Wellness Works

A Framework for Progressing Mental Health in Your Workplace

Mental Health Ireland

"
What worked well for me when
I was experiencing mental health
challenges was being able to chat with
my line manager about my situation,
and them offering a listening ear, and
being supportive and understanding.
It meant everything to me. "

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Glossary

Mental Health

The World Health Organisation describes mental health as 'a state of wellbeing in which every individual realises his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to her or his community'.

Mental Health Challenge

Professionals in the field of mental health often refer to mental health challenges as 'mental illnesses'. However, Mental Health Ireland choose to use the term mental health challenge as we believe recovery is possible, and this term is imbued with hope. We believe the term mental illness can infer that there is something 'wrong' with a person, whereas we believe many people experience mental health challenges in response to traumatic experiences.

Mental health challenges are different than sadness or fatigue in response to daily stressors. They're generally more severe and longer-lasting, and they can have a large impact on daily life. Some common mental health challenges are anxiety, depression, substance use, and trauma responses.

Mental Distress

Mental distress or psychological distress encompasses the symptoms and experiences of a person's internal life that are commonly held to be troubling, painful, confusing or out of the ordinary for them.

Enduring Mental Health Challenge

Psychosis, Schizophrenia, Bipolar, and Eating Disorders are considered to be some of the enduring mental health challenges. It is important to note, that all of these can be managed and a person can live a fulfilling, contributing and meaningful life.

Diagnosis/Diagnosable Mental Health Challenge

Mental health professionals including psychiatrists commonly use a system to categorise the symptoms of mental health challenges that people experience. They do so to help plan treatments for people in their care. Some commonly used diagnoses are clinical depression, generalised anxiety, bipolar, schizophrenia, and post-traumatic stress. It is worth noting that some people who experience mental health challenges do not relate to the diagnoses and prefer not to use them. Other people find diagnoses very helpful in their recovery.

Wellbeing

Wellbeing is about feeling good about yourself, feeling good about others and being able to meet the demands placed on us every day.

Reasonable accommodation

Reasonable accommodation is where an employer makes a change to the tasks or structure of a job or makes changes to the workplace to allow the employee to fully do the job and enjoy equal employment opportunities.

Psychosocial risk

A psychosocial risk is anything that could cause psychological or physical harm to a person. Common psychosocial risks at work include: job demands, low job control, poor support.

Burnout

A state of complete physical and emotional exhaustion. Burnout can occur if stress remains active over a long period, otherwise known as chronic stress, it is characterised by ill health or lasting exhaustion and drains your physical and mental resources. (*HSE, 2012*).

Stressors	Something that causes a state of strain, stress or tension.
Workplace Culture	Workplace culture is a mix of an organisation's leadership, values, traditions, beliefs, interactions and attitudes, that contribute to the emotional and relational environment of your workplace. They are generally unspoken and unwritten rules. E.g. Equal Opportunities, Communication Style, Respect/Lack thereof, Nepotism.
Stigma	Stigma has been described as a sign of disgrace which distinguishes the person from others. In the context of mental health, it usually involves the use of negative labels to identify people as different. Stigma against those with mental health difficulties takes many forms from the unkind word, social exclusion to higher insurance premiums. This results in the person feeling devalued and may lead them to isolate themselves and conceal their mental health difficulty. Mental health stigma thrives on lack of knowledge and understanding, negative attitudes and hostile or discriminatory behaviour. (See*Change, 2022*)
Discrimination	Discrimination is the unfair or prejudicial treatment of people and groups based on characteristics such as race, gender, age or sexual orientation.
Social Determinants of Mental Health	Individuals' mental health and wellbeing are dependent on many social factors including housing, employment, education and adequate nutrition among others. These factors can influence at personal, family and community levels. These are considered to be social determinants of mental health.
Resilience	The ability to withstand adversity and 'bounce back/forward' from difficult life events.
Recovery	William Anthony (1993) described recovery as 'a deeply personal, unique process of changing one's attitudes, values, feelings, goals, skills, and/or roles. It is a way of living a satisfying, hopeful and contributing life'… even whilst managing mental health challenges. Recovery can be likened to a process of discovery, wherein the individual discovers new strengths and insights and of rediscovery whereby the individual reclaims aspects of themselves and their lives which they thought they had lost. Recovery is everyone's business. It is unique to each individual, family, group and mental health service. A common part of recovery is the presence of people who believe in your potential to recover. These are people who are there for you and understand you.
Absenteeism	Absence from work that extends beyond what would be considered reasonable and customary due to vacation, personal time.
Coproduction	Coproduction is a strengths-based inclusive process of participation that looks to incorporate the experience and expertise of people who are the end users/receivers of a service, product or policy, as equal participants from the very beginning and throughout the process, planning, development, delivery and evaluation of projects and services.
Cultural competence	Cultural competence is the ability to understand and interact effectively with people from other cultures.

Introduction – What? Why? Who?

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Mental Health Ireland's vision is for an Ireland where mental health is viewed as fundamental to overall health and wellbeing. Our primary goal is to promote, support and enhance the mental health and wellbeing of all individuals and communities and to create a culture where people with mental health challenges are respected and supported on their journey of recovery.

Over the last five years, a pattern emerged from our workplace training feedback telling us that managers need more specific knowledge and tools to help them support colleagues who are experiencing mental health challenges. Taking this as a starting point and building on the latest research on the risks to mental health in the workplace, we have coproduced this document '*Wellness Works – A Framework for Progressing Mental Health in Your Workplace*'. The Framework will support leaders and managers to protect and sustain their staff's mental health at work and respond supportively when a team member experiences a mental health challenge. It is hoped that by having this Framework, your organisation will be encouraged to coproduce your own unique workplace mental health policy to benefit your workforce and ultimately your organisation.

