

Interim National Menopause and Menstrual Health Policy for NHSScotland

Equality Impact Assessment

January 2024

Interim National Menopause and Menstrual Health Policy for NHSScotland: Equality Impact Assessment

Title of Policy

Interim National Menopause and Menstrual Health Policy for NHSScotland

Summary of aims and desired outcomes of Policy

The aim of the policy is to provide a framework to:

- Support employees in their experience of menstrual health and menopause in the workplace and help them to minimise the impact it can have.
- Create an environment where employees feel confident in raising issues about their menstrual health or menopause symptoms and ask for, and receive the support, solutions and any adjustments which can be put in place so they can comfortably work.
- Foster a culture of good menstrual health and positive menopause awareness, underpinned by education, inclusive discussions, and compassionate management.

Directorate, Division and Team

Health Workforce Directorate, Leadership, Culture and Wellbeing Division, Workplace Culture Team.

1. Executive summary

The Equality Act 2010 places a duty (known as the Public Sector Equality Duty, or PSED) on public authorities to have due regard to the need to eliminate discrimination, advance equality of opportunity, and promote good relations between people who share a protected characteristic and those who do not. The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (Regulation 5) require public authorities to assess and review policies and practices against the three needs of the PSED.

The Scottish Government has undertaken a national equality impact assessment (EQIA) for the Interim National Menopause and Menstrual Health Policy for NHSScotland. This EQIA Results Report provides a summary of the key findings from the EQIA Record.

The EQIA evaluates how a policy may affect different segments of the population both positively and negatively. If adverse effects are identified, efforts have been made to reduce or remove them. However, the focus is not solely on negating negative impacts, as there is also a proactive duty to promote equality. The development of the EQIA has been guided by equality legislation and addresses the protected characteristics of age, disability, gender reassignment, sex, pregnancy and maternity, race, religion or belief, and sexual orientation.

The Interim National Menopause and Menstrual Health Policy for NHSScotland has been equality impact assessed, and it has been determined that there are no barriers to any of the protected characteristics. The policy is expected to positively impact on eliminating unlawful discrimination, harassment and victimisation currently experienced by those who have symptoms. The policy will assist employers, line managers and staff to support employees in the workplace and put in place workplace adjustments to minimise the impact of menopause and menstrual health at work. This will help to foster a culture of good menstrual health and positive menopause awareness, underpinned by education, inclusive discussions, and compassionate management. It is anticipated that this will lead to positive cultural change and help to improve staff retention and workplace experience.

There is no evidence of negative impacts on people with protected characteristics. The key findings section below provides a summary of the policy's impact on individuals with protected characteristics.

Scottish Government is committed to actively considering equality impacts during the implementation of the Interim National Menopause and Menstrual Health Policy for NHSScotland. This EQIA will be subject to further review and revision to ensure that any negative impacts, whether direct or indirect, on individuals with protected characteristics are addressed and mitigated.

2. Background

Menopause and menstrual health care and support are top priorities in the Scottish Government's Women's Health Plan, which was published on 20 August 2021. Within it, there is a commitment to develop a menopause and menstrual health workplace policy for NHSScotland, as an example of best practice and to promote equivalent efforts across the public, private and third sector.

This action underpins actions to improve women's health inequality by raising awareness around women's health, improving access to health care and reducing inequalities in health outcomes for girls and women, both for sex-specific conditions and in women's general health.

The aim of the Interim National Menopause and Menstrual Health Policy for NHSScotland is to provide a standardised national workplace policy for all NHSScotland Health Boards to adhere to in relation to managing menopause and menstrual health related symptoms at work.

This is particularly important to NHSScotland as [77% of it's workforce are female](#). This represents 9% of Scotland's female working age population. Therefore, a high number of staff will experience, have experienced or are experiencing menopause or menstrual health related conditions while at work.

In addition, research based on an [NHSScotland staff survey shows](#) that of those who responded:

- 85% agree that menstruation should be explicitly referred to in a number of general workplace policy and practice.
- 78% agree that there is a need to specific menstrual policies and practices.
- 78% agree that workplaces have a role to play in educating staff about menstrual health.

