

Migraine: Help at Work

This document provides information on migraine and the Equality Act 2010, employee's rights at work, reasonable adjustments, managing migraine in the workplace, sickness absence and what to do if migraine is impacting on your work.

Date of review: July 2016

Table of contents

Introduction

Section 1 – Migraine in the workplace

Section 2 – Disclosure

Section 3 – Employers' responsibilities and good practice

Section 4 – The Equality Act 2010

Section 5 – Reasonable adjustments

Section 6 – Dealing with problems that may occur

Section 7 – Further information and resources



research | awareness | information | advocacy

Introduction

There are approximately 8 million migraine sufferers in the UK and, there are an estimated 190,000 migraine attacks every day. Migraine has a significant impact on a sufferers' quality of life and is a serious public health issue.

Despite the vast number of people affected by the condition awareness is low and just over a third (34.3%) of migraine sufferers face difficulties or discrimination at work because of their condition (The Migraine Trust, 2006).

Purpose of the pack

The purpose of this resource is to provide general information for people with migraine, their colleagues, managers, Human Resource (HR) departments and Occupational Health (OH) professionals about ways to manage migraine in the workplace. This document also provides general tools and guidance on matters they may wish to raise in the workplace either on their own behalf or on behalf of a migraine sufferer at work.

If you cannot find the information or advice that you need in this pack please contact The Migraine Trust Advocacy Service on 020 7631 6973 or visit our website www.migrainetrust.org

The information in this document is not a substitute for individual, detailed advice as to an individual's particular rights and circumstances from medical or legal professionals.

Section 1

Migraine in the workplace

1 in 7 people experience migraine. Some may have migraine attacks only once or twice a year while others may have attacks two or three times a week. There is still considerable stigma regarding the condition. There is a lack of understanding from employers, the public and people with migraine themselves about the impact and complexity of the condition.

The impact of migraine and headache on the workplace presents a serious issue for employers as well as the individual. A recent Confederation of British Industry survey found that migraine/chronic headache was the second most frequently identified cause of short-term absence (47%) for non-manual employees. Migraine attacks can often be so disabling that people suffer at home out of sight from those with whom they work. Attacks typically last between 4 and 72 hours and symptoms cease in-between attacks which means employees are often able to return to work soon after an attack.

Employers are keen to monitor and manage short-term sickness which can be disruptive to staff, increase pressure on managers and affect deadlines and targets. Headache and migraine are a common excuse for taking sick leave at work. The notion of “pulling a sickie” has done a great disservice to genuine sufferers and means that the impact of genuine absence due to migraine and headache, and the support an employer can provide, are not always appropriately addressed or considered. Sickness absence policies and monitoring tools which focus on reducing frequent short-term absence often unfairly penalise migraine sufferers who are unaware of their rights and the support that may be available to them in the workplace.

Despite the severe pain experienced during an attack many people will not take sick leave when they experience a migraine and will continue to attend work despite their productivity levels being considerably impaired. This is known as presenteeism, when an employee attends work despite being unwell, and is common amongst sufferers of migraine and headache. Often migraine sufferers come to work when they are unwell because of fear of facing a disciplinary/capability hearing for sickness absence, concerns about being seen as unreliable or to be ‘faking it’. The problem of presenteeism is difficult to monitor but it could end up costing an employer almost twice the amount as absenteeism.

Dame Carol Black’s 2008 review of the health of Britain’s working age population ‘Working for a healthier tomorrow’ details the benefits for employers and the economy by supporting and managing the health of employees with a long-term health condition such as migraine. Promoting employees’ good health and well-being adds value to an organisation by increasing motivation and engagement of staff which has a positive impact on productivity and profitability for the organisation. Failing to support the retention of staff with a long-term health condition can lead to significant costs to an employer such as loss of investment (in terms of cost and time devoted to training and development), redundancy or other termination costs (and possible litigation and Employment Tribunal awards) and recruitment costs as well as poor morale and productivity amongst the workforce.

Employees and employers both have a role to play in ensuring that the right support is in place both clinically and in the workplace to ensure that an individual with migraine can retain their employment and achieve their potential at work.

Section 2

Disclosure

Some have migraine only once or twice a year while others may have it two or three times a week. If you only have migraine occasionally you may feel you don't need to talk about it as you are able to manage the condition well with medication and lifestyle changes.

