

Information for Employers

‘To equip people affected by CFS / ME with the skills for self-management towards a better quality of life’.



Pride in our older people's and adult community services

Chronic Fatigue Syndrome (CFS)/ME

Information for Employers

This information is to provide employers with an understanding of how CFS/ME may be affecting your employee and strategies you may be able to adopt to help your employee within the work environment.

What is Chronic Fatigue Syndrome?

Chronic Fatigue Syndrome (C.F.S.) and M.E. are names used to describe a syndrome, recognised by the World Health Organisation, whose main feature is **excessive fatigue**. This fatigue is different to normal tiredness in that it is not just caused by ongoing exertion and is not fully alleviated by rest. The fatigue can be both physical and mental.

A range of other symptoms often accompanies the fatigue. These include **muscle and/or joint pain, headaches, swollen glands and recurring infections – often sore throats**. Some people have feelings of **dizziness** and **temperature fluctuations**. There are usually some **difficulties with memory and concentration** and many people experience **problems with their sleep**. They often wake feeling unrefreshed.

The level of severity of these symptoms varies from person to person and **many people are still able to continue in their work**. Not every one with CFS/ME will need any adjustments making and some will only require a few.

The cause of CFS is still not fully understood, nor is there a specific cure for people's symptoms. Instead, treatment focuses on techniques for managing symptoms to enable people to be able to get on with their lives. However, by doing this, people's symptoms can improve over time.

What can an employer do to help an employee with Chronic Fatigue Syndrome?

It is useful to maintain good communication to support return to or retention at work; this may include communication with occupational health, human resources department or someone identified within the company.

General discussion guide

- What symptoms or limitations is the individual with CFS/ME experiencing?
- How do these affect the person and the job performance?
- What specific job tasks are problematic?
- What adjustments are available to reduce or limit these problems?
- Are all possible resources being used to determine possible adjustments?
- Has the person with CFS/ME been consulted?
- Once the accommodations are in place, would it be useful to review the situation to evaluate the effectiveness and determine whether additional adjustments are needed?
- Do supervisory personnel and employers need training regarding CFS and disability issues?

Legal protection for disabled people

Under the Equality Act 2010 Disability is defined as a physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities. 'Substantial' means more than minor or trivial. 'Impairment' covers, for example, long-term medical conditions such as asthma and diabetes, and fluctuating or progressive conditions which would cover chronic fatigue syndrome.

Employers have a duty to not directly or indirectly discriminate against a disabled person or discriminate based on issues arising from a disability.

Direct discrimination occurs where, because of disability, a person receives worse treatment than someone who does not have a disability

Indirect disability discrimination happens when there is a rule, a policy or even a practice that applies to everyone but which particularly disadvantages people with a particular disability compared with people who do not have that disability, and it cannot be shown to be justified as being intended to meet a legitimate objective in a fair, balanced and reasonable way. (A legitimate objective might be any lawful decision you make to achieve the aims of your service. The sole aim of reducing costs is likely to be unlawful. Being fair and reasonable would include showing that you've looked at 'less discriminatory' alternatives to any decision you make)

Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the unfavourable treatment cannot be justified.

Making Reasonable Adjustments for Disabled people

There is also legal requirement under the Act to make reasonable changes to the way things are done (such as changing a policy), to the built environment (such as making changes to the structure of a building to improve access) and to provide auxiliary aids and services (such as providing information in an accessible format, an induction loop for customers with hearing aids, special computer software or additional staff support when using a service).

The Equality Act 2010 requires that employers must think ahead and take steps to address barriers that impede disabled people. In doing this, it is a good idea to consider the range of disabilities that your actual or potential employees might have. You should not wait until a disabled person experiences difficulties, as this may make it too late to make the necessary adjustment.

Making reasonable adjustments

Examples of steps which an employer may have to take to comply with the subsection identified within the Act include:

- Making adjustments to premises
- Allocating some of the disabled person's duties to another person
- Altering his working hours or working pattern
- Allowing him to be absent during working hours for assessment or treatment
- Acquiring or modifying equipment
- Assigning him to a different place of work

Other steps that could be helpful for an employee who has been able to continue in their current position include:

- Ensuring the employee is able to take all the breaks they are entitled to. A full lunch break away from the normal work environment is particularly important
- If possible, enabling the employee to take regular short breaks (eg making a drink). Research has shown that for all employees, regular short breaks can help increase work productivity
- Not increasing an employee's workload and reducing pressures placed on them
- Where possible, ensuring the employee has a range of tasks to carry out, enabling them to change their posture and energy requirements throughout the working hours.

While there is no known cure for CFS, carrying out strategies, such as enabling an employee to take short breaks and reducing some of the pressures placed on them, can help an employee continue in their position. Reducing stress is particularly important, as while it is not necessarily the cause of CFS, it can exacerbate symptoms.

For employees who have needed to have time off from work as a result of their chronic fatigue syndrome, it may be necessary to consider a graded return to work. This would involve the employee starting with reduced hours and then gradually increasing them, depending on the employee's progress.

If the organisation has an occupational health department, it is important that the employee makes contact with them to explore in further detail ways in which their symptoms may be impacting on their ability to carry out their work. With the employee's permission, contact can also be made with the **Chronic Fatigue Syndrome/ME Service** and/or **Jobcentre Plus** (Disability Employment Advisers) for further advice.

Useful Resources

Action for ME Website - www.actionforme.org.uk/living-with-me/managing-work/disclosing-your-illness/.

Information about:

- Managing Work
- Employment Support
- Your Rights and Entitlements
- Disclosing your Illness

Adult CFS / ME Service

Tel: 0330 7260077 Opt 2

Email: cpm-tr.cfsme@nhs.net

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Patient Advice and Liaison Service

For information about CPFT services or to raise an issue, contact the Patient Advice and Liaison Service (PALS) on Freephone 0800 376 0775, or e-mail pals@cpft.nhs.uk

Out-of-hours service for CPFT mental health service users

Please call **NHS 111** for health advice and support.

If you require this information in another format such as braille, large print or another language, please let us know.

CPFT supports the **HeadtoToe Charity** – visit www.HeadToToeCharity.org for details on how you can help



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