

# Supporting mental health at work

## Understanding the law

If an employee has poor mental health, it's important their employer takes it seriously and with the same care as a physical illness. For example, the employer should talk to the employee to find out what support they might need at work.

Mental health problems can happen suddenly, because of a specific event in someone's life, or it can build up gradually over time.

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.

## 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. But 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- appearing tired, anxious or withdrawn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 if employees are working from home. It's important for employers to regularly ask their employees 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 their employees' 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.

## 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 an employee is disabled, employers:

- must not discriminate against them because of their disability
- must make [reasonable adjustments](#)

It's a good idea to work with the employee to make the right adjustments for them, 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:

- [disability discrimination](#)
- [supporting disabled people at work](#)