Please see below as to whether the effect of your migraine may amount to a "disability" under the Equality Act 2010 (which replaced the Disability Discrimination Act 1995)

Why should I disclose my migraine condition to my employer?

An employer is less able to provide support and understand your condition if you do not let them know that you experience migraine. This can sometimes feel like a daunting thing to do and you may be anxious about how your employer will react. Talking to your employer about your migraine will help them to understand how migraine affects you. This could result in your manager and colleagues being more supportive and positive changes made to help you at work.

When should I disclose that I have migraine?

When starting new employment:

An employer cannot ask questions about a potential employee's health until after a job offer has been made (this came into force in October 2010). The aim of this is to try to prevent unlawful discrimination against people with a disability during the recruitment process. The only exception to this is if pre-employment questions need to be asked to establish whether the applicant can fulfil a function intrinsic to the job role.

Employers are allowed to ask applicants if they require any adjustments to the interview process to prevent "disabled applicants" from being put at a substantial disadvantage due to their disability. e.g. A migraine sufferer may ask for a glare filter screen to complete a computer-based test during the interview if this is needed.

Once a conditional job offer has been made an employer may then ask questions about any health conditions that are likely to impact on you at work. They may also ask you about your previous sickness records. Your new employer may need to consider whether there are any reasonable adjustments that are required to support you to fulfil your role. You may be asked to have an Occupational Health assessment at this point.

During employment:

You may choose to disclose to your employer during your employment if migraine has an effect on you at work. The severity or frequency of your migraine attacks may have changed, your job role or the work environment may be exacerbating your condition, or you may want to discuss the support that your employer can provide for you.

Your employer may want to talk to you about your migraine if you experience an attack at work or at a return to work meeting if you have taken sick leave. You can also request a discussion yourself.

Before approaching your manager or HR about your migraine you may want to speak with Occupational Health or your GP/neurologist and consider with them their suggestions as to the support that your employer could provide in order to assist you at work. You may also want to take external advice. You can contact our **Advocacy Service on 020 7631 6973** or visit our website www.migrainetrust.org. Further sources of external, general information are included at the end of this document. Assistance may be available from your trade union or you can take legal advice.

If you discuss your health with your manager or HR it is a good idea to keep a note of what is said and of any agreed outcome of your discussion. Your employer may provide you with a written summary of the discussion. If not, you can send your note to your manager or HR and ask them to confirm that your note accurately reflects what was said and agreed.

Following the discussion you may be asked to attend an Occupational Health meeting or provide a report from your GP or neurologist. This is to provide further information on how migraine will impact on you at work and advice on adjustments that could support you at work.

Migraine symptoms vary and there are many myths about migraine. Keeping your employer informed about how your condition affects you can help them to understand how to support you appropriately.

Section 3

Employers' responsibilities and good practice

Employers have legal obligations for the health and safety of their staff.

Health and Safety at Work Act 1974: The Act sets out employers' responsibilities for the health and safety of their employees. Employers should carry out risk assessments of the workplace and take reasonable steps to ensure that workplace factors do not cause or exacerbate poor health. This includes assessing and monitoring stress factors that may impact on individuals in the workplace.

The Equality Act 2010: The intention behind the Act is the promotion of equality and the prevention of unlawful discrimination in the workplace, including unlawful discrimination against those who are "disabled" within the meaning of the Act. More information about the act is available in this document.

Managing sickness absence

Most employers will have policies and procedures in place to record, monitor and measure sickness absence amongst staff. Sickness absence procedures can be problematic for migraine sufferers as they typically make specific provision for frequent short-term absences. This can result in migraine sufferers being monitored or disciplined for unavoidable sickness absence as procedures often use frequent short-term absences as a trigger for an underlying problem which needs to be investigated.

Due to the nature of migraine, sufferers are more likely than non-sufferers to require short-term sickness absences e.g. if a debilitating attack occurs during working hours.

If your sickness absence record becomes concerning to your employer, they may ask for information and advice from your GP, neurologist or they may ask you to visit Occupational Health (please see above, in relation to examinations and reports from medical professionals). Your manager or HR may ask to meet with you to discuss this information, how your migraine impacts on you at work and ways that they can support you.

Sources of general information and support are available at the end of this document. You may also wish seek assistance from your union or take legal advice if you are concerned about how your sickness absence is managed.