The Framework covers:

- **the current status of mental health in the workplace**
- **legal considerations**
- **mental health as a health and safety consideration**
- **Workplace Mental Health Policies**
- **risks and remedies**

Using the Framework to develop a workplace mental health policy will support management to understand the scope of their own responsibilities in relation to employee mental health. Having these clear boundaries established can increase managers' confidence, improve communications with employees who may be experiencing a mental health challenge, and ultimately protect all parties.

The implementation of a Workplace Mental Health Policy can address some of the psychosocial risks that influence sick leave and absenteeism, which in turn will protect the organisation's productivity and return on investment. Importantly, it can empower employees to seek support when their mental health is challenged in a timely manner, and serve as a visible pathway for returning to work for those who may have been absent due to mental health challenges.

Employers are responsible for creating environments that are safe and conducive to good health. When organisations engage with mental health in a meaningful, compassionate and open manner, it empowers employees, improves productivity and enhances wellbeing. Employers are also responsible for creating processes that do not discriminate against people who experience mental health challenges. This supports equality of access to employment, and supports all individuals to sustain employment. Individuals naturally differ in their levels of vulnerability and ability to cope with stressors. Mental health should be a priority in workplaces as everyone is vulnerable to having their mental health negatively impacted.

> **My manager asked me what I needed, instead of being afraid to ask. This helped me to work out for myself how to manage what I was experiencing. In the end, I decided that I didn't even need to take time off. I just needed some time off during the day for counselling.**

Workplace Mental Health Survey, Mental Health Ireland, 2022

Welcome from Mental Health Ireland's CEO +

Martin Rogan, CEO

At Mental Health Ireland we work closely with local communities, but we have also had the privilege to work with many employers and workplaces. We deliver in-person and online training to companies across all sectors including the State and Public Sector, Health, Hospitality, Agriculture, Manufacturing, Construction, Retail and Voluntary.

We can see how most employers are making a focused effort to improve mental health and wellbeing within the workplace, to improve the quality of lives for all of their team and to ensure a satisfying and sustainable path for the future. Here, we bring together the best evidence and research that are proven to work in real situations, recognising that there can always be challenging and ambitious objectives in any workplace. Since the pandemic, we have been able to incorporate new insights relating to remote, hybrid and blended working models and the challenges associated with overspill, technology, stress and burnout.

Work forms a large part of our lives, more than just supporting livelihoods. A healthy workplace instils a sense of achievement, identity, belonging and can bring a great sense of meaning and satisfaction. To maintain good mental health and wellbeing we all need a sense of purpose. This may be in the context of our family or community, but for many our workplace plays an important role in achieving and maintaining mental health and wellbeing.

When the workplace is well designed, with good supportive systems in place, and where the work is enjoyable and stimulating it not only boosts our mental health, but it is reflected in the company's productivity and profitability. Avoiding overload and exhaustion are key responsibilities for all employers and the role that employers can play in creating a positive work culture are highlighted here.

From our work at Mental Health Ireland we know that many employers are very keen to create a positive workspace, one that promotes mental health and wellbeing for all. Sometimes they are a little unsure of how to go about this. As this is a frequent request, we decided to work with employers and their staff groups to foster a new and encouraging workspace by producing this Framework. **Wellbeing Works** is a new resource, made freely available to Irish employers that brings together a range of topics, helping to identify legal obligations as well as constructive and helpful strategies guide you in your role as a leader, employer or manager.

From our work, we know that employers also want to be supportive when a colleague is travelling through a difficult time and want to do the right thing to help when a staff member is recovering from a mental health challenge. Wellbeing Works offers practical guidance and information on how this can be best achieved. Further information is available on Mental Health Ireland's website **www.mentalhealthireland.ie** or by contacting our Education, Training & eMental Health team.

All of our work at Mental Health Ireland is developed through coproduction and this resource is no exception. We would like to acknowledge the contributors for sharing their time, experience, knowledge and wise insights.

I'm confident that you will find this to be a valuable resource, for improving mental health and wellbeing within your work setting.

Martin Rogan
CEO

Mental Health Ireland

Who is Mental Health Ireland?

Mental Health Ireland was **founded in 1966**. We are governed by a Board of Directors, who come from a range of different backgrounds, specialisms and experiences. The Board are supported and informed by Governance and Finance Committees. Our Head Office team are based in Dún Laoghaire in Co. Dublin. This is where our CEO, Deputy CEO, Chief Operations Officer, Finance, Communications, Fundraising, Mental Health Promotion, Education, Training, & e-Mental Health, Human Resources, and Administration team members are based.

We have **10 Development Officers** across the country who link with our network of Mental Health Associations, volunteers and community groups, promoting mental health and supporting recovery in their communities. Mental Health Ireland are now also the **employer of people working in recovery education and peer led community services across the country.** The team members work in a variety of different settings including Recovery Education Services, Mental Health Services, Involvement Centres and Peer Led community services.

We work very closely with the **HSE and the Office of Mental Health Engagement and Recovery**. We also work with a range of partners in the statutory, community, voluntary and corporate sectors in Ireland, Europe and Internationally.

We are members of the **International Initiative for Mental Health Leadership** and **Mental Health Europe** and currently hold the presidency of the latter. Our work couldn't happen without the close relationships we have with members of our **coproduction groups** who come from all across communities, the voluntary sector and mental health services.

PARTNERS, FUNDERS, FUNDRAISERS & COMMUNITY SUPPORTERS

RECOVERY EDUCATION TEAMS AND PEER-LED PROJECT TEAMS

MENTAL HEALTH ASSOCIATIONS & VOLUNTEERS

DEVELOPMENT OFFICERS (DOs)

HEAD OFFICE TEAM

BOARD OF DIRECTORS, GOVERNANCE AND FINANCE

MISSION

Our Mission is to promote and enhance mental health and wellbeing and to create a culture where we are all respected and supported, especially when our mental health is challenged.

