and through to a woman's later years, and yet remains a taboo subject in the workplace. In the UK, the average age for a woman to reach the menopause is 51, however, it can be earlier or later than this due to surgery, illness or other reasons.
- 3.3 A number of organisations have already introduced a Menstruation to Menopause Policy in order to ensure employees know their employer has a positive attitude to the subject and that it is not something women should feel embarrassed about discussing. In addition, requests to consider establishing a policy to support employees have been made by both Sandwell's recognised trade unions and national trade unions.
- 3.4 58% of the Council's workforce are women, and 47% of those are aged 40 plus.
- 3.5 It is important that the Council understands the difficulties and anxieties of women who are experiencing menstruation and menopause and that it manages these issues by raising awareness and assisting managers in supporting employees who are experiencing menstruation and menopause, and their associated symptoms.

4 THE CURRENT POSITION

- 4.1 A Menstruation to Menopause policy (Appendix 1) and its associated guidance (Appendix 2) have been developed, and should be read in conjunction with this report.
- 4.2 The policy and guidance aim to:
- Educate and inform managers about the potential impact and symptoms of menstruation and menopause, and how they can support employees at work.
 - Ensure employees with menstruation and menopausal symptoms feel confident to discuss it and ask for support and any reasonable adjustments so they can continue to be successful in their roles.
 - Foster an environment in which colleagues can openly and comfortably instigate conversations or engage in discussions about menstruation and menopause.
 - Demonstrate the Council's commitment to changing the way we think and act about menstruation and menopause in the workplace.
- 4.3 The Council, in conjunction with our recognised Trade Union colleagues, engaged with a number of employees across the organisation by conducting focus groups and drop-in sessions to help us understand the difficulties of employees who are experiencing menstruation and menopausal symptoms, and to help us shape the 'Menstruation to Menopause' policy and guidance.
- 4.4 A number of employees have volunteered to become workplace 'Menstruation to Menopause Champions' to help change the way we think and act about menstruation and menopause in the workplace.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 Sandwell Council is committed to working with its recognised Trade Union colleagues to ensure support is available to employees who are experiencing symptoms of menstruation and menopause.
- 5.2 The policy and guidance was developed in conjunction with Sandwell Council's recognised Trade Union colleagues and with the assistance of Sandwell Council's Occupational Health team.
- 5.3 The proposal to implement a Menstruation to Menopause policy was endorsed by members of the Joint Consultative Panel (JCP) on 11 November 2019.

- 5.4 This proposal was also shared with the school-based unions at a Joint Union Panel (JUP) on 1 October 2019.
- 5.5 The Council will continue to review this policy and guidance in consultation with the Trade Unions to ensure it is in line with current best practice and any future legislation.

6 ALTERNATIVE OPTIONS

- 6.1 The Council is not obligated to implement a Menstruation to Menopause Policy. However, as part of its corporate and social responsibility, the Council has a commitment to carry out its practices in an ethical way which supports the development of employee relations.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The corporate risk management strategy has been complied with to identify and assess the risks arising from the decisions being sought. This has concluded that there are no red risks that require reporting. All risks identified have suitable measures in place to mitigate risks to an acceptable level within the council's appetite for risk.
- 7.2 There are no specific financial implications arising from the contents of this report.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The Equality Act 2010 prohibits discrimination. The Council could be at risk of potential claims for sex discrimination, disability discrimination including claims of unlawful harassment and victimisation in how it reacts to women facing issues relating to Menstruation or Menopause. The support to individuals provided and detailed in this policy should limit such claims.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An initial screening was undertaken in September 2019, it was agreed at this time that the subject of the statement did not meet the criteria for undertaking a full EIA.
- 9.2 The information assessed had a positive impact on three of the nine protected characteristics or groups - Sex, Age and Gender reassignment. The remaining characteristics were not adversely affected.

- 9.3 Although this policy and its accompanying guidance applies equally to all employees, managers should have due regard to the personal circumstances of individuals.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 Any medical records or information received or generated as a result of line managers applying this policy and guidance will be handled respectfully, sensitively and confidentially, and in accordance with General Data Protection Regulations (GDPR) and the requirements of the Access to Medical Reports Act, as appropriate.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 There are no specific crime and disorder implications arising from the contents of this report.

12 SUSTAINABILITY OF PROPOSALS.

- 12.1 There are no sustainability issues arising from the contents of this report.

13 HEALTH AND WELLBEING IMPLICATIONS

- 13.1 Sandwell Council should support employees with menstruation and menopausal symptoms in the same way as they would with any other health condition.
- 13.2 By taking a proactive approach to supporting women during these stages of their life, the Council can ensure that employees are able to ask for help and adjustments. This in turn, can reduce absenteeism by providing the appropriate support.
- 13.3 As with any longstanding health-related condition, sympathetic and appropriate support from employers and managers is crucial to provide employees with the support that they need. This should ensure employees feel confident to discuss their health concerns, enabling them to continue to be successful in their roles.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 14.1 There is no specific impact on any council managed property or land arising from the contents of this report.

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 The Council, like all employers, has a duty of care to its employees, by providing workers with dignity and respect in their working environment
- 15.2 Sandwell Metropolitan Borough Council is fully committed to providing an inclusive working environment for every employee.
- 15.3 It is important to make it clear through workplace policy and guidance, that employees experiencing Menstruation and Menopause will be supported, and to outline and communicate what support is available.
- 15.4 Once agreed by Cabinet, the Council will communicate to employees that this policy and guidance has been developed.
- 15.5 Senior Managers, Line Managers, the Occupation Health team and Human Resources will also be informed of their responsibilities under this policy and guidance.

16 BACKGROUND PAPERS

- 16.1 None

17 APPENDICES:

- 17.1 Appendix 1 – Menstruation to Menopause Policy – HR31
- 17.2 Appendix 2 – Menstruation to Menopause Manager Guidelines – HR31.1

Darren Carter
Executive Director – Resources