Return to work meetings: Your manager or HR may ask you to attend a return to work meeting following an episode of sickness from work due to migraine. Return to work meetings are a good opportunity for you to discuss any concerns you have and for you and your employer to identify how migraine is impacting on you at work and how this can be managed. If you have been on long-term sickness absence your employer may discuss a return to work plan with you to support you to return to work over a period of time. Return to work meetings should be noted, both by you and your manager/HR. As detailed above it is a good idea to send a copy of your note to your manager/HR to confirm that your note accurately reflects your discussion. Where your manager/HR makes a note, it is a good idea to request a copy and to suggest changes to it where it does not reflect your recollection of your discussion, and you can request a copy for your records.

Occupational Health: Occupational Health Departments provide advice to employers about work-related health. Your employer can refer you to Occupational Health if migraine is impacting on your work or causing you to take sickness absence. An Occupational Health practitioner will conduct an assessment of your condition and provide a report to your employer. In advance of this appointment, Occupational Health may request that your GP/neurologist provides details of your relevant medical history. It may be helpful to meet with your GP/neurologist to discuss your support needs at work. If your employer does not have an Occupational Health department they may ask for your consent to contact your GP or neurologist directly. Where medical professionals, including Occupational Health are asked to provide a report to your employer, you have certain rights of access to those reports before it is sent. You should be advised of these rights when your employer/Occupational Health seek your consent for the assessment and report.

Section 4

The Equality Act 2010

The Equality Act is the legislation which aims to promote equality and to prevent unlawful discrimination against specific groups (one of which is those who are “disabled”) in England, Scotland and Wales. The Act replaced previous discrimination legislation including the Disability Discrimination Act 1995. For information about equality legislation in Northern Ireland contact the Equality Commission Northern Ireland www.equalityni.org

The Equality Act protects those whose medical condition satisfies the definition of “disability” from unlawful discrimination at all stages of the employment relationship including recruitment, employment conditions including salary and benefits, promotion, transfer and training opportunities and in relation to employment termination, including dismissals and redundancy.

Where a “disabled” employee is put at a substantial disadvantage by his or her working conditions or a feature of the workplace, the employer may have a duty to make “reasonable adjustments” for the employee under the act.

What is the definition of ‘disability’ under The Equality Act 2010?

A person is “disabled” for the purposes of the act if they:

1. have a physical or mental impairment and
2. the impairment has a “substantial” and “long-term” adverse effect on their ability to perform “normal day-to-day activities”.

Fluctuating and episodic conditions can be covered by the act even if the effect temporarily ceases.

Whether an individual's particular condition satisfies the requirements of being a "disability" for the purposes of the act will depend on the effect of that condition as experienced by that individual.

Is Migraine a disability under The Equality Act 2010?

Migraine may be considered as a "disability" under The Equality Act in some cases. This will depend on the severity and frequency of the attacks and the impact the condition has on the sufferer.

Migraine is a physical impairment

The sufferer would then have to establish that the effect of the condition has a "substantial and "long-term" adverse effect on the sufferer's ability to carry out normal day-to-day activities".

"*Substantial*" means more than minor or trivial

"*Long-term*" means that the impairment has lasted or is likely to last for at least 12 months or the rest of the sufferer's life.

"Normal day-to-day activities" are not defined in the act. However the Guidance says:

'In general, day-to-day activities are activities that people do on a regular or daily basis.' Examples of such activities might include "shopping, reading and writing, holding a conversation or using the telephone, watching TV...carrying out household tasks, walking and travelling by various forms of transport and taking part in social activities". It can also include general work-related activities such as "interacting with colleagues, following instructions, using a computer, driving, carrying out interviews, preparing written documents, and keeping to a timetable or shift pattern".

An assessment of the effect of the condition on the individual should ignore the effects of medical treatment e.g. what is the effect of the person's migraine without their migraine Triptans.

Your GP, neurologist, headache nurse or Occupational Health Practitioner can advise you and your employer if it seems likely that your migraine condition may be covered by the Act. *As this is a legal, definition, and ultimately for an Employment Tribunal to determine, a medical practitioner can only provide advice.* A template letter to help you advise your employer is available to download on The Migraine Trust website.

What rights do migraine sufferers have at work under the Equality Act 2010?