VISION

Our vision is for an Ireland where mental health is valued and supported as an essential part of everyone's health, so that individuals, family and friends, and communities can thrive.

VALUES

The principles of human rights, equality and equity, recovery and trauma-informed care are all integral to and at the core of our work.

We are committed to using coproduction, being evidence informed, improving accessibility, ensuring inclusion & representation and becoming more sustainable in our practices.

We value volunteers, staff and partners through creating a respectful, equal, and supportive environment.

Transparency, good governance, and compliance with the highest ethical standards are intrinsic to our work.

Who is this Framework for?

This Framework is for employers and leaders in all types of workplaces who want to champion and support mental health as a core priority within their organisation. It is also for employees within workplaces who will work together with their workplace leaders to implement best practices in the area of mental health.

How will the Framework support your role as a Workplace Leader?

The Framework will support you to create environments conducive to good mental health; to improve employee wellbeing; support employees appropriately when they are facing a mental health challenge, and create processes that do not discriminate against people with diagnosed mental health challenges. This approach will support all employees to sustain employment and flourish at work, which will ultimately benefit the business.

The Framework recommends **three actions**:

1 That organisations carry out psychosocial risk assessments on their workplaces

2 That they work together with their staff to develop a Mental Health in the Workplace Policy (this is separate to a Wellbeing Policy)

3 And that managers are trained well to facilitate conversations about mental health and mental health challenges with their teams and supervisees.

Benefits of Workplace Mental Health Policies

A workplace mental health policy is a **clear and visible statement** of an organisation's commitment to protect and sustain employees' mental health. This can r**educe stigma, increase psychological safety for employees, encourage conversations about mental health, and protect the organisation.**

The policy sets the **organisational standards** that workplace procedures and practices then work to.

The process of developing a workplace mental health policy helps organisations to identify their **unique strengths and unique psychosocial risks**. In doing this we can then harness the strengths and address the risks.

A policy of this nature supports management to understand the **scope of their own responsibilities** in relation to employee mental health. Having clear boundaries like this established can **increase managers' confidence, improve communications with employees** who may be experiencing a mental health challenge, and ultimately protect all parties.

Having a workplace mental health policy **protects the organisation and the rights of employees** experiencing mental health challenges by ensuring **applicable legislation is visible**, accessible, and communicated to all staff.

The implementation of a Workplace Mental Health Policy can address some of the psychosocial risks that influence sick leave and absenteeism, which in turn will **protect the organisations productivity and return on investment.**

Your Workplace Mental Health Policy can serve as a **visible pathway for returning to work** for those who may have been absent due to mental health challenges. This helps the organisation by **reducing turnover, employees feeling valued and keeping skilled employees engaged**.

> "I opened up and my manager was very sympathetic and supportive. They guided me to get support and followed up with me afterwards. They guided me with making priorities so as not to be over-whelmed with my commitments."
>
> **Workplace Mental Health Survey, Mental Health Ireland, 2022**

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The Shape of Mental Health in Irish Workplaces

This section will explore the current status of workplace mental health, mental health as a health and safety consideration, stigma, culture and mental health as a legal consideration.

How is Ireland's Workplace Mental Health?

We are living in the aftermath of a huge global healthcare crisis, the COVID-19 pandemic, which was followed by a new socio-political crisis, the war in Ukraine, and the rising costs of living. These events have had deep repercussions on the general levels of wellbeing and mental health.

According to the latest round of Eurofound's '*Living, working and COVID-19 e-survey: Living in a new era of uncertainty*', conducted in Spring 2022, the general wellbeing across EU countries has not recovered as expected so far, and it is still below levels that were recorded at the beginning of the pandemic among all age groups. The backlog in delivery of healthcare services, including mental healthcare, also causes 19% - 24% of people across the EU to have current unmet mental healthcare needs. The Irish situation is similar to the wider EU trend, with 30% of respondents to the Department of Health latest 'Healthy Ireland survey 2021' reporting their mental health has worsened due to the pandemic and associated restrictions, and, among those who stated their mental health had worsened, 28% considered it significantly impacted.

According to CIPD 'HR Practices in Ireland Survey 2019', workplace related stress is the leading cause of absenteeism, at 44%, and the two top factors contributing to stress related absence are volume of work and management style. In reference to the strategies organisations are adapting to address health and wellbeing in the workplace, just 32% of respondents said their organisation had a formal strategy in place.

In September 2022 Mental Health Ireland conducted their own survey of a sample of the Irish population to explore their views and experiences related to mental health in the workplace. Employees and managers/leaders/employers agree their job is a potential challenge to their mental health.

Overworking, having to be 'on all the time', and poor management were identified by employees among the leading factors that negatively impacted their wellbeing. 34% of managers agreed that they feel overwhelmed by mental health concerns in their workplace, while 90% of employers had noticed an increase in mental health challenges in the workplace since the pandemic. Remote/hybrid working and the availability of a range of mental health supports provided by workplaces were seen as a mitigating factor.

According to the survey, the vast majority of employers and managers reported feeling confident about having conversations about mental health, and 86% of employers had noticed an increase in openness and talk of mental health within the workplace.

Workplace Mental Health Survey

Mental Health Ireland, 2022

A workplace survey showed a significant need for mental health support at work with both employees and employers agreeing their job is a direct challenge to their mental health.

