

Symptoms of menopause can constitute a disability

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The tribunal failed to provide sufficient reasoning why the claimant did not meet the definition of disability. The original decision appeared to be based on its view that the medical evidence did not entirely support the impact statement submitted by the claimant in evidence. This failed to take into account the claimant's oral evidence regarding her symptoms, their duration and their effect on her day-to-day activities. The tribunal had found she was not relying on physical symptoms despite her evidence suggesting that she was.

Overall, the decision did not provide sufficient detail for a party to understand why it had won or lost. The case was referred back to another tribunal for reconsideration.

Research by Menopause Experts has shown an increase in the number of tribunal claims being brought referring to the menopause. In wider society, there is greater discussion about the issue, and a greater willingness of women to discuss their experiences. Employers should be aware of the impact the menopause can have, so it can provide appropriate support to those impacted. This support can help prevent a person feeling like they have to hide their symptoms and losing confidence in their skills. Supported staff are likely to have reduced levels of absence and are more likely to be retained within the organisation.

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