

Workforce wellbeing must include mental health awareness

September 2017

Understanding of mental health issues is high on the agenda, thanks to the involvement of the younger members of the Royal family in the Heads Together awareness campaign earlier this year which saw the #oktosay hashtag trending.

Their activity gave an extra boost to the Mental Health Awareness Week in June, but now the annual campaign is over, employers have an important role to play in making sure the message isn't forgotten. By having strategies that focus on mental health as part of employee wellbeing, businesses can help drive individual support, as well as improving the bottom line. They may also avoid potential grievances or even litigation from staff.

Estimates by [ACAS](#) suggest that around £30bn each year is lost through lost production, recruitment and absence arising through mental health issues and the [Centre for Mental Health](#) estimates that employers should be able to cut these costs by around a third, if they implement better management practices to support mental health at work.

Recent research by the [Mental Health Foundation](#), the charity behind Mental Health Awareness Week, found that nearly two-thirds of people in Britain have experienced a mental health problem. The figure is higher for women than for men, and for young adults between 18 and 34 and people living alone. It's a big issue, but often isn't discussed and campaigners are keen to get everyone talking more, to understand that mental health problems can have a serious impact on an individual, even though they may not be visible in the same way as a physical condition.

A recent workplace study by the [Chartered Institute of Personnel and Development](#) found that those suffering from mental health issues were 37% more likely to get into conflict with colleagues, 80% found it difficult to

concentrate and 50% are potentially less patient with customers/clients.

Our employment lawyer, Karen Cole explained *"It's the cloak of invisibility that may mean things are ignored or potentially mishandled. There is often a reluctance to raise the issue, as people find it hard to talk about mental health. They may feel there is a stigma, or that it could have an impact on their longer-term prospects, if they feel they may be seen as not strong enough."*

Employers can help by putting support structures in place, with an open attitude to communication, which can drive better understanding as well as helping to address their legal obligations."

In some cases, mental health issues may be classed as a disability under the [Equality Act 2010](#), which makes it unlawful for an employer to treat a person with a disability less favourably because of their disability, without a justifiable reason. Mental health issues may be considered a disability if they have 'a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.'

Karen added:

"Where someone suffers from severe depression, for example, that is not enough on its own to meet the definition of 'disability' under the Equality Act; the circumstances would need to meet the requirement of having a substantial and long-term impact on the individual's abilities on an everyday basis. But, whatever the extent of an individual's mental health issues, all are equally in need of responsible support and protection from unfair or discriminatory treatment. There is a responsibility on the employer to tackle mental as well as

physical health in the workplace and hard-wire it into all aspects of their recruitment and employment policies.”

Tips for employers include:

- Have a policy that specifically addresses mental health issues and encourages everyone to feel able to talk about the subject, with a clear route to raise any problems. This should be well published across the business, as well as being included in the staff handbook.
- Encourage everyone to understand the issue, through disability and equality training, and equip line managers to identify potential mental health issues.
- Establish support networks for employees to access, whether HR-led internal support, or through external employee assistance programmes providing access to counselling, medical insurance or occupational health.

Lastly Karen added:

“Whether recruiting, or with an existing employee, it is important to focus on the ability of an individual to do the job and, if they have any physical or mental impairments, to consider whether reasonable adjustments could be made to enable them to fulfil the role.”

Useful links

- [ACAS Mental Health Advice & Guidance](#)
- [The NHS’s Mindful Employer Initiative](#)
- [The Mental Health Foundation](#)

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Note: This is not legal advice; it is intended to provide information of general interest about current legal issues.