The Equality Act 2010 makes it unlawful for an employer to discriminate against, harass or victimise a disabled person:

Direct discrimination – where an employer treats someone an employee less favourably than they would others because of the employee's disability (or other protected characteristic).

Indirect discrimination – where an employer has a rule, policy or practice that applies to all employees but puts employee(s) with a particular protected characteristic (in this case disability) at a substantial disadvantage when compared with others and which the employer cannot justify.

Discrimination by failing to make reasonable adjustments – where an employer has a rule, policy or practice that puts a disabled person at a substantial disadvantage in comparison with non-disabled people and the employer fails to take such steps as are reasonable to avoid that disadvantage (special provision is made for reasonable adjustments to physical features of the workplace and in relation to auxiliary aids).

Harassment – A harasses B where A engages in unwanted conduct related to B's disability (or other protected characteristic) and the conduct has the effect of violating B's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

Victimisation – Occurs when an employee is treated badly because they have made or supported a complaint or grievance under The Equality Act 2010.

The law also provides protection against unlawful discrimination by association with a disabled person and by perception of disability.

In some circumstances, lack of knowledge of a disability may provide an employer with a defence to a claim of discrimination.

More information about The Equality Act 2010 and discrimination is available from the Equalities and Human Rights Commission. Contact details are available at the back of this document.

Section 5

Reasonable Adjustments

Under the Equality Act 2010 employers have a duty to make reasonable changes for applicants and employees with a disability. These are known as 'reasonable adjustments'

What is a reasonable adjustment?

"Reasonable adjustments" can be changes to the work environment or to work practices and the way things are done which allow a person with a disability to perform their job without being put at a substantial disadvantage in comparison with non-disabled people.

Do employers have to put adjustments in place?

Making adjustments that are "reasonable" is obligatory under The Equality Act for workers who have a disability; however it is good practice for employers to provide these to people with on-going health conditions to promote healthy workplaces and good productivity.

What does ‘reasonable’ mean?

What is deemed to be “reasonable” will be determined by factors such as, the size of the employer, the job role, the size of the workforce and the financial and logistical implications of the adjustment etc. Employers are only expected to put in place adjustments that are “reasonable”.

What type of adjustments may be appropriate for migraine sufferers?

The type of adjustments that could support you to do your job will vary depending on your circumstances. It may be helpful to keep a migraine diary to identify migraine triggers in the workplace. Some examples of adjustments that can be useful for migraine sufferers are listed in this section. Your GP, neurologist or Occupational Health practitioner may be able to help you identify the sort of adjustments that would help you.

How can I discuss reasonable adjustments with my employer?

Your employer is only expected to implement adjustments if they know, or can reasonably be expected to know that you have a health condition that is likely to be covered by The Equality Act 2010, and if you are placed at a substantial disadvantage in relation to the relevant matter in comparison with non-disabled people.

If you feel that there are adjustments that could help you in work to manage your migraine you should let your employer know. It is always a good idea to follow a request up in writing so that you have a paper record. Your GP, neurologist or Occupational Health practitioner can write to your employer to advise them of suitable adjustments.

If you agree reasonable adjustments with your employer you should request a written agreement of these adjustments for your records. *A template form is available to download on The Migraine Trust website.*

What if the adjustments I need for my migraine change?

Reasonable adjustments may need to be reviewed if your circumstances change e.g. changes to your job description, the organisation or if your condition or treatment changes. An appointment with a GP, neurologist or Occupational Health Practitioner can help identify any changes that would be helpful. You and your employer may wish to review an adjustment agreement annually or as appropriate.

What support is available to my employer?

The Government’s Access to Work Scheme can provide advice and support, including financial assistance to cover incurred costs to workplaces. Contact details are available at the back of this document.

The Migraine Trust can provide information for your employer about migraine. Visit www.migrainetrust.org or call our Information and Enquiry Service on 020 7631 6975

Examples of Reasonable Adjustments for Migraine Sufferers

The following is a list of common reasonable adjustments that may be helpful for a migraine sufferer in the workplace. This list is not exhaustive and should only be used as a guide.

Sickness Absence Policies

- **Disregard disability related sickness absence** – asking your employer to disregard a reasonable amount of disability related sickness absence can help to ensure that you are not put at a substantial disadvantage by your employer's absence-management procedure. The Migraine Trust has produced a template letter available to download on our website to help you make this request.

