

Mental Health

The most common forms of mental ill health are anxiety, depression, phobic anxiety disorders and obsessive compulsive disorders. Mental health can be very debilitating and cause significant difficulties.

Understanding the signs of mental health are very important as left untreated they can lead to associated conditions and problems in your ability to perform.

If you suffer from a mental health condition, your employer must firstly understand what the problem is and what they should do to help you manage it. They could involve an occupational health provider or Access to Work via Jobcentre Plus. This may result in them making changes to your working environment or making reasonable adjustments to help you cope better with your workload after consulting with you.

Changes they could make might include:

- Ensuring your workload matches your abilities and experience, and involving you in planning your workload
 - Agreeing reasonable deadlines with you for work completion
 - Reducing any repetitive duties within your workload
- Providing a suitable working environment that considers noise, lighting, and equipment
 - Ensuring roles are clearly defined
- Providing impartial and supportive supervision structures and policies.

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Making a claim

If your employer does not consult with you, carry out the necessary checks and investigations and make any reasonable adjustments required, your work may suffer. In some circumstances you may find that you are dismissed on the basis that you are unable to carry out the role. If this is the case then you may be entitled to claim against your employer for disability discrimination.

There is no minimum length of employment required to bring a claim at the Employment Tribunal, but it is important to lodge your claim with ACAS within 3 months of the act of discrimination occurring. It is therefore essential that you take legal advice on your situation at an early stage and as soon as possible.

Contact Ashley Hunt & Carrie-Ann Randall on 01858 445 480 or Vaishali Thakerar & Alex Reid on 0116 212 1000 if you have been discriminated against because of a mental health condition.