76%
EMPLOYEES

said that job stressors such as long hours and work pressures had a negative impact on their wellbeing

90%
EMPLOYERS

noticed an increase in mental health challenges in the workplace since the pandemic

86%
EMPLOYERS

noticed an increase in openness and talk of mental health within the workplace

23%
EMPLOYEES

felt their companies actually implemented or adhered to the mental health polices they had created for the workplace

Mental Health as a Workplace Health & Safety Consideration +

While the power of work to have a positive impact on mental health is recognised, it is becoming increasingly accepted that aspects of the working environment can have a detrimental impact on an individual's mental health. **Employers are responsible for creating environments conducive to good health and, if necessary, provide reasonable accommodation to individuals experiencing mental health difficulties**.

Work related stress, anxiety and depression account for 18% of work related illness and is second only to musculoskeletal disorders (ESRI, 2016). The World Health Organisation (WHO) define work related stress as 'the response people may have when presented with work demands and pressures that are not matched to their knowledge and abilities and which challenge their ability to cope'.

The Health and Safety Authority are the body responsible for overseeing compliance with health and safety legislation. Although employers have a responsibility to identify possible hazards to both the physical and psychological welling being of employees, historically, the focus of health and safety management has been on risks to physical wellbeing. A lack of understanding of what a psychosocial risk actually is represents a barrier to measuring and addressing issues.

Psychosocial risks are elements of the working environment that have the potential to have an adverse effect on workers.

"
I was over-worked and my boss told me I wasn't coping well with the work. When I got upset and said it was the first time in my career I'd had feedback like that she responded by saying she was shocked to hear that. It was over a year ago and I still replay the conversation in my head regularly. "

Workplace Mental Health Survey,
Mental Health Ireland, 2022

Wellness Works

Psychosocial risks can be categorised under two headings, **structural and cultural.** Below are samples of risks.

1 STRUCTURAL

Relentless work

Role ambiguity

Intrusive technology

Lack of / erosion of, necessary resources to do the job

Lack of training/skill development

Impact of COVID-19

Job insecurity

2 CULTURAL

Low morale

Poor communication

Relationships

Bullying

Overlap of work/ personal time

Mental Health as a Workplace Legal Consideration +

In Ireland, an over-arching duty of care is owed by employers to take reasonable care to prevent reasonably foreseeable risks which may affect their employees. This duty of care is separate to but complements legislation such as the Safety, Health and Welfare at Work Act 2005, which provides employers with a statutory obligation to take action which is "reasonably practicable" in protecting the mental and physical health and wellbeing of staff. A failure to do so could leave employers at risk of a complaint to the Workplace Relations Commission or litigation and so it is important that employers take positive steps in preventing mental and physical hazards in the workplace.

Positive steps may include performing regular risk assessments in conjunction with staff on the potential of both physical and psychological risks that may arise in their place of work.

Having adequate policies around incidents such as bullying, stress and harassment at work, as well as a clear and structured grievance procedure can give employees a visible roadmap and confidence that should an issue arise, their concern will be taken seriously.

European Union

1989	2021-2027
EU Safety at Work Directive 89/391/EEC	**EU Strategic Framework on Health & Safety at Work**
Sets out minimum requirements and fundamental principles.	**Tripartite approach:** • Anticipating and managing change • Improving prevention • Increasing preparedness

Ireland

1989	1998-2015	2005	2005	2018	2021	2022
Safety, Health & Welfare Authority	**Employment Equality Acts**	**Disability Act**	**Safety Health & Welfare at Work Act**	**GDPR and The Data Protection Act 2018**	**Workplace Relations Commission's Code of Practice on the Right to Disconnect**	**Scheme of the Right to Request Remote Working Bill 2022**

While assessing your workplace culture, it is also essential to acknowledge the diversity of cultures within your organisation and the strength it adds to it as a whole. It is well documented that a diverse workplace results in numerous benefits and it is quite clear that employees value an organisation that takes meaningful action on the topics of diversity and inclusion. However, over half of workers in both the public and private sector believe that their workplaces are genuinely committed to these issues (*Hays Ireland Equity, Diversity & Inclusion Report 2021*).

One in five ethnic minority workers have reported an experience of discrimination (*IHREC, 2021*) in their place of work. Along with language barriers, isolation which can accompany a change of country and a lack of a familial or friend support network, discrimination can compound these experiences and have a detrimental effect on an individual's experience in the workplace and country. It is crucial that in awareness and training is provided to staff to bring attention to these topics in an effort to reduce and eradicate such instances and support staff who may be at risk of experiencing these issues.

Acknowledging and appreciating the diversity in your workplace by using tools such as **Mental Health Reform's Cultural Competency Toolkit** can greatly aid ethnic minority workers to access mental health services and show a tangible dedication to your employees in valuing their culture and contribution to the workplace. This toolkit gives your organisation a practical guide on how to ensure cultural competence when it comes to supporting your staff in the physical and virtual workplace. Taking action can create an environment where staff feel safe to have a conversation around mental health which is culturally sensitive, possibly provided in their native language and approached in a culturally appropriate way.

Stigma in the Workplace

A See Change (2021) survey found that **70% of Irish workers surveyed believe that stigma around mental health could negatively impact on their job** and over 50% of workers believe disclosing a mental health challenge would result in their being passed over for promotion. Participant's also reported that perceived stigma would prevent them participating in mental health and wellbeing workshops as they worried they would be negatively judged for participating. Employers have a legal obligation not to discriminate on the basis of disability, which includes mental health challenges and being proactive in addressing workers' concerns has a return on investment in monetary terms; staff productivity and organisational citizenship.