The Equality and Human Rights Commission have produced the Code of Practice on Employment. The main purpose of the Code is to provide detailed explanations of the provisions in the Act and to apply legal concepts in the Act to everyday situations and is helpful to employers to understand how to apply the law.

At p.242, para. 17.2, the Code says:

Disability-related absences

Employers are not automatically obliged to disregard all disability-related sickness absences, but they must disregard some or all of the absences by way of an adjustment if this is reasonable. If an employer takes action against a disabled worker for disability-related sickness absence, this may amount to discrimination arising from disability.

Working Practices

- **Flexible working hours** – by not having rigid hours you can manage your time and not feel stressed if you have to juggle your hours to accommodate your migraine. For example, not always having to take sick leave or worrying about being late.
- **Flexible location** – by being able to work at home you can make up hours you may have missed without the stress of having to rush to work with a migraine.
- **Frequent breaks** – breaks give you the time to stretch, relax muscles and manage trigger factors. They are particularly beneficial if you are working at a computer or managing machinery.
- **Rotation of tasks** – by being able to share or rotate tasks within a team you may still be able to work without doing prolonged activities that trigger your migraine.
- **Access to drinking water** - dehydration is a major trigger for migraine.
- **Rest room** – if space allows, having access to a dark quiet room can help you to rest at the onset of an attack may enable you to return to recover quicker.

- **Time off for Medical Appointments** – There may be times when you have to attend a medical appointment for your migraine in work time. It can be helpful to discuss and reach an agreement with your employer in advance so that you can both be flexible to accommodate this.
- **Redeployment** – moving to a different site or team, a reduction of hours or a new role entirely may help you to remain in work if your migraine is greatly affecting your current role.

Stress Management

- **Stress Risk Assessments** – by working with your manager to identify and manage stress factors in your role you may be able to reduce your stress levels which can be a trigger for migraine.
- **Stress Management Training** - workshops on time management and strategies for dealing with stress which can be a trigger and have a debilitating affect on all staff.
- **Regular Supervisions** – having regular one-to one meetings with your manager can mean that any work triggers or stress factors are identified and that you can discuss how they may be able to support you.
- **Health Buddy** – having a colleague who has an understanding or training about migraine who you can notify if an attack occurs or speak to for support can help ease your anxieties about attacks happening at work and the impact it has on you there.

The Physical Work Environment

- **Work Stations** – The key problem areas to consider are organisation of your workspace or office, posture and furniture:
 - Correct posture is important if you are sitting at a desk, as for some a stiff back and neck can trigger a migraine.
 - Ensure that your desk is positioned in such a way that glare from the window can be managed adequately with a suitable light absorbing blind or curtain. It is important to prevent sunlight reflecting off the paper on your desk, in your eyes or onto your VDU screen.
 - Ensure that your desk is the right height for you and gives adequate clearance for your legs so that you are not forced into an uncomfortable position.
 - Check that your chair is properly adjusted so that you are not forced into awkward and uncomfortable postures.

- When typing, a document holder is sometimes useful to avoid awkward eye or neck movements which could cause a headache or muscle tension in the head, neck or shoulders.
- Moving to an alternative desk e.g. to a more ventilated area/away from window glare, you may be able to better manage your migraine triggers.
- **Lighting** – Most problems with lighting are related to glare.

Understanding and controlling glare where possible can be a great help in reducing the risks of migraine in the work environment. Unfortunately, the nature of your work environment may be such that you cannot make major changes to the lighting (for example, you may work in a department store or factory). However it is worth being aware of the ways which glare can be reduced.

Glare is caused by large differences in light levels within the visual field. Our eyes try to adapt to these differences and visual disturbance may occur-and trigger migraine.

Glare can be direct, indirect or can mask images. Glare is usually most noticeable when working at a computer screen.

Direct glare often comes from windows and can shine directly on to the worker

Indirect glare can occur when light is reflected from windows or overhead lighting is reflected off shiny surfaces in the field of vision.

Light from sources directly overhead can cause a **masking** or shading glare on the computer screen.

Overhead lighting may cause direct and indirect glare and this can be controlled by 'parabolic louvres'. Modern day lighting often has these built into the system and in some cases the lights can be adapted.

The louvres cover the lighting to allow light to travel only straight down and not to disperse at an angle, providing sufficient light while minimising the reflection on computer screens.

