



Menopause in the Workplace: A Guide for Employers

LOCH



For some, the effects of the menopause can have a serious impact, putting a real strain on an individual's wellbeing, relationships, and performance at work. These problems can be exacerbated when symptoms are badly handled in the workplace. So, how can workplaces best support their employees?

This guide provides employers with essential information on the stages of menopause, its workplace impact, and legal responsibilities. It also includes case studies highlighting discrimination risks, guidance on best practices, and practical support strategies for employers.

What is the menopause?

Menopause refers to a normal phase in life, when periods cease. Trans men and non-binary people may also experience menopause if they keep their ovaries and do not alter their hormone profile.

The menopause usually happens between 45 and 55 years of age but it can also happen much earlier or later in someone's life. Menopause can occur naturally with age or be triggered by surgery, medical treatments, genetic conditions, autoimmune diseases, lifestyle factors, or chronic illnesses.

Stages and types of menopause can vary immensely from individual to individual, but the symptoms can have a significant impact on quality of life and can be medically complicated.

Three main stages of menopause



Perimenopause:

This phase precedes menopause and is characterised by hormonal fluctuations leading to symptoms such as irregular periods, hot flashes, and mood changes. Perimenopause ends when the person has not had a period for 12 consecutive months.

Menopause:

Defined as the point when a person who has periods has not experienced menstruation for 12 consecutive months, marking the end of the reproductive years. The average age for reaching menopause is 51, though it can vary.

Post-Menopause:

This stage follows menopause and continues for the remainder of life. During post-menopause, symptoms like hot flashes may persist, and there's an increased risk of health conditions such as osteoporosis and cardiovascular disease due to lower hormone levels.

Find out more about the menopause and its potential symptoms on the NHS website: [nhs.uk](https://www.nhs.uk)

Menopause in the Workplace



How does the menopause impact people who have periods in the workplace?

67%

Two thirds of working women aged 40-60 said menopause symptoms negatively impacted their work.

([CIPD](#))

The same Chartered Institute of Personnel and Development (CIPD) research found that among those who were adversely affected at work:

- 79% found it harder to concentrate
- 68% reported increased stress levels
- Almost half (49%) felt less patient with colleagues and clients
- 46% felt physically less capable of completing work tasks

As a consequence, more than half of respondents recalled an instance where their symptoms prevented them from attending work.

With more than 16 million women in the workplace, as well as trans and non-binary people, the impact of menopause on individuals and workplaces is considerable.

Having a comprehensive menopause policy and implementing best practices effectively is vital to attracting and retaining talent, supporting your staff, and improving overall business performance. It will also reduce the financial and reputational risk your organisation might face if an employee feels they have been unfairly treated or discriminated against.

As an employer, what is your responsibility?



Menopause itself is not classified as a protected characteristic under the Equality Act 2010. However, the Act does safeguard individuals against unfair treatment based on sex, age, and disability—all of which can be relevant for employees experiencing menopause.

The Equality Act 2010 stipulates that someone who suffers from a physical or mental impairment which has a substantial and long-term adverse effect on day-to-day activities, has a ‘disability’. Whilst not all menopausal symptoms would result in an individual being deemed disabled under the Equality Act, some people with more severe symptoms may be afforded protection in this regard. If so, the employer is under a legal obligation to consider and make ‘reasonable adjustments’, which may include altered hours, working from home, more breaks. A failure to do so could give rise to a discrimination claim.

1 in 10

One in ten women aged between 40 and 55 working through menopause have left a job because of their symptoms. A further 13% reported that they had considered leaving. ([Fawcett Society](#))

Even if the provisions for disability discrimination do not apply—for instance, when menopausal symptoms are sporadic and therefore do not meet the ‘long-term’ criteria outlined in Section 6 of the Equality Act—other forms of discrimination protection may still be relevant. These could include protection against discrimination due to age or sex, or where an employee is subject to harassment or sexual harassment.

This is underlined by recent legal cases demonstrating that employees can already challenge workplace discrimination related to menopause by making successful claims under one or more of these existing protected characteristics.

Case example

In one case in Scotland, an **office worker** was awarded £37,000 in compensation after her employer claimed the menopause was her “excuse for everything”.

The employer failed to provide support or reasonable adjustments for the employee’s menopausal symptoms, subjected her to demeaning and dismissive remarks and created an intolerable working environment.