> **If I felt overwhelmed due to work it was always attributed to my mental health challenge rather than the reality of what my day to day workload was like at that particular time. It makes me feel as though any 'weakness' will be observed as declining mental health and almost as though I'm invisibly labelled as 'high risk'.**
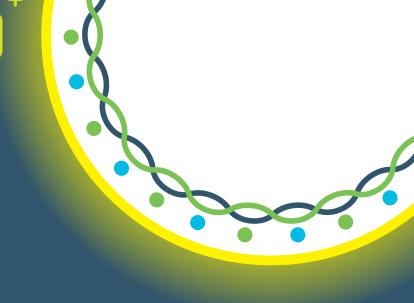>
> **Workplace Mental Health Survey, Mental Health Ireland, 2022**

The Impact of COVID-19 +

The global experience of COVID-19 has resulted in rapid, unprecedented changes to workplace practices. Many workplaces were closed during the pandemic and those that weren't can be divided between essential services, where a presence in the physical workplace had to be maintained, e.g. healthcare, transport; grocery and those who could continue their work from their home. Technological advances are rapidly changing the experience of work both in terms of its location and the work itself. In the future, prosperity may no longer be linked to productivity but to innovation and the effective use of emerging technologies. Both employers and employees are facing a new reality which presents different challenges for both. The cataclysmic nature of a global pandemic has resulted in an increased focus on and awareness of the importance of mental health. A study into the working conditions of junior doctors during the pandemic recommended that, in order to be effective in supporting their mental health, interventions should be directed at the working environment rather than the individual (*Dunning et al 2022*).

Awareness of the importance of mental health is leading to increasing numbers of people willing to disclose mental health challenges. According to *IBEC (2021)* the number of employees in Irish organisations willing to disclose mental health challenges has been increasing incrementally since 2012 with 51% of organisations surveyed reporting employee disclosures in 2019.

Irish organisations have experienced an upward trajectory in both an awareness of, and support for, the ways in which both the work and life can impact positively or negatively on mental health. In response to this changing landscape the provision of training in awareness of mental health issues for line managers and staff is increasing. **Mental wellbeing campaigns have increased from 13% of organisations to 38%**, the main focus of training has been on stress management and resilience building. The levels of assistance to employees in the workplace; on sick leave and on their return to the workplace has increased to 52% of organisations surveyed reporting having policies in place.

"Due to bereavement, I was struggling. I found the support and empathy given was very good. In terms of my colleagues just listening and being a supportive presence, including those I line manage. "

Workplace Mental Health Survey, Mental Health Ireland, 2022

Notes

Tools to Support your Championing of Workplace Mental Health

In this section, you will find tools which can help support your organisation's championing of workplace mental health. The key tool is a Workplace Mental Health Policy. Below you'll find out why it is important, what it could look like for your organisation, ways to work together with your team to create one, and some ways to translate the policy into action. The section also outlines some of the common risks to mental health in the workplace, some suggested remedies for those risks, and suggests ways to have conversations about mental health with team members you manage.

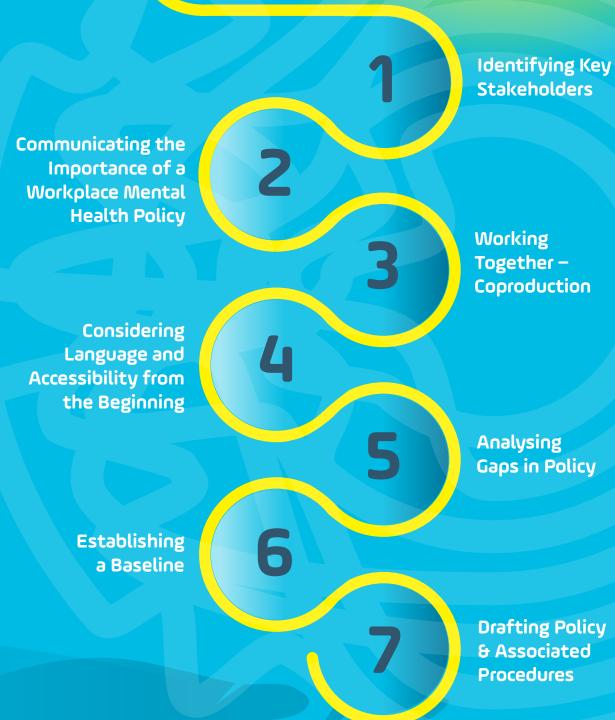## Defining a Workplace Mental Health Policy

Every workplace is different, and the following policy guidance is intended to help employers take the first steps in developing their own Workplace Mental Health Policy. It should be adapted and tailored to suit the needs of your organisation. All employers, regardless of type, size or industry should adapt core mental health standards proportionally to the organisation's needs (*The Stevenson and Farmer Review, 2017*).

Establishing a Workplace Mental Health Policy starts with strong and committed leadership. Decisions and actions should be informed by hard data. Staff need to be a part of this process and included in the process from the beginning. Data should dictate the terms of the policy. Use hard data and human stories to raise awareness of mental health, to nurture understanding, and to get buy-in.

Steps to Developing a Workplace Mental Health Policy

1 Identifying Key Stakeholders

2 Communicating the Importance of a Workplace Mental Health Policy

3 Working Together – Coproduction

4 Considering Language and Accessibility from the Beginning

5 Analysing Gaps in Policy

6 Establishing a Baseline

7 Drafting Policy & Associated Procedures

The successful implementation of a Mental Health in the Workplace Policy relies heavily on 'buy in' from key stakeholders within the organisation. Commitment is required at all levels of the organisation, but top-down commitment is integral to getting the policy off the ground. Furthermore, in order to secure complete buy in from all stakeholders, organisational commitment is integral to its success and the highest authority within the organisation should approve this document (*WHO. 2010a*).

The first step will be to identify who your key stakeholders are and their role in developing and/or contributing to the policy. Central to this policy will be your employees as the outcome of the policy will ultimately affect them and therefore, they need to be involved at every stage of the policy development. Furthermore, to ensure the policy effectively meets the needs of employees with mental health challenges, they should be involved in all aspects of consultation. They will have 'expert' knowledge gained through experience on the need's employees with mental health challenges and the role of the workplace in their recovery. This is the view of the HSE & Mental Health Services in The National Framework for Recovery in Mental Health (2018).

