

Written evidence from Police Federation of England and Wales [MEW0039]

Evidence compiled from officers and staff of 43 police forces across England and Wales

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The Police Federation of England and Wales (PFEW) represents all police officers across all police forces of federated rank (our “members”). The national PFEW lead for Menopause related matters consults regularly with members regarding the ongoing issues and needs faced by members within the workplace when transitioning through the menopause. Issues raised caused PFEW to complete the first ever national policing survey (“the Survey”) asking all officers and staff of all ranks and roles about their knowledge, understanding and experience of the menopause and related matters. This was completed in 2019 and evidence provided within this submission is evidence based on the findings of this Survey and the subsequent development of the national menopause guidance (“The Guidance”) that is now accepted across all 43 police forces as minimum standards of practice when supporting staff and officers through menopause transition.

The survey reported on 6315 responses (post data cleansing) a breakdown of 59% officers, 40%staff, with 1% quoting another role within policing.

Survey Headline Statistics Report and National Guidance are attached.

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What is the nature and extent of discrimination faced by women experiencing the menopause?

Within Policing our Survey found that many officers and staff are not supported as they should be by employers, and we saw this consistently across all 43 forces. This led to 44% of our Survey respondents who were menopausal either considering leaving their role or the organisation, along with 46% who reported that they were less likely to consider promotion or progression opportunities.

Education and understanding of line managers regard the direct link that menopause symptoms could associate with the equality act was another area that is widely misunderstood. The assumption that menopause symptoms are not something to refer staff and officers to occupational health departments for support is often reported to us at PFEW. The unhelpful stigma and assumption of lack of support prevents a lot of reporting, which then causes the lack of understanding and endorses the belief that menopause isn't considered as a condition that the equality act would protect. Our data found that there is no consistency in reporting of menopausal related absence. Forces have no knowledge on the proportion of employees that need support or who are having to take time off from the workplace due to transition through the menopause. Only 9% of respondents were able to report accurately the reason for absence and 62% had taken leave or rest days in lieu when suffering symptoms making them unable to attend work.

How does this affect wider society?

It is a known Government and Policing senior leadership aim to increase diversity and ensure that policing demographics reflect the diverse communities that police forces serve. However, as we found in the Survey, staff and officers are reportedly leaving their roles and the organisation due to the lack of support and inadequate legislation that ensures they feel protected in the workplace. Female officers are more likely to leave the police before retirement (43.2% of female leavers had resigned vs. 29.4% of male leavers). Whilst the reasons for this are likely to be complex, it is thought that female specific issues (e.g., maternity) are particularly important issues. Given that 44% of menopause survey respondents considered leaving because of their menopause symptoms, it is highly plausible that menopause may also contribute to higher rates of resignation amongst female officers¹. This is a travesty as experienced skilled officers and staff are being lost which impacts hugely on society in terms of policing and education for all.

What is the economic impact of menopause discrimination?

As reported earlier, sickness absence has increased across police forces, to levels that aren't even monitored due to lack of accurate ability to report. This then reflects with the lack of support, policy and guidance for staff and officers. If basic adjustments and management education was consistently in place as standard then sickness absence would reduce. The business case to ensure good quality support and protection for employees within the workplace would enhance longer working lives, lower levels of litigation, lower sickness absence and use of "Unsatisfactory Absence Procedures" (UAP). Along with better education of employers and

management and consistency of practice within all areas of employment. Moreover, data typically suggests that the cost to recruit, training and equip a new police officer is approximately £12k, this will be the minimum replacement cost for any officer who quits because of the menopause (and doesn't take into account intangible costs of loss of experience)ⁱⁱ. These areas all impact the economy and the policing budget to date.

How can businesses factor in the needs for employees going through the menopause?

Accurate sickness/absence reporting: As noted above, only 9% of survey respondents said that they were currently able to report menopause-related sickness absence accurately within their force's sickness reporting process.

Policy and guidance for all: Our survey data suggests that managers agree that this would be helpful – 75% of managers in our survey who didn't already have access to guidance said that they would find it useful to have guidance on the menopause at work.

Reasonable adjustments with flexibility and regular management meetings.

Education and training for all to reduce stigma and lack of understanding: At present only around 1 in 10 managers receive training according to our survey data, and more than two thirds of respondents said that they would find it helpful for there to be better awareness amongst managers of menopause

Optional use of “menopause passports” or simple forms, to make reporting of symptoms less personal and embarrassing, as are currently being used in Norfolk and Suffolk Policeⁱⁱⁱ

How can practices addressing workplace discrimination relating to menopause be implemented?

Policy/guidance

We created the first National policing menopause guidance that is now applicable for all 43 police forces. This details the minimum standards expected to ensure staff/officers are supported consistently. The Guidance encourages forces not only to support the individual and ensure flexibility and reasonable adjustments with the assistance of NHS/occupational health etc., but also to educate all within the workforce to ensure understanding and support is available and recognised across all.

We encourage, coffee mornings, support groups, buddy systems, seminars, educational and awareness toolkits, and the recognition of occupational health referrals and reasonable adjustments if needed.

How do people who experience the menopause but do not identify as women be supported in relation to menopause in the workplace?