The introduction of the Interim National Menopause and Menstrual Health Policy for NHSScotland will directly address staff requests for a workforce policy on this topic.

The policy was issued to NHS Health Boards in the form of a Director's Letter from the Scottish Government on 31st October 2023. This informed Health Boards that the policy is operational and should be implemented immediately across NHSScotland. The policy sets the standard for employment practice for all NHS Health Boards in Scotland and should replace existing local policies.

The policy was issued on an interim basis. It will be included in the NHSScotland 'Once for Scotland' Workforce Policies Programme review of the Managing Health at Work suite of workforce policies that is currently scheduled for Autumn 2025.

3. The scope of the EQIA

The EQIA is focused on how the Interim National Menopause and Menstrual Health Policy for NHSScotland will directly or indirectly impact NHSScotland employees. This includes bank, agency and sessional workers. It assesses the potential impact of the policy on all protected characteristics. However, there is an acceptance that the policy will primarily affect women and those who menstruate.

The EQIA drew upon data and information already publicly available. This included but was not limited to, workforce statistics, academic papers and The British Standards Institution workplace guide. A list of these sources can be found on the [National Wellbeing Hub](#).

However, the main source of data that informed the EQIA, and the policy, was [Advancing Menopause and Menstrual Health in Organizations \(AMMI^{NO}\): A National Study of NHS Employees](#). This University of Glasgow research was based upon a NHSScotland staff survey. The survey aimed to understand and capture the experiences of those with menopause or menstrual health symptoms at work in the NHS. The survey contained a mix of closed and open-ended questions that enabled the use of scientifically validated measurements and capture rich qualitative data that could build a robust and accurate portrait of individuals' experiences of menopause or menstrual health within the NHS. In total, 6,453 survey responses were analysed.

4. Key findings

The EQIA has highlighted areas for potential impacts on different groups and opportunities for promoting equality.

The NHSScotland Menopause and Menstrual Health Policy is expected to have a positive effect in **eliminating unlawful discrimination, harassment and victimisation** across all protected characteristics. This may be particularly evident in relation to age and sex. The Menopause and Menstrual Health Policy:

- provides support for employees and line managers on how to conduct a supportive conversation around menopause and menstrual health symptoms which is person-centred, reiterating the individualised nature of menopause and menstrual health conditions.
- provides advice and guidance on what typical symptoms are and how they can be mitigated at work through adjustments relevant to the NHS workplace.
- encourages and signposts employers on how to create a culture of good menstrual health and positive menopause awareness.
- helps employers and line managers to understand the legal obligations associated with reasonable adjustments and menopause and menstrual health.
- reinforces the general legal obligations for employers under the Equality Act and Health and Safety at Work Act and what constitutes discrimination.
- recognises the predominantly female workforce (77%) who are likely to be affected by menopause and menstrual health related symptoms at work.
- clarifies for employers and line managers that it is not just women who experience symptoms.
- contains additional supporting documents that provide more detail on line management conversations, information on adjustments, definitions and symptoms, and information and resources to raise awareness of the issues faced.
- is based on evidence from a study conducted on NHS Staff's experience of menopause and menstrual health symptoms at work. This provides credibility to the requirement for a policy, and the recommendations for workplace adjustments.

The NHSScotland Menopause and Menstrual Health Policy has a positive impact in **advancing equality of opportunity** across all protected characteristics. This may be particularly evident in relation to age and sex. The Menopause and Menstrual Health Policy:

- helps employers, line managers and employees to understand how to ask for, and receive the support, solutions and any adjustments so they can comfortably work.