By developing the policy in coproduction with people with lived experience of mental health challenges, and a good representation of relevant stakeholders across the organisation will make it more likely that the policy is fit for purpose and meets the needs of the end user of this policy – the employer and employees.

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Stakeholder	Description
Employees and Managers	The employee, i.e. the end user of this policy should be involved throughout the policy development process and have decision making power (*Stevenson and Farmer, 2017*). This includes all employees at all levels of the organisation and representation across a range of roles.
Leadership Team	This may include top level management, the board, as ultimately their endorsement and commitment will increase the likelihood of successful development and implementation of the policy. A business case, highlighting the benefits, in particular, the cost benefits to an organisation can be an effective way of doing this (*WHO, 2005*).
Human Resources Team	The Human Resources Team have a particular role to play in the development of policies and procedures that protect all staff including those who are particularly vulnerable such as people with mental health challenges (*WHO, 2001*) and the implementation of appropriate workplace policies to support overall employee wellbeing.
People with lived experience of mental health challenges	Mental Health in the Workplace policy should be strengthened through the voice of lived experience to ensure it is fit for purpose (*SeeChange, 2013*)
Union Representatives	Union Representatives may wish to use this document for guidance on how mental health should be supported and promoted within organisations and to understand the legal obligations of employers.

Now that you have identified your key stakeholders the next step is to make the case for a Mental Health in the Workplace Policy by obtaining 'buy in' or commitment from your key stakeholders, people with decision maker power within the organisations, and perhaps most importantly the end user of the policy – the employee. Gaining commitment involves making an informative and persuasive business case to employers while ensuring employees are informed, involved and interested every step of the way.

Tips for making the case to the leadership team:

- Clearly show the benefits of workplace Mental Health Policy to the organisation and its employee.

- Use data to demonstrate the need to leadership. For example, the quantity of days lost due to stress, and the related financial implications of same.

- Provide evidence on the psychosocial benefits of workplace health and safety

- Emphasise the legal and moral obligation on employers for implementing effective mental health in the workplace policies and practices.

- Emphasising the relationship between Corporate Social Responsibility and ethical workplace practices that include psychosocial safety at work. i.e. mental health is everybody's problem and respecting employee human rights starts with the business – wellbeing at work is an important element of CSR (*Leka* et al., 2011)

- Use the **List of Benefits** from page 12.

Tips for gaining buy in from employee:

- Involve your employees from the start and ensure they are not only consulting but have a direct contribution to the development of the policy, especially those with lived experience of mental health challenges. (*WHO, 2010; Stevenson & Farmer, 2017*)

- Identify workplace champions who wish to be part of the process and have a genuine interest in furthering workplace wellbeing agenda in the workplace. Representation from across a range of roles and levels will help create an inclusive policy.

- Demonstrate your commitment to workplace health by sending regular updates on policy development and strategic approaches 'informed staff are engaged staff' (*Heads Up & Beyond Blue*)

- Avoid tokenistic consultation processes whereby the employees input to the policy is unclear.

- Be transparent in how you communicate the reason for developing the policy to employees and the impact of their contribution.

USEFUL RESOURCES

> **Heads Up – Developing a Workplace Mental Health Strategy Guidance document**

> **Getting started Pack – Beyond Blue**

> **A Guide to the Business Case for Mental Health**

> **NICE Guidelines on Organisationsal Commitment**

> **Corporate Social Responsibility and Psychosocial Risk Management**

Mental Health Ireland strongly recommend a highly participative process for the creation of Workplace Mental Health Policies. You may already have this type of process set up and working well within your organisation.

In Mental Health Ireland, we use the process of Coproduction. Coproduction, sometimes called cocreation or codesign, is a strengths-based process that looks to incorporate the end user as an equal participant from the very beginning and throughout the process, planning, development, delivery and evaluation. For Mental Health Ireland this means having people with lived and family experience of mental health challenges as active participants alongside professionals from the community and voluntary sector,

mental health services, or wider community representatives. For your organisation, it might look like bringing together a group that includes managers, HR, governance, employees from all roles, employees who have experienced mental health challenges, external expertise, workplace mental health champions, and members of the board or management.

In our experience this can be an effective way to develop projects that are inclusive of all stakeholders. As a result of the level of involvement, workers experience a high degree of ownership of the outcome. This buy-in ultimately supports the success of the project when it is rolled out.

USEFUL RESOURCES

> **Coproduction in Practice Guidance**

> **Mental Health Ireland Coproduction SOP**

PARTICIPATORY MODELS

Mental Health Ireland

Arnstein's Ladder (1969)
Degrees of Citizen Participation

Wilcox (1994)
Framework for Participation

Hart (1992)
Hart's Ladder of Youth Participation

New Economics Foundation (2009)
The Co-production Ladder

There are many different ways of engaging the public and key stakeholders in projects and initiatives that ultimately affect them. They are not all equal.

Throughout this guide recovery-oriented language is used to ensure this document does not add to the discrimination of people experiencing mental health challenges. You might like to use similar language in your Workplace Mental Health Policy. **Laurie Davidson's Recovery Concepts & Application** can support you in using recovery focused language. If you agree the approach to language at the beginning it will support the process.

To best capture every stakeholder's contribution, it is very important to make the consultation and policy creation process (including design, implementation, and review/assessment), as accessible as possible. Barriers to access can mean different things for different people, so offering a wide range of possibilities is the best way to ensure most people can contribute.

For example, for some people conversations about mental health come easily and they would be able to engage in interviews, brainstorming sessions, or group discussions easily. For other people, these types of activities can be difficult. Providing an anonymous way to contribute could make the difference between participation or disengagement. From a cultural point of view, it is documented that in certain communities the level of stigma towards mental health is especially high, so cultural appropriateness would also need considered in the process. Ideally both options would be offered; in-person and anonymous.

