

Supporting mental health at work

Mental health and the law

If a worker has poor mental health, it's important their employer takes it seriously and with the same care as a physical illness.

There are many types of mental health conditions, for example:

- depression
- anxiety

Less common ones include:

- bipolar disorder
- schizophrenia

Stress is not classed as a medical condition. But it can still be serious and cause, or make worse, other mental health conditions. For example, if you have stress over a long time, this might lead to anxiety or depression.

Mental health problems can:

- happen suddenly, because of a specific event in someone's life
- build up gradually over time
- be hard to spot because everyone has different signs and signals
- be hidden because many people find it difficult to talk about their mental health
- change over time which means that an employee's ability to cope with the demands of the job might change

Spotting possible signs of a mental health problem

Not everyone will show obvious signs of poor mental health and it's important not to make assumptions.

Some possible signs at work include:

- appearing tired, anxious or withdrawn
- increase in sickness absence or being late to work
- changes in the standard of their work or focus on tasks
- being less interested in tasks they previously enjoyed
- changes in usual behaviour, mood or how the person behaves with the people they work with

It can be harder to spot these signs when working from home. Employers should regularly ask workers how they're doing. They should help them to be open and honest about how they're feeling.

The sooner an employer becomes aware of a mental health problem, the sooner they can provide help and support.

The law on mental health

Employers have a 'duty of care'. This means they must do all they reasonably can to support workers' health, safety and wellbeing. This includes:

- making sure the working environment is safe
- protecting staff from discrimination
- carrying out risk assessments

Employers must treat mental and physical health as equally important.

Agency workers

When an agency offers an agency worker an assignment, they must give the worker details of:

- any risks to their health and safety – this includes mental health
- how the hiring organisation will protect them from these risks

Discriminating against someone with a disability

By law (Equality Act 2010) someone with poor mental health can be considered to be disabled if:

- it has a 'substantial adverse effect' on their life – for example, they regularly cannot focus on a task, or it takes them longer to complete tasks
- it lasts, or is expected to last, at least 12 months
- it affects their ability to do their normal day-to-day activities – for example, interacting with people, following instructions or keeping to set working times

Poor mental health can be considered a disability even if they do not have symptoms all the time.

If a worker is disabled, employers:

- must not discriminate against them because of their disability
- must make reasonable adjustments

It's a good idea to work together to make the right adjustments for a worker, even if the issue is not a disability. Often, simple changes to the person's working arrangements or responsibilities could be enough. For example:

- allowing them more rest breaks
- working with them each day to help prioritise their workload

Find out more about:

- [reasonable adjustments for mental health](#)
- [supporting disabled people at work](#)
- [disability discrimination](#)