

MS Awareness Week 2021

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MS Awareness Week

This week is [MS Awareness Week](#), a campaign which seeks to raise awareness of Multiple Sclerosis (MS) and encourage those affected by it to speak openly about how it impacts them. In this article, BDBF Associate, Theo Nicou, considers what employers can do to help break the silence and support staff with the condition.

What is MS and what are the symptoms?

MS is a progressive condition that affects more than [130,000 people in the UK](#), and almost three times as many women as men.

In MS, the coating that protects nerves is damaged and this affects the brain and spinal cord. This causes a range of symptoms including blurred vision and problems with balance, memory, thinking and emotions.

What legal obligations do employers have to staff with MS?

MS is a deemed disability in the Equality Act 2010. This means that people with MS are automatically protected from unlawful discrimination. This applies from the moment that they are diagnosed, irrespective of how their MS affects them.

Employers have various legal duties to employees with MS including:

- to implement any reasonable adjustments their employee needs in order to do their job;
- not to discriminate against or harass their employee or allow their employee to be harassed or discriminated against by other members of staff; and
- to observe their duties about the management of sensitive personal data.

What can employers do to support employees with MS?

The [MS Society](#) makes the following recommendations for employers:

1. Consider which reasonable adjustments can be put in place

Reasonable adjustments can vary in the form they take, from providing a chair to agreeing flexible or reduced working hours or working from home. What is considered 'reasonable' will depend on the employer and the job the employee carries out. It may be advisable for employers to arrange for their employees to undertake an occupational health assessment to

identify any reasonable adjustments that would help alleviate any disadvantage they suffer. Reasonable adjustments should be reviewed on a regular basis to ensure they are effective.

2. Establish an ongoing dialogue

Talking about MS is essential to enable employees and employers to express their concerns and determine what the employee needs and how the employer can help. It is important to note that MS affects people differently and so employers should avoid making assumptions about what the employee can and cannot do. They should ensure any support provided is tailored to the employee in question.

3. Time off from work

Employers can support employees by recording time off related to MS separately from ordinary sick leave and by discounting it from any absence management procedures. This is especially important where the employer imposes sanctions on employees for sickness absence. Employers should also consider allowing affected employees paid time off to attend appointments related to their MS.

4. Managing relapses

If an employee has a relapse, they may be unable to work. Communication is key to managing the situation and employers should avoid putting pressure on an employee to return to work before they are well enough to return. When they are ready to return to work, employers should hold a meeting with their employee in advance to discuss any extra support they may need. This will ensure there is time to implement any reasonable adjustments that they may require. It may, for example, also be suitable to consider a phased return.

Closing thoughts

There is no 'one size fits all' approach to managing MS in the workplace. That is because MS affects those who are impacted

by it in different ways. Employers should focus on opening up channels of communication, to help break the silence about MS, but also to ensure they are best placed to retain talent and support employee needs.

If you would like to know more, or your business needs advice, please contact Theo Nicou (theonicou@bdbf.co.uk) or your usual BDBF contact.

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