- encourages retention and access to opportunities in the workplace by putting in place recommendations on how those experiencing symptoms can be supported at work and the types of adjustments that will minimise impact of symptoms at work.
- promotes inclusion through use of gender-neutral language.
- will support a significant number of women. The NHS is a major employer with a 77% female workforce in NHSScotland.
- is accessible through the [National Wellbeing Hub](#) which is aimed at Health and Social Care staff but is also open to the public.
- provides supporting documents which include: a line manager's guide to help line managers in supporting their employees, a workplace adjustments guide to highlight the different types of adjustments that could be considered, an independent study based on NHS staff's experience of menopause and menstrual health at work, information and resources guide and a definition and symptoms guide. These supporting documents provide a wealth of information, in addition to the policy, to support employees, line managers and employers to make it a better working environment for staff with symptoms.
- provides evidence through the independent report on how menopause and menstrual health symptoms may disproportionately impact on protected characteristics, particularly disability and race.

The NHSScotland Menopause and Menstrual Health Policy has a positive impact in **promoting good relations** between people who share a protected characteristic and those who do not. The Menopause and Menstrual Health Policy:

- creates an environment where employees feel confident in raising issues about their menstrual health or menopause symptoms, are treated compassionately and appropriately supported by the line managers and employers, who may be men or other women that have had less symptoms.
- focuses on both the menstrual health and menopause impacts at work will promote better relations between the younger workforce (more likely affected by menstrual health related conditions or symptoms) and those going through the menopause by treating both with equal efforts.
- provides supporting documents that debunk myths surrounding menopause and menstrual health and improve understanding and empathy across the workforce about symptoms and conditions.
- explains why this is so prominent, in relation to the composition of the workforce, which shows a majority of the workforce could be affected. The percentage of this female workforce who are likely to be experiencing the menopause (aged 45 - 55) is 25%. The percentage of those aged under 45 is 52% of the female workforce.

Currently, there is no evidence of negative impacts on individuals with protected characteristics. Nevertheless, Scottish Government will continue to monitor and review this EQIA to ensure ongoing assessment of potential impacts on people with protected characteristics.

5. Recommendations and conclusions

NHSScotland's commitment to eliminating unlawful discrimination, harassment, victimisation and less favourable treatment is central to the [principles and values](#) that underpin their policies.

NHSScotland workforce policies should be applied fairly and consistently to any employee or worker regardless of:

- protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership or pregnancy and maternity)
- personal characteristics such as trans identities including non-binary, weight, social status
- offender status
- membership or non-membership of a trade union
- contractual status - part-time or fixed-term

The EQIA process did not identify indirect or direct discrimination through the policy intentions of the Interim National Menopause and Menstrual Health Policy for NHSScotland.

It is anticipated that the policy will help to reduce discrimination, harassment and victimisation currently experienced by women who have symptoms. The policy will assist employers, line managers and staff to support employees in the workplace and put in place workplace adjustments to minimise the impact of menopause and menstrual health. This will help to foster a culture of good menstrual health and positive menopause awareness, underpinned by education, inclusive discussions, and compassionate management. We anticipate that this will create a positive cultural change which could improve staff retention by offering equal access to workplace opportunities for women.

The policy is underpinned by high quality and academically approved qualitative and quantitative research which, alongside other sources of information, has informed the development of the policy.

The EQIA process has helped us to better understand the existing evidence, consider where we need new data, and where our gaps continue to exist. This has helped us to create an evidence-based policy for our specific cohort (NHS staff) but has also helped us to consider the protected characteristics in more detail.

Going forward, we have planned post-launch monitoring and reviewing actions. This includes:

- Further stakeholder engagement conducted via attendance at key health, social care and social work groups/forums. Through this engagement we will track feedback from staff and employers.
- Monitoring the release of any new menopause and or menstrual health policies across Scotland.
- Monitoring official correspondence we receive so we can identify any common queries, implementation issues and understand how the policy has been received by staff.
- Tracking how many visitors the National Wellbeing Hub page gets following the launch via a dynamic QR code. If we are not getting many visitors to the site, then we can send out follow up communications to boost engagement.
- Review the policy as part of the NHSScotland 'Once for Scotland' Workforce Policies Programme review of the Managing Health at Work PIN workforce policy.



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