

Mental Health in the workplace.

A guide for Community
reps.

proud to support

time to change

Foreward

Community believes good mental health should be a priority for every workplace, that's why we want to do all we can to help reps better support members and understand mental health conditions across the different sectors in Community.

We are proud to show our commitment to mental health by signing the time to change employer pledge to end mental health discrimination in the workplace.

Unlike physical hazards to health and safety, mental health is not easily identified, is often misunderstood and can be difficult to talk about.

However, mental health conditions are very common. One in four people experience a mental health condition at some point in their lives, and one in six workers experiences stress, anxiety or depression.

That means Community reps are likely to come across members with mental health conditions at some point throughout their working lives.

This guidance has been produced as part of Community's priority campaign on mental health, and at the request of our members and reps, and outlines general 'dos and 'don'ts' when discussing mental health with members. Remember these are guidelines only and what works for one person might not work for another.

The more action and support Community can provide to our members, the sooner they can get the help they need at work and help tackle mental health issues in the future.

Roy Rickhuss
General Secretary, Community

What is mental health?

'Mental health problems', 'mental illness' and 'mental ill health' are all common terms that are used to refer to conditions such as depression, anxiety, psychosis, bipolar or schizophrenia.

It is important to recognize that mental health is just as important as physical health and can have a huge impact on our ability to participate in education, work and society.

The facts

- Nine out of ten people are discriminated against because of mental health conditions
- The UK faces a significant mental health challenge at work, with 300,000 people with a long term mental health condition losing their jobs each year
- Mental health conditions are extremely common, and its likely every one of us knows someone with a mental health condition or may have experienced it ourselves
- The annual cost to employers is between 33 billion and 42 billion, and to the economy as a whole between 74 billion and 99 billion per year

Research conducted by the mental health charity MIND showed:

- 1 in 5 people take a day off work due to stress
- 1 in 10 people have resigned a job due to stress
- 1 in 4 have considered resigning due to stress
- 19% of staff feel they can't speak to managers about stress at work
- 56% of employers said they would like to do more to improve staff wellbeing but don't feel they have the right training or guidance

What can reps do?

Many people at work will choose to visit their HR department or manager, but others may feel more comfortable speaking to someone else within the workplace in a more informal setting.

A trade union rep can provide confidential support and signposting to advice, without the formality of speaking to a HR officer or manager.

That's why it's important that trade union reps feel comfortable and confident to talk and listen to colleagues about their mental health conditions, and also have the right information to signpost colleagues to appropriate support services.

Community is currently looking at different ways of supporting our reps by encouraging members to raise their awareness of mental health issues and for our reps to receive training on mental health at work issues.



What does the law say about mental health?

The Equality Act 2010 protects people from being discriminated against due to disability. This includes protection where they are perceived to have a disability or are associated with a disabled person. Under the Act, a person is deemed to have a disability if they have physical or mental impairment which has “a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities”.

It is illegal under the act to:

- Discriminate against a worker because of a mental disability
- Fail to make reasonable adjustments to accommodate a worker with a disability

The Act defines a number of types of discrimination:

- Direct — where an employer, because of someone’s disability, treats them worse than they treat or would treat others
- Indirect — where an employer applies a policy, procedure or practice that discriminates against anyone with disabilities. The employer can legally justify indirect discrimination if it is a “proportionate means of achieving a legitimate aim”

An employer has a duty to make ‘reasonable adjustments’—changes that make it easier for the disabled person. The Act does not provide a specific list of adjustments, but common changes include:

- Allowing flexible working
- Changing the worker’s role or parts of the workers role
- Offering counselling/talking therapies
- Changing policies and procedures
- Allowing extra time off work

The Health and Safety at Work Act 1974 places a duty on the employer to protect the mental health of anyone who works for them, though it is only the risks caused by work activity that the employer can control.

10 tips for Community reps

1. Be aware that members might not recognise that they have a mental health condition

- If you know someone has been unwell or if you notice a change in someone's behaviour at work or problems with their attendance or performance, don't be afraid to open up a conversation.
- They might approach you because they have started to have problems at work relating to poor performance or attendance, and may be feeling stressed out and have difficulty sleeping.
- Make no assumptions about the effects of the member's condition or their ability to do their job. Remember you are not an expert!





2. Create a supportive environment

- Be open about mental health, talk about Community's campaign to ensure good workplace practice on mental health and let members know that you're there if they need to talk. Remember it is often difficult for people to talk about mental health. Try to make sure you have the conversation in a private, quiet place.
- The most important thing is to listen and give the person the time and space to tell you about things in their own way, and if you need to take notes, explain what you are writing down and why, and that the notes will be kept in a secure, confidential place.
- Encourage the member, with your support and representation, to talk to their manager.