You should also be able to control light from windows through the use of thick light absorbing curtains or blinds. Ensure that the curtain or blind is the correct size to block all the light if required, at certain times of the day.

If you work alone in your workspace it may be possible to limit the use of overhead lighting by using an indirect lighting system e.g. using standard lamps with uplighters which do not shine into the work area directly.

Fluorescent lighting can be a particular problem as it can flicker. However, with the newer generation of lighting there should only be a minimal flicker. If you and

your employer have any queries about the quality of the light you should get an assessment from a lighting consultant.

- **Ventilation** – Dry airless work environments can create headaches and fatigue. If ventilation can be improved it may be beneficial for others too, alternatively it may help to relocate your workstation.

IT Equipment

- **Health and Safety Information and Awareness** – Information and training on healthy use of IT equipment can promote awareness of the physical impact of IT equipment use and can enable workers to manage the impact of this on their health including their migraine.
 - When using your computer ensure that the screen is positioned well and that the height is not too high or too low for your vision and posture and that it is not too close or too far away. Adaptable stands can be purchased for this.
 - Ensure that your mouse is not too far away as uncomfortable positions can cause neck and shoulder pain. You should use the mouse with your wrist straight. An ergonomic mouse may be helpful.
 - Ensure that your keyboard is adjusted so that you can type easily, with a space or pad in front of the keyboard for resting the hands and wrists during typing. 'Wrist rests' and other ergonomic equipment may be required.
- **Antiglare Screens** - antiglare screens are available for most sizes of screens and can also help with VDU flicker. To help limit flickering on the screen ensure the correct screen frequency is set. It is generally agreed that a setting below 70Hz is not acceptable. A figure between 75-85Hz is best but not always possible on older machines. The newer flat panel screens do not tend to have this problem.
- **Limit screen flickering** - ensure that you have the correct screen frequency setting. It is generally agreed that a setting below 70Hz is not acceptable. A figure between 75-85Hz is best but not always possible on older machines. The newer flat panel screens do not have this problem as they do not have Cathode Ray Tubes (CRT) which cause the flickering.

How to check your screen frequency setting (For most PCs):

1. Right click with your mouse on a blank part of your desktop
2. Select - Properties - Settings - Advanced - Monitor
3. Check the value in the box marked 'screen refresh rate'
4. If the value is too low you should get technical advice before changing it as it may affect your display settings.

- **Text Display** – Text can be adjusted to ensure that it is easy enough to read on screen and printed documents. You may also benefit from colour contrasts that are easy on the eye and this should be adjusted on screen and print if required.
- **Limit laptop use** – if possible avoid using portable computer devices as their design features, such as small keyboards, can make prolonged use uncomfortable by creating muscle tension.

Section 6

Dealing with problems that may occur

At times migraine sufferers may experience problems in the workplace in relation to their condition. It may be that factors at work e.g. job duties, lighting etc. exacerbate attacks, or concerns are raised regarding sickness absence. Sometimes a migraine sufferer may feel that they are put at a substantial disadvantage in the workplace or experience difficulties communicating with a colleague or manager regarding their health.

It is important to try to deal with issues as early as possible to prevent them from worsening. If you feel that you are being treated unfairly in some way it is advisable to keep a diary of events, including what happened, who was present etc.

Dealing with a problem informally

It is always best to try to deal with a problem informally in the first instance. This may involve a discussion with another colleague, your manager or HR depending on the nature of your problem. If you do not feel comfortable doing this alone you may wish to consider asking a colleague to accompany you. If you feel that your health is being affected by work you should consider visiting your GP, neurologist or Occupational Health. They may be able to provide further support or write to your employer on your behalf.

Raising a grievance

If you have tried to raise your complaint informally but you are unhappy with the outcome or the problem is continuing you may wish to register your complaint formally. Your organisation should have a written grievance policy and you should read this before proceeding to be sure that you are aware of your rights. A formal grievance should be submitted in writing. The grievance procedure should set out who to pass the letter to, it will normally be your line manager or HR. If your grievance is against your line manager it will be more appropriate to pass this to another manager or HR. If you are a member of a union they may be able to support your grievance.