> *Words are important. The language we use and the stories we tell have great significance to all involved. They carry a sense of hope and possibility or can be associated with a sense of pessimism and low expectations, both of which can influence personal outcomes.*
>
> **Recovery Concepts & Application – Laurie Davidson, Devon Group**

There can also be practical barriers to active participation in the coproduction process. It's important to consider these and reduce the barriers where possible. Work schedules, meeting times, expenses reimbursement, etc can effect participation and can be easily managed.

If there is a cohort in the organisation with different abilities, offering them tools or processes to facilitate their involvement can be very important, especially considering that they might be bringing a different but very relevant perspective to the table.

The central idea is to include every stakeholder, and ensure that barrier to participation are considered and reduced.

USEFUL RESOURCES

> **IncludeAbility Resources for Employers**

Analysing Gaps in Policy

When approaching developing a mental health in the workplace policy, it is important to consider about how it relates to your other existing workplace policies. You might decide to include it as part of your Health & Safety set of policies. You might include it as a counterpart to your Workplace Wellbeing policy. What's important is for you to consider how all of your policies relate to each other, to ensure they don't contradict each other, and to make sure all of your other policies are reviewed on completion of your workplace mental health policy so that mental health is considered and prioritised in all policies. Your procedures will need to undergo the same process.

Establishing a Baseline

Before you draft your workplace mental health policy, carry out a review of mental health and its influencers in your organisation. This can include workplace culture, psychosocial, current mental health initiatives, procedures that impact on mental health, and the internal and external climate.

Organisational Culture

Take some time to get to know your organisation and the culture driving it again. Consider and document the following:

1. Review or redefine a set of desired values and behaviours (include behavioural descriptions of how these values are enacted).

2. Make sure that these values and behaviours are aligned with your strategy and brand and are linked to practices of accountability.

3. Have visible proponents – create performance objectives for the CEO / Head of the organisation that link to the values and behaviours.

4. Define the non-negotiables – this will help you to respond with clarity and in a timely manner when a behaviour falls short of this standard.

5. Measure culture and the emotional temperature of the organisation.

   a. Employee surveys, focus groups, line management – be bold and ask the hard questions, ones that may require action.

   b. Talent analyses – This will help you see are you making the most of the talent base. It will also help you to see if your employees are getting to work to their fullest potential.

   c. Ethics – What are the fundamental principles driving your workforce and its practices?

6. Don't rush it - Done properly at the outset, the insight you will gain from this type of review will become a bedrock for improving and sustaining mental health in your workplace.

7. Be bold and lead – It takes courage to ask questions of your workforce that might reveal areas for improvement. This is your role as a leader.

It can be helpful to give consideration to the organisation in terms of :

- Why is it in existence?

- What we you do well? What would we improve? What challenges do we face to make this happen?

- What future would you like to see for the organisation?

- What is the organisational identity, current and future?

- How well are your current policies and procedures being implemented? Give particular attention to Health & Safety, Grievance, Bullying, Wellbeing Dignity at Work, and Working Time policies and procedures.

- Review your current mental health and wellbeing initiatives. Are you getting a return on investment for them? What do your employees really feel about them?

- Review the current external climate. There may be societal factors influencing the wellbeing of your team. For example, inflation.

Review Your Workplace's Psychosocial Risks using the Work Positive Survey and related Scoring Instructions

The State Claims Agency; the Health & Safety Authority and Critical Incident Stress Management have developed a comprehensive, easy to use, innovative and confidential psychosocial risk management process – Work Positive – which provides feedback on workplace stress, employee psychological wellbeing and critical incident exposure in the workplace. Organisations can create their own surveys at **www.workpositive.ie**

USEFUL RESOURCES

> **ISO45003 :Occupational health and Safety Management – Psychological Health and Safety at Work – Guidelines for managing psychosocial risks**

Now the prep work is done, it's time to draft your organisation's unique Workplace Mental Health Policy.

The following is a suggested outline for your workplace mental health policy. It can be used by your organisation to support the development of your own Mental health in the Workplace Policy. This guidance is not prescriptive and should be adapted and tailored to the needs of your organisation.

The 'Explainer' notes will guide you on what to include under each heading.

EXPLAINER

Policy Section 1: Introduction

EXPLAINER

The first section of your policy should include a background or rationale as to why you are coproducing and developing this policy in your organisation. This helps to show all employees, at all levels of the organisation, why mental health and wellbeing is valued within the organisation and has equal importance to any other workplace policy. Below is an indication of some key points that you may wish to cover in the background and a sample text, but this can vary depending on your organisation.

Areas to consider:

- What is mental health and why is it so important to promote it?
- Statistics and the impact of mental health challenges to people and to the workplace
- Benefits to employees, both professionally and personally, of implementing a mental health in the workplace policy
- Benefits to the organisation from a cost/productivity perspective
- Costs or implications of not having such a policy in place
- Why you are committed to implementing this policy?
- Key definitions and descriptions to support people's understanding and comprehension of a Mental Health in the Workplace Policy.

EXPLAINER

A Mental Health in the workplace policy should include a Policy Statement which can also be referred to as a Statement of Intent. This should explain the purpose of the policy in a clear, explicit and succinct manner. The statement should be followed by a set of clear and tangible objectives required to achieve the aim..

Sample text:

Policy Statement: The purpose of this policy is to ensure that {**enter organisation name**} adopt fair, equal, protective and non-discriminatory practices towards all employees and future employees in relation to mental health. {**Enter organisation name**} will create a culture of openness and honesty that respects and promotes the mental health of all employees and takes a mental health in all policies approach to create healthy workplace structures and practices that positively contribute to and enhances the mental health of all employees.

