

Managing employees' personal problems in the workplace

Mishcon de Reya



Jennifer Millins

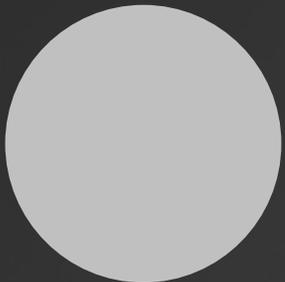
MENOPAUSE: FACTS AND FIGURES

Mishcon de Reya

Fawcett Society report

"Findings set out a damning picture of work in the UK for menopausal women. Very few women we surveyed described their employers taking even simple steps to support them in the workplace, or provide information that could prove life changing."

44% of women said their ability to work had been affected



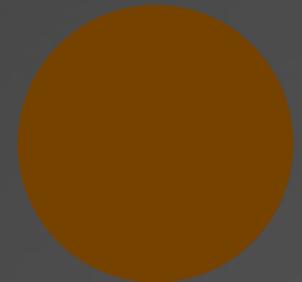
61% said that they had lost motivation at work due to their symptoms, and 52% said they had lost confidence.



One in ten women who have been employed during the menopause have left work due to menopause symptoms (i.e. an estimated 333,000 women)



14% of women had reduced their hours at work, 14% had gone part-time, and 8% had not applied for promotion.



LEGAL RISKS?

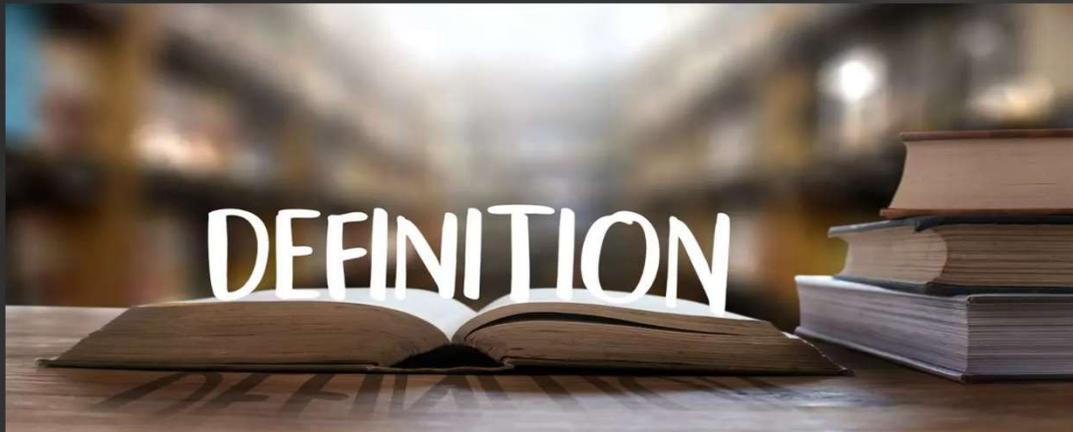
25 MAY 2022

Disability

To fulfil the definition of a disability, the symptoms must:

- Have a 'substantial adverse effect' on the life of an employee
- Last at least 12 months, or is expected to
- Affects their ability to do their normal day-to-day activities

This could be the case even if there are no symptoms at the time or the symptoms vary.



LEGAL RISKS?

Reasonable adjustments

An employer must consider making reasonable adjustments when:

- They know, or could be expected to know, an employee or job applicant has a disability
- An employee or job applicant with a disability asks for adjustments
- An employee with a disability is having difficulty with any part of their job
- An employee's absence record, sickness record or delay in returning to work is because of or linked to their disability

The employer needs to consider carefully if the adjustment:

- Will remove or reduce the disadvantage for the person with the disability
- Is practical to make
- Is affordable by the employer or business
- Could harm the health and safety of others

LEGAL RISKS?

The employer must look at what they can do to reduce or remove the disadvantage for the person with a disability, such as:

- Changing working arrangements, for example the employee's shift pattern
- Removing something from the workplace, for example bright lights above the employee's workstation
- Providing something in the workplace, for example air conditioning or a fan

WHAT CAN EMPLOYERS DO?

Consider the following:

Culture change

Sharing information
e.g. via intranet or
notice board

Education and
training for all staff

Advice on
menopause

Adapting absence
policies

Offering flexible
working

Environmental
changes

Specific training for
managers and
leaders

Leading by example:
leaders raising
menopause
awareness

Access to support
networks

Having a designated
person for staff to
speak to about the
menopause

Dress codes which
support menopausal
women

A policy for staff to
take time off for a
reason related to
the menopause

WHERE TO GET SUPPORT?