3. Talk openly about mental health and wellbeing

- If you don't know what to do or say straight away, be honest and tell them this. Understand your limitations and take your time to think about it. You might want to talk it over, in confidence, with another rep or your Regional Organiser.
- Use non-discriminatory language and challenge stigma and discrimination.
- Make sure if you share this information with anyone you get the member's consent first, remembering the stigma that is attached or perceived to be attached to mental health issues, and discuss and agree additional support for the member with employers.





4. Ensure your workplace has an appropriate mental health policy

Workplace policies on stress and mental health can be beneficial when dealing with mental health issues. The policy should contain:

- Clear definition of mental health conditions and mental health problems
- Encourage, support and provide reasonable adjustments for applicants with mental health issues
- Link to other policies and procedures in the workplace and how the employer supports people with mental health conditions e.g. flexible working, disability leave, sickness, absence, training and development, drug and alcohol misuse, bullying and harassment
- Promotion of good mental health wellbeing to create ongoing awareness and education on mental health conditions
- Links to health and safety stress management policies, including reference to risk assessment and implementing control measures

- The role of line managers in encouraging people to disclose mental health conditions and their role in supporting them and their duty of care
- The role of HR departments and staff in monitoring the effectiveness of the policy and links to policies/procedures in developing a mentally healthy workplace such as access to a confidential counselling service, occupational health and return to work plans
- Role of union reps, including shop stewards, safety reps, union learning reps and equality reps to promote mental health, support members, and monitor the impact of workplace policies and procedures on mental health
- A signed commitment from the employer recognising mental health and committing to preventing workplace stress, and a commitment to promote awareness and understanding of the policy to be shared across the organisation
- A list of external organisations employees can contact if they need advice or support
- Mental health first aid training





5. Promote good mental health and wellbeing

- Commit to developing an approach to mental health at work that protects and improves mental health for everyone, whilst supporting those people who experience distress. This could include regular staff surveys and other research to build data about staff mental health, using findings to plan and deliver action and inform workplace policies.
- Remember a person is only entitled to protection from unfair treatment and reasonable adjustments if the employer knows about (or could reasonably be expected to know about) an employee's mental health condition.
- Provide the member with some examples about the sort of reasonable adjustments that might help them to decide how they would like you to discuss the issue with the employer if appropriate.

6. Highlight available training

- Such as mental health first aid to managers, reps and staff to help them spot the signs and respond appropriately.
- Discuss and agree additional support for the member with employers.
- Contact mental health charities such as MIND for mental health training sessions for staff.

7. Raise awareness of local mental health support services

- If members are experiencing mental health problems or need urgent support, there are lots of places you can go to for help Samaritans, Mind Infoline, Rethink Mental Illness Advice Line, Saneline, SAMH and many more available on the Time to Change website.
- There are also local support services provided by the NHS in England which you can find on their website, in Scotland and Wales.

8. Address discrimination

- Ensure that discrimination on the grounds of mental health status is seen to be as unacceptable as discrimination in relation to other protected characteristics such as race, gender or sexual orientation.
- Encourage staff to report any discrimination or harassment they face and to blow the whistle on discrimination they witness.
- Support national and local anti-stigma initiatives such as Time to Change, Time to Change Cymru, See Me and Mental Health Awareness Week.

9. Encourage people to become mental health champions within your workplace

- Encourage your organisation to sign the [Time to Change employer pledge](#).
- Become a Time to Change Champion where you can make a real difference to your workplace culture and to the lives of your colleagues, working with your organisation to make mental health a normal topic of conversation, dispelling myths and making it easier for people to seek support.
- Share Community's mental health rep guide and encourage your colleagues to join our mental health priority campaign.

10. Mark world mental health day (10th October) in your workplace

This could be part of Community's wider mental health awareness campaign. Contact Community for resources or take a look at resources available on the Time to Change website.



Further Information

For more information and guidance on mental health at work please see more resources below. All of the following website can be found using Google or on the Community website.

Acas – Mental health in the workplace

Health and Safety Executive – Tackling work-related stress using the Management Standards approach

TUC – Good practice in workplace mental health

TUC – Mental Health at work: A young workers' guide

TUC – Mental health and the workplace

Hazards – Workplace stress and mental health

Stonewall – Mental Health support for LGBT people

NHS Wales

NHS England

Time to Change – Mental health champions in the workplace

Mental Health Foundation – Mental health awareness week

See Me – Mental health discrimination

SANE – Mental health helpline

Rethink – Mental health support

Mind – Mental health support and campaigns

Samaritans – Mental Health Support

SAMH – Scottish Association for Mental Health

NHS Scotland

Notes

A series of horizontal dotted lines for taking notes, arranged in a grid format.



We are Community. **The modern union for a changing world.**