The Objectives of this policy are:

- To ensure (enter company name) to do not discriminate against any employees or future employees because of their mental health challenges and do not make assumptions or judgements about an employee based in their mental health challenges or diagnosis.

- To take all reasonable steps to accommodate and support employees with mental health challenges to carry out their role in a safe working environment as far as is reasonably possible for the organisation.

- To ensure all workplace policies and practices are oriented to create mentally healthy workplaces where all staff are treated fairly and equally regardless of their demographic, their health or any disability they may have.

- To create a culture of openness, leading by example from the top down where employees feel safe to open up if they are struggling with a mental health challenge.

- To implement a zero-tolerance approach to mental health discrimination and develop a clear process around handling discrimination cases.

- To ensure the language we use does not discriminate any employees with mental health difficulties.

- To protect and sustain the mental health of the whole team and to reduce psychosocial risks.

- To equip managers and employees with the knowledge and tools to mind their own mental health and identify and support a colleague who is in need.

- To develop a crisis intervention plan for people in the workplace at risk of harming themselves, others or disclose that they have been abused.

Policy Section 3: Scope

The scope of the policy refers to who the policy applies to and how it will affect them. Obviously, your main stakeholder of the policy will be your employees. However, you may wish to include other stakeholders here depending on the nature of what your organisation does such as board members, volunteers or contractors. Some aspects of the policy may be relevant to stakeholders whereas others may not. For example, staff training may not be relevant for volunteers but in the recruitment of volunteers they will not be discriminated against for their mental health.

Sample text:

This policy applies to all {**enter organisation name**} employees at every level of the organisation, regardless of their contract duration. Elements of this policy will also apply to job applicants applying for roles within the organisation in terms ensuring non-discriminatory recruitment practices in relation to mental health.

Policy Section 4: Legislation

The development of a Mental Health in the Workplace Policy is not only 'the right thing to do' from an ethical standpoint but is also the necessary thing to do from a legal perspective, as it will not only help employees and improve your business but will also ensure that your organisation does not cause any harm or distress to employees resulting in legal consequences (*WHO 2010a*). An organisation has a legal duty to protect the rights of their employees and ensure that their actions do not contribute to the discrimination and exclusion of people with mental health difficulties, which is an all too common experience (*WHO 2010a*). Employers have a legal obligation to reduce psychosocial hazards that may negatively impacts employee mental health or contribute stress, which also has physical health ramifications (*Health & Safety Authority, 2020*). This begins at the point of recruitment right through to the treatment and retention of existing employees (Irish Human Rights & Equality Commission, n.d.).

A Mental Health in the Workplace policy should include information on relevant legislation, codes of practice and current bills and what they mean for your organisation and employees. This should be written in a way that is easily understandable all managers and employees. Please see **Legal Considerations** section on **pages 17 and 56** for applicable legislation and include as you see fit in this section.

Recommended Policy

The below includes some suggested areas of policy to include. It is not exhaustive but can be used as a springboard to get you going.

Reasonable accommodation

EXPLAINER

As discussed earlier in this document under the Employment Equality Acts 1998-2015 employers are obliged to protect the rights of people with mental health difficulties by taking suitable steps to meet the needs of employees and ensure they are adequately supported to the job they were employed to do and are not discriminated against because they have mental health challenges. This act extends to the implementation of non-discriminatory practices when recruiting people with mental health challenges.

An employer must put reasonable supports or additional facilities in place to allow the person carry out their job. However, if the cost of these measures places a disproportionate burden on the employer these reasonable measures do not have to be put in place. The Equality Authority (2011) state that this means an employer is unable to afford the cost, does not have adequate resources and cannot obtain the necessary funding to implement these measures.

An employer should consider and prepare for the steps they can take to reasonably accommodate an employee with mental health challenges as often challenges such as these can be less obvious than a physical disability so having a in depth understanding of what a mental health challenge is, the stigma surrounding this and how it may affect an employee is key. (*The Equality Authority, 2011*)

Steps to reasonably accommodate an employee might include:

- Time off for medical or counselling appointments
- Access to an employee assistance programme
- Support in situations that may be triggering e.g. anxiety when attending meetings or presenting
- Flexible working hours or allowing an employee work from home where possible
- Access to tools and resources that support an employee's wellbeing

Remember: Having information, tools and resources readily available and accessible in a central location (staff intranet) is useful and means your employee, who is already struggling does not have to go looking for the information.

In your policy you should definitely state that you will reasonably accommodate an employee when in need and explain in high level detail how you will do this.

Remember **Stigma** - evidence indicates that stigma, discrimination and less opportunities are common factors experienced by people with mental health difficulties at work, so it is clear why employees feel reluctant to come forward and ask for help (*WHO. 2010b*).

Sample Text

{**Insert organisation name**} are committed to supporting employees (and new job applicants) who have a mental health challenge and need additional support. Under the *Employment Equality Acts 1998-2015* {**Insert organisation name**} will take all measures as far as is reasonably possible (**insert link for further information**) to support our employees to carry out their jobs, despite their mental health challenges.

If an employee is experiencing mental health challenge, they should in the first instance advise their line manager should they feel comfortable to do so. If this is not the case, there are designated employees who can provide you with impartial advice in a confidential and non-judgemental manner about your rights as an employee on the HR Team (**insert their details**). The HR team can support you to have this discussion with your line manager, as ultimately, they will need to know this information in order to take the reasonable steps needed to accommodate you.

An agreement will be made on what steps can be taken to best support you and a plan will be put in place in relation to this. This plan will be confidential between you, your line manager and relevant members of the HR Team.

If an employee does not feel adequately supported, outline the process they can use to complain about this.

USEFUL RESOURCES

> **Equality and Mental Health - What the Law Means for Your Workplace Guide - The Equality Authority**

Disclosures

EXPLAINER