Your employer will then arrange a grievance meeting to discuss your concerns. This should happen as soon as possible. You are entitled to be accompanied to the

meeting by a trade union representative or colleague. Depending on your organisation's policy and their flexibility it may be possible for you to bring an external person in to accompany you. This may be a friend, family member or support worker/advocate. It may be necessary for you to request this as a reasonable adjustment if the need for this is related to your disability. For more information on grievances and how to prepare for a grievance meeting read 'The Acas Guide to Disciplinarys and Grievances' www.acas.org.uk

Following the hearing the staff members hearing the grievance should decide on what action to take next. This should be communicated to you in writing. If you feel that the issue has not been resolved or the action taken is inadequate you may wish to appeal this decision in writing. Normally, once you appeal, a further hearing will be held which should be chaired by alternative staff members. Your employer's grievance procedure should explain the appeal process.

Sometimes an employer will have a specific procedure for complaints of discrimination, in which case, you may wish to register your complaint both under this and the normal grievance procedure.

Further Action

Depending on the outcome of your grievance/complaint you may wish to explore the following options:

Workplace Mediation: Mediation involves the parties involved in a dispute sitting down and talking through the issues to reach a solution. This may involve you, your manager or another colleague depending on the nature of the issue. To be successful the mediation should be chaired by an independent and objective third party. If your employer is large they may already have a company which provides this service. The aim of mediation is to preserve the relationship between you and the other party and move forward. You or your employer may request mediation and it is your right to accept or refuse this.

Employment Tribunal claim: Employment tribunals are an independent judicial body set up to resolve employment disputes. You are strongly advised to seek legal advice before proceeding with a claim. Strict time limits apply for filing a complaint before a tribunal. General information is available from www.employmenttribunals.gov.uk. You are strongly advised to seek specialist legal advice as to your particular circumstances as soon as possible if you consider that you may have a claim.

Section 7

Further Information and Resources

UK wide

- **Acas**
ACAS (Advisory, Conciliation and Arbitration Service) provides general information about employment legislation and good practice for employers and employees. ACAS can also advice and provide assistance to employers and employees to settle employment disputes. www.acas.org.uk
Tel: 0300 123 1100
- **Citizens Advice**
Citizens Advice provides information about individual's rights in the UK, including in employment; they may be able to provide further support and representation. www.adviceguide.org.uk
- **Direct Gov**
The Direct Gov website gives a wide range of general information about government services including disability rights information and handling employment disputes. It also provides general information about welfare benefits and the Access to Work scheme. www.gov.uk
- **Business Disability Forum**
Business Disability Forum is a nationwide employers' network focused on disability as it affects business. It can provide information, advice and support for UK employers to employ and retain disabled employees.
Tel: 020-7403-3020
Email: advice@businessdisabilityforum.org.uk
<http://www.businessdisabilityforum.org.uk/>
- **Equality and Human Rights Commission**
The Commission provides information about The Equality Act and all types of discrimination in employment and public life. www.equalityhumanrights.com
- **Equality Advisory and Support Services**
The service provides support and advice to individuals about the Equality Act and all types of discrimination in employment and public life across England, Wales and Scotland. www.equalityadvisoryservice.com/
Tel: 0808 800 0082
- **Employment tribunal**

You can make a claim to an employment tribunal if you feel that your employer has treated you unlawfully.

www.gov.uk/employment-tribunals

- **Health and Safety Executive**

Provides general information and useful advice for employers and employees about Health & Safety Regulations and good working practices

www.hse.gov.uk

Tel: 0300 003 1747

Northern Ireland

- **Equality Commission for Northern Ireland**

The Commission provides general information and advice about equality legislation in Northern Ireland including advice about employment rights and legislation for employers and employees.

www.equalityni.org

Enquiry Line: 028 90 890 890

Email: information@equalityni.org

Post: Equality House, 7 - 9 Shaftesbury Square, Belfast, BT2 7DP

About The Migraine Trust

The Migraine Trust was founded in 1965 to improve the lives of people with migraine through research and education, and this remains our focus 50 years on.

Our mission is to promote research into migraine and reduce its burden on sufferers.

We fund research, provide evidence-based information, campaign for and support people affected by migraine in the UK.

Visit our website to subscribe to email updates and news, access migraine information and to learn more about The Migraine Trust including our support services, research and events.

Web: www.migrainetrust.org

Tel: 020 7631 6970

Twitter: @MigraineTrust

Facebook: themigrainetrust

The Migraine Trust, 52-53 Russell Square, London, WC1B 4HP.