

St. Luke's C.E (Aided) Primary School



Menopause and the Workplace Guidance 2021-2022

St. Luke's C.E (Aided) Primary School Menopause & the Workplace Guidance – Table of Contents

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Please also note that any changes to the original guidance will require your governing body or trust to re-consult with the secretaries of the recognised trade unions and staff in your school.

Introduction

- 1.0 The Governing Body of St. Luke's C.E (Aided) Primary School have adopted the Menopause Guidance from NCC HR. The Governing Body will review and monitor the impact of the policy annually with the head teacher. The next review will take place in 2022-2023.
- 1.1 The Governing Body has adopted the guidance set out in this document to provide an agreed framework for the exercise of its powers and discretions in relation to all staff employed in the school and paid from within the school budget.
- 1.2 The Governing Body understands its responsibilities and is committed to taking decisions in accordance with the principles of public life as listed in DfE

guidance; objectivity, openness and accountability. Governing bodies should ensure that they are fully aware of their responsibilities under employment law in applying this procedure.

- 1.3 The Governing Body recognises the legal requirements placed upon them by the Equality Act 2010 and Health & Safety at Work 1974. This document will apply to all staff, including apprentices, directly employed by the school.
- 1.4 References to the Governing Body should be taken to refer to the entity that is responsible for exercising governance functions for a maintained school or academy, which in the case of a multi-academy trust may be the trust board. Likewise references to governors should be taken to mean whoever is responsible for fulfilling governance functions. Where maintained schools are federated under a single governing body this will be the federated governing body.
- 1.5 In fulfilling staffing responsibilities, the Governing Body may delegate its staffing functions in accordance with its articles of government. In delegating functions, the governing body must not lose sight of the fact that it retains overall accountability for the decisions made by those to whom the function has been delegated. As a result, the Governing Body should regularly review their arrangements for managing staffing functions and that the right people are fulfilling these roles on its behalf.

Advice, support and Training

- 1.6 It is the responsibility of the headteacher to ensure that all relevant senior leaders understand their role and have access to appropriate support, advice and training in the application of these procedures. The headteacher should also ensure, in conjunction with the chair of Governors and the training co-ordinator, where appropriate, that in discharging their duties and responsibilities, governors have access to support, advice and training as appropriate.

Consultation and Agreement with the Recognised Trade Unions

- 1.7 The Nottinghamshire School Guidance on Menopause and the Workplace is recommended for adoption by all community, voluntary aided, voluntary controlled, academy, foundation, and trust schools who purchase their HR Service from Nottinghamshire County Council.
- 1.8 This guidance has been agreed with all of the recognised trade unions through the JCNP process and meet legislative requirements.
- 1.9 Due to the complexities of this area of employment and education law, governing bodies are strongly advised to adopt the attached guidance without

amendment. Should, exceptionally, a governing body seek to amend the recommended guidance, they will need to consult/negotiate any changes collectively with all the secretaries of the recognised trade unions and confirm any amendments to the local authority. Governing Bodies are strongly recommended to seek advice from the HR service in these circumstances.

Equalities and Equal Opportunities

2.0 The Governing Body recognises its legal responsibilities to staff under the Equality Act 2010 and this guidance will ensure equality and fairness regardless of race, sex (gender), sexual orientation, religion or belief, gender re-assignment, pregnancy and maternity, marriage and civil partnership, disability or age. All decisions will be taken in accordance with relevant equalities legislation, the Employment Relations Act 1999, the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

2.1 The governing body is aware of its responsibilities under the Freedom of Information Act 2000 to make available this guidance to all staff at the school and its responsibilities to be compliant with the Data Protection Act 2018 and the General Data Protection Regulations 2018.

OVERVIEW

3.0 The Governing Body of St. Luke's C.E (Aided) Primary School has a supportive and positive attitude towards women undergoing the menopause and will ensure that all individuals are treated with dignity and respect, ensuring that the workplace is supportive and takes appropriate action to eliminate any contributory factors, where they are found. St. Luke's C.E (Aided) Primary School recognises that the menopause is an equality and occupational health and safety issue and that women may need appropriate flexibility, support and adjustments during this time.

3.1 The Governing Body recognises its legal responsibilities under:

- a) The Equality Act 2010, which prohibits discrimination against people on the grounds of certain 'protected characteristics' including sex, age and disability.
- b) The Health and Safety at Work Act 1974, which requires employers to ensure the health, safety and welfare of all workers.

AIM

4.0 The aim of this guidance is to promote understanding of the menopause within the workplace and to provide Governors/Head Teachers/Senior Leaders and staff with the necessary tools and information to best understand and meet the needs of employees, who may be experiencing symptoms.