The judge commented that despite the employers' actions being “sufficiently serious to have allowed [the employee] to resign immediately... she did not do so. She sought to try and repair the relationship through lodging a grievance.” The judge also commented that they had no cause to cut off her remote work access without warning, and the claims of harassment and unfair dismissal were “well founded”.



Case example

In another case, a **teacher** with 31 years' service suffered from menopausal symptoms, stress, anxiety and depression. It was agreed by the parties before the Tribunal that this amounted to a disability under the Equality Act 2010 at the relevant point.

The employer attempted to support the teacher by offering alternative job roles, conducting occupational health assessments, and following their absence management procedures, but ultimately failed to make reasonable adjustments, such as allowing her to remain in her current school, which the tribunal found to be a key factor in her deteriorating health and subsequent unfair dismissal.

This case resulted in the Tribunal awarding £61k for discrimination arising from disability, a violation of Section 15(1) (a) of the Equality Act 2010, because the employer failed to make reasonable adjustments for symptoms of menopause and anxiety.



Case example

In another case, a **nurse** was dismissed for performance issues linked to symptoms (brain fog, memory loss, etc.) which she was initially not aware were a result of perimenopause.

The employee had mentioned her symptoms to her employer when she joined the organisation. Medical evidence was later obtained and presented, during a subsequent performance improvement process (“PIP”), which confirmed perimenopause. This medical evidence was not properly considered as part of the PIP.

From the point of knowing about the disability (when the employee explained her symptoms, and not only from the point of diagnosis), the employer was under a duty to make reasonable adjustments. This would have included adjusting its performance process and/or the way in which the employee worked, to support her disability. The employer argued it was not aware that perimenopause could be a disability, but this argument failed because of the medical evidence and information the employer had received about the employee’s symptoms. The employer had failed to make reasonable adjustments and her dismissal was discriminatory.

Ultimately, the employee received compensation for disability discrimination in the sum of one year’s pay. However, the dismissal had a long-term effect and impacted her career. She had a regulatory duty to report her dismissal to the Nursing and Midwifery Counsel and an investigation was required.





Even where menopause does not amount to a disability, an employer has a legal obligation to carry out a suitable and sufficient assessment of the risks to the health and safety of employees in the workplace under the Management of Health and Safety at Work Regulations 1999. Risk assessments should consider the specific needs of those experiencing menopause and ensure that the working environment does not worsen their symptoms. Undertaking this exercise will help employers demonstrate that they are complying with their duty of care.

If an employee feels they have been put at a disadvantage or treated less favourably they can bring claims against their employer in an Employment Tribunal.

Alongside this, incoming legislation may introduce additional responsibilities for employers. As part of the Equality Action Plan within the Employment Rights Bill, large employers (with more than 250 employees) will be required to outline the measures they are implementing to support staff experiencing menopause. This requirement will apply to both private sector organisations and specific public authorities.

80%

Eight out of ten women say their employer hasn't shared information, trained staff, or put in place a menopause absence policy. (Fawcett Society)

What's the best practice?

The three cases mentioned previously serve as an example of how menopause can impact employment rights and employer responsibilities – they underline that both culture and process are key considerations for all employers to address.



The case of the **office worker** illustrates that employers have a responsibility to ensure that negative preconceptions and biases from managers are not perpetuated in the workplace – language matters and a throw away remark or what one individual might see as a joke could have huge impacts on an employee and financial and reputational risks for the company.



The experience of the **teacher** underlines that expert advice is key both in creating menopause policies and in supporting individual employees to ensure that all reasonable support is provided.



The **nurses'** initial lack of a formal diagnosis did not prevent her employer being responsible for failing to make reasonable adjustments or discrimination. The Equalities and Human Rights Commission has indicated that employers have a duty of care to recognise signs of menopause-related struggles in employees. Employers must also do what they can to find out the potential cause of a change in performance. It is not solely the responsibility of the employee to disclose, and employers should be trained to recognise symptoms.

Employers should seek legal advice in order to handle menopause sensitively and avoid discrimination claims.



For many, the menopause is still a taboo subject, but it shouldn't be. Creating an open and inclusive environment where menopause can be discussed without fear or embarrassment contributes to a positive and supportive workplace culture. Putting in place clear menopause policies and training helps employees understand the support available to them.