Chartered Institute
of Personnel and
Development

British Menopause
Society

Faculty of
Occupational
Medicine

MENTAL HEALTH

Employers should consider:



Having methods of detection
Providing access to information
Providing access to treatment and counselling
Introducing employee assistance programmes



- Training managers
- Opening up lines of communication through dedicated channels either internally or externally



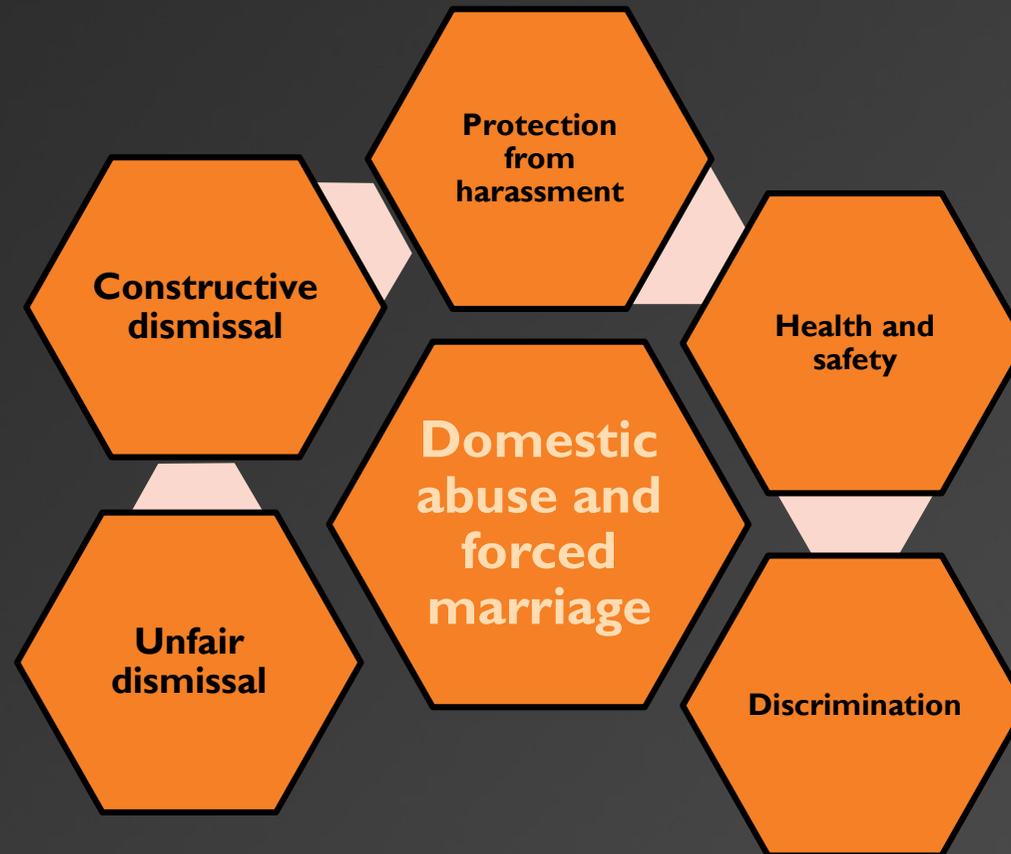
- Regular campaigns of positive and supportive information to help employees themselves identify symptoms of stress and anxiety
- Regular check-in sessions (especially where employees are working from home)

DOMESTIC ABUSE AND FORCED MARRIAGE

Mishcon de Reya

COMPANY PRESENTED TO

25 MAY 2022



ADDITIONAL SUPPORT

25 MAY 2022

- Acas Guidance: domestic violence and abuse.
- Business in the community (BITC): Domestic abuse: A toolkit for employers
- Department of health: Responding to colleagues experiencing domestic abuse: Practical guidelines.
- Chartered institute of personnel and development (CIPD) and equality and human rights commission (EHRC): Managing and supporting employees experiencing domestic abuse: A guide for employers
- EHRC: Domestic abuse: Workplace policies and managing and supporting employees



Jennifer Millins

Partner

Jennifer.Millins@mishcon.com

+44 20 3321 7137