DEFINITION

- 5.0 The menopause is a natural event in all women's lives. It generally occurs between the ages of 45 and 55 and is marked by the cessation of menstruation and changes in hormonal levels. An early menopause can also occur in younger women, sometimes triggered by other health conditions. Symptoms can last between 4-8 years, or longer in some cases. Many women going through the menopause experience intermittent physical and/or psychological symptoms. These are associated with a decrease in the body's production of the hormone oestrogen. For some, symptoms include hot flushes, night sweats and related symptoms such as sleep disruption, fatigue and difficulty concentrating. Feelings of anxiety and depression are also reported.
- 5.1 These symptoms can adversely affect the quality of both personal and working life. At work, they can cause embarrassment, diminish confidence and can be stressful.

KEY ACTIONS FOR GOVERNORS/HEADTEACHERS/SENIOR LEADERS

- 6.0 It is important that Governors, Head Teachers and line managers foster an environment where employees can talk confidentially about all health conditions, including the menopause, if they wish to, and feel supported by their manager.
- 6.1 It may be enough for a line manager to acknowledge that an employee is experiencing health related difficulties, as a result of the menopause, which is a natural stage of life and that adjustments to working practices can be discussed and accommodated, where possible.
- 6.2 It is important for employees to know that where they require support but do not wish to discuss the menopause with their manager, other sources of support within school can be signposted. This may include the individual or the manager having a discussion with a member of the HR team, to seek further advice which could include a referral to the Occupational Health department.
- 6.3 In some cases, where other more in-depth support is required, it may be appropriate for the School to discuss and offer the availability of support through the School's counselling service (Care First).

SUPPORT FOR EMPLOYEES

- 7.0 Where it has been identified that symptoms are or may be affecting the employee's wellbeing, a confidential discussion should be initiated between the employee and their line manager (or other suitable person) to consider what the workplace difficulties are and how they can be addressed.
- 7.1 A risk assessment should then be completed to ensure any hazards or risks in the workplace are identified and addressed.

Templates and further advice on Risk Assessments can be found here: [Risk Assessment | NCC Schools Portal](#)

7.2 A risk assessment related to the menopause could include:

- Adjustments to the working environment, particularly temperature control – provision of an electric fan, proximity to an opening window (ensuring there is no adverse effect on pupils or other school staff).
- Access to cold water – this is available throughout the school.
- Access to a “rest room” or other area.
- If uniforms are required or a dress code, flexibility may be required and wearing thermally comfortable fabrics.
- In some cases, subject to organisational and educational need, it may be appropriate to consider flexible working opportunities. It is understood by the governing body that flexible working is appropriate where there is no detriment to the school and its pupils.
- Flexibility to take breaks to accommodate personal needs, for example, to allow time to manage a severe hot flush.
- Referral to Occupational Health or the Counselling service:

[Occupational Health Referral | NCC Schools Portal \(nottinghamshire.gov.uk\)](#)

[Counselling Service | NCC Schools Portal \(nottinghamshire.gov.uk\)](#)

COMMITMENT & LEGAL COMPLIANCE

8.0 The Governing Body is committed to enabling the headteacher and other managers to effectively and appropriately support employees who are experiencing health related conditions, including symptoms of the menopause.

8.1 The Governing Body recognises its duty to comply with the Equality Act 2010, which seeks to protect individuals from discrimination on the basis of a number of protected characteristics, including disability. Disability, as defined within the Equality Act 2010, is “a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on your ability to do normal activities”.

- 8.2 The School's Attendance Management procedure provides guidance to managers and refers to the responsibilities under the Equality Act 2010, in terms of making reasonable adjustments where there is a disability as defined above.
- 8.3 The governing body is committed to providing a safe working environment for all employees and in doing so, recognise the need to comply with legislation relevant to all health conditions, including the menopause.
- 8.4 The following legislation is relevant to the application of this guidance:
- Section 2 of the [Health and Safety at Work Act 1974](#) requires employers to ensure "the health, safety and welfare at work" of all employees.
 - The [Workplace \(Health, Safety and Welfare\) Regulations 1992](#) place an overriding duty on employers to make workplaces suitable for the individuals who work in them.
 - The [Management of Health and Safety at Work Regulations 1999](#) require the employer to undertake a suitable and sufficient risk assessment and take action to prevent exposure to risks.
 - The [public sector equality duty](#) places an obligation on all public bodies to promote gender equality and eliminate [discrimination](#).

FURTHER SOURCES OF SUPPORT & INFORMATION

- 9.0 Please contact your HR Business Partner to discuss how the school may support an employee suffering adverse symptoms relating to the menopause.
- <https://www.nhs.uk/conditions/menopause/>
 - <https://www.nice.org.uk/guidance/ng23/ifp/chapter/Sources-of-advice-and-support>
 - <https://www.som.org.uk/sites/som.org.uk/files/Guidance-on-menopause-and-the-workplace.pdf>

Lead HR Business Partner:	Sue Angood
Date:	24th October 2019
Date Consulted with Trades Unions:	14 November 2019