Here is a short outline of the combined culture and process approach:

Creating a Supportive Workplace Culture

- Providing menopause awareness training for all employees
- Offering private sessions for people who have periods who may not want to discuss menopause openly
- Introducing "Menopause Champions" within organisations to provide support
- Avoiding stigmatisation and ensuring open discussions about menopause without fear of discrimination
- Menopause training should align with similar diversity & inclusion programs (e.g., LGBTQ+ inclusivity)

Legal & HR Process Consideration

- Put in place a clear inclusive menopause policy and implementation plan including awareness sessions, HR guidance, management strategies and accurate record keeping
- Take a proactive approach – performance reviews and check-ins provide an opportunity for managers to support individuals and discuss any concerns
- Use of occupational health professionals to assess and provide support
- A well-structured menopause policy backed by training helps in demonstrating inclusivity and can serve as a legal defence
- Consider reasonable adjustments if menopause symptoms are severe and may amount to a disability

How to resolve concerns with an individual employee?



Regardless of the legal stance on disability, fostering an emotionally intelligent and supportive approach is crucial.

You should have internal grievance procedures that your employee can use if they feel that they have not been appropriately supported at work. Raising even an informal grievance can result in a resolution to help them.

As the employer you should make it clear to all employees that a flexible working policy is available and how they should approach making requests. Requests may include, for example, working from home, flexible start and finish times and part-time working.

If an employee decides to make an application to work flexibly, informally or formally, in order to assist in management of their symptoms, the employer should engage with professional support from occupational health to ensure all reasonable adjustments are offered.

Alongside this, getting legal support from an early stage – both to inform the company's policy and when managing individual employees – can help prevent future challenges.

Is your organisation prepared?

A best practice checklist.



More employees than ever before are going through menopause while at work. It is essential for all employers to raise awareness, provide education, and offer appropriate support.

Use this quick checklist to assess whether your organisation is following best practice recommendations.

- ☒ Does your organisation acknowledge the impact of menopause at work?
- ☒ Have policies or guidance been created to support employees experiencing menopausal symptoms?
- ☒ Do your employees of all genders feel comfortable discussing menopause in the workplace?
- ☒ Are there any internal resources available on menopause?
- ☒ Does your organisation offer menopause-specific support networks?
- ☒ Do managers and HR teams receive training on menopause awareness?
- ☒ Is occupational health support available for employees experiencing menopause?
- ☒ Does your workplace provide appropriate uniform and dress code flexibility?
- ☒ Are there adequate workplace facilities to support menopausal employees?
- ☒ Have you reviewed your absence and flexible working policies?
- ☒ Does your organisation actively promote menopause awareness?
- ☒ Are menopause-focused events or wellbeing campaigns included in your workplace initiatives?

Where can I get support?



It is vitally important that you seek expert advice and follow recommendations. The good news is, there are increasing amounts of support and assistance available and employer awareness and support resources have vastly improved:

- The government has appointed Journalist and women's equality campaigner, Mariella Frostrup, as the new Menopause Employment Ambassador to work with businesses and raise awareness.
- Equality and Human Rights Commission offers resources here: [Menopause in the workplace: Guidance for employers](#).
- [ACAS](#) has [menopause at work guidance](#) to help employers and managers support their staff.
- There are many fantastic organisations and charities working to increase awareness of how menopause impacts work, also offering training which companies can support their team in accessing. For example, [Henpicked: Menopause in the workplace](#) and [The Diversity Trust – Menopause Champion Training](#). We also have a [Menopause Experts Group](#) (MEG) Champion on our team.
- There are a number of campaigns aimed at increasing menopause awareness and support, including:
 - Menopause Support's [#MakeMenopauseMatter](#)
 - Wellbeing of Women [The Menopause Workplace Pledge](#)

What can Loch do for you?



LOCH | LEGAL

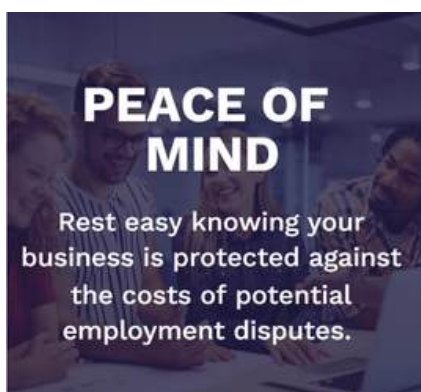
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How can we help?



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Our integrated approach provides commercially focused, pragmatic solutions that help you when you're faced with a decision that will protect, grow, or secure your future. By covering every angle, we give you the confidence to move forward for long-term success.

Contact Us

Contact us at hello@weareloch.com or 0203 667 5400, and to receive more updates like this, visit our website www.weareloch.com and sign up to our newsletter.



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