

<b>Report to:</b>	MSMTM
<b>Report by:</b>	Helen Gardner-Swift, Head of Corporate Services (HOCS)
<b>Meeting Date:</b>	29 June 2022
<b>Subject/ Title:</b> (and VC no)	Approval of key document - C5 Menopause Policy (VC171842)
<b>Attached Papers</b> (title and VC no)	Draft Menopause Policy (VC171415)

## Purpose of report

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1. The purpose of this Committee Report (CR) is to seek the Senior Management Team's (SMT) approval of the draft key document, Menopause Policy.

## Recommendation and actions

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2. I recommend the following:
  - (i) the SMT approve the key document, Menopause Policy
  - (ii) subject to (i) the SMT approve the Menopause Policy as a Key Document and approve the Key Document actions set out in paragraph 16
  - (iii) the SMT agree that the Committee Report (CR) is published as set out in paragraph 19.

## Executive summary

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3. There is no specific legislation addressing the impact of the menopause in the workplace, however, the following legislation is relevant:
4. The Health and Safety at Work Act 1974 requires employers to ensure the health, safety and welfare of all workers. Under the Act, employers are required to do risk assessments under the Management Regulations which should include specific risks to menopausal women if they are employed.
5. The Equality Act 2010 (EA) prohibits discrimination against people on the grounds of certain protected characteristics including sex, age and disability. It is also important to note that conditions linked to the menopause may meet the definition of an "impairment" under the EA and require reasonable adjustments.
6. The Scottish Information Commissioner (the Commissioner) is committed to ensuring that all individuals are treated fairly and with dignity and respect in their working environment.
7. The Commissioner is also committed to ensuring the health, safety and wellbeing of their workforce and aims to provide appropriate support to women who are experiencing

symptoms associated with the menopause, whilst supporting line managers with training and guidance.

8. When approved, the Menopause Policy will help to:
- make managers aware of the Commissioner's responsibility to understand the menopause and related issues, how these can affect their team members and how they can support individuals in the workplace
  - create an environment where women feel confident enough to raise issues about their symptoms and ask for adjustments at work
  - raise wider awareness and understanding amongst employees and to outline support and reasonable adjustments that may be available
  - subsequently reduce menopause related sickness by supporting staff to remain in work meaning that the organisation retains valuable skills and experience.
9. The draft Menopause Policy has been circulated to the SMT for comment and their comments have been taken account of in the draft attached.

## **Risk impact**

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10. The Commissioner's reputation and, also, public confidence in the Commissioner could be undermined if the Commissioner fails to meet statutory duties and does not demonstrate good practice and good governance.
11. The Menopause Policy will mitigate against strategic and operational risks of not complying with statutory duties and of not having effective and robust governance and policies arrangements in place.

## **Equalities impact**

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12. The public sector equality duty requires equality to be considered in all the functions of the Commissioner and the Menopause Policy help to ensure that members of staff are treated fairly and with dignity and respect in their working environment and supported, where reasonable and possible.

## **Resources impact**

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13. Having effective and up to date employment policies and procedures ensures consistency of approach in managing employees.

14. Once approved, the HOCS will keep the Menopause Policy under review and, when reviewing the Employee Handbook, will consider whether the Menopause Policy should continue to be a stand-alone policy or be included in the Employee Handbook.

## **Operational/ strategic plan impact**

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15. The work on the Menopause Policy has been carried out as part of the Business As Usual requirements of the Operational Plan 2022-23. The work has required input from the Corporate Services Team and the SMT.

## **Records management impact (including any key documents actions)**

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16. If approved and when finalised for publication:
- the revised Menopause Policy will be:
    - a Key Document and published within Class 5 of the Guide To Information
    - reviewed by January 2023 (at same time as the review of the Employee Handbook is carried out)
  - the Responsible Manager will be the HOCS
  - the approver will be the SMT.

## **Consultation and Communication**

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17. The SMT have been consulted on the draft Menopause Policy.
18. The HOCS will advise all members of staff of the approval of the Menopause Policy.

## **Publication**

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19. This CR should be published as follows:
- (i) the CR is published in full
  - (ii) the Key Document, the Menopause Policy, is withheld on the basis that Section 27 of FOISA applies and the Key Document will be finalised and published in full on our website as soon as possible.