Education of all regards reasons for menopause symptoms, should be included within organisations policies and guidance, promotion of myth busting/education of all and the varied reasons for menopausal symptoms should be a requirement for all employers to accommodate, underpinned by legislation. The support should not be exclusive to “women of a certain age” but for all whom need it, for whatever reason, whether that be transitioning, male menopause, serious illness like cancer, supporting partners, or for any reason. Impactful examples of this can be found in the attached Headline Statistics report, including an account from a transgender respondent who chose not to engage with much of the menopause support on offer in their force,

because to do so would have put them in a position of repeatedly coming out as transgender and explaining how the menopause was possible for them (p.30/31). Some officers/staff reported to us that the largest blocker to them was that others perceived they were not genuinely in need as they had menopausal transition at an early age.

How well does current legislation protect women from discrimination in the workplace associated with the menopause?

We have not found that the current legislation is protecting our police officers adequately.

In relation to disability discrimination, legislation largely protects the physical symptoms faced when transitioning through the menopause, but we have found that because of misinformation and variance in symptoms, member's needs for adjustments are not being met at an early stage. A force recognising their responsibilities under the equality act often comes too late if at all. Early protection is needed. Workplace policy and practice is only optional (indeed to our knowledge only Nottinghamshire, Metropolitan, Surrey/Sussex and Cheshire have a force policy – out of 43 forces), basic protection should be afforded in all workplaces as is the case for maternity related matters.

Should current legislation be amended? What further legislation is required to enable employers to put in place a workplace policy to protect people going through menopause whilst at work?

Theoretically, it is our opinion that our members who are suffering from perimenopausal symptoms (of the type that are moderately and extremely problematic at work) should be covered easily by the definition of disability in the Act. However, in practice this is not our experience. It seems to that menopause is not given the same status as a disability issue. We see forces are frequently denying that an officer can be disabled, in what seems to be a default position when it comes to menopause. This default position is exacerbated by members' embarrassment, failures in the medical profession to accurately diagnose¹ and members' downplaying their symptoms or simply working through symptoms (regardless of comfort or health).

Finally, there is a question over whether classifying menopause as a "disability" is helpful to the general education of employees and managers when it is a natural course of events just like puberty.

Whilst sex/age discrimination may also be possibly used to protect our members after a discriminatory event, we consider that it is more effective to ensure early protection; education, policies and an enhancement to provide an outright protection in line with rights afforded during pregnancy and maternity. Not all women choose pregnancy, but all women will go through menopause and many of those will be in the workplace at the time.

¹ We recognise that diagnosis is not needed for disability protection but, again, practically, this is what is currently expected by employers in order to take the matter seriously.

The employer should have a new basic responsibility to ensure reasonable adjustments (or menopause accommodations) are made upon the female worker's request as supported by an NHS/occupational health. This should be put in place immediately upon self-declaration, not after struggling on for months or even years. This could be undertaken under Health & Safety laws rather than adding to the Equality Act which arguably already protects women from discriminatory events. We would argue that this would have the effect of normalising it as another work safety issue just like pregnancy risk assessments and coronavirus legislation.

Self-identification is difficult because of the problems caused by lack of education both to the general public and what seems to be a historical gap in compulsory GP training² Nevertheless, in our opinion it is the best outcome. We once again note that the vast majority of our Survey respondents find that they are moderately or extremely affected in the workplace; the possibility that someone would fraudulently self-declare is highly unlikely and tolerable in the scheme's overall benefits.

We also would support a requirement for all employers to have a policy in place to outline support to be offered to employees transitioning through the menopause that details what can be offered and utilised to support the individual should be legislated.

All employers should enable and empower employees to report discretely and accurately when absent from work due to menopause and this should have the same protection as maternity-

² [Supporter comments · Rt Hon Elizabeth Truss MP: Make Menopause Matter in healthcare, the workplace and education. #MakeMenopauseMatter · Change.org](#)

related absence. It should not count against the employee's sickness absence levels and then used against the employee in any UAP process without justification.

How effective has government action been at addressing workplace menopause policy to protect people going through the menopause whilst at work?

As an organisation whose role is to represent officers and where needed support them through litigation when needed we have had little need to progress any officers' issues through to legal redress due to menopause. This is not however because the government has ensured there is legal protection for officers (and of course the wider employment arena) but because officers have accepted the poor support, the lack of protection, the actions taken against them and not reported because of the fear and stigma still attached to menopause (as our survey suggests).

There have been cases of employment tribunals such as Garnett v Chief Constable of West Yorkshire Police 2014. In this case the force was found to have inappropriately sped through the UAP process to remove any officer from her role without listening to her pleas about struggling with menopause symptoms and that the UAP was adding to her stress and anxiety.

How effectively is the government Equalities Office working across Government to embed a strategic approach to addressing the impact of menopause in the workplace?

As part of the policing Menopause Action Group, we wrote to the equalities office to highlight our concerns regards the effect menopause were having on employees and staff in policing,

highlighting the need for further legislation and support to ensure women were protected further when transitioning through the menopause. We offered to assist with our evidence raised so far etc. We received a reply to tell us that the office was happy with the protection that the equality act affords and did not agree that there was anything further needed. We welcome the opportunity to detail why we do not agree with this statement.

September 2021

- ⁱ [How can the police force retain and recruit female employees over 40? - Menopause in the Workplace | Henpicked](#)
- ⁱⁱ [Police Officer Costs | Mayor's Question Time \(london.gov.uk\)](#)
- ⁱⁱⁱ [Menopause workplace guide launched by UNISON | News, Press release | News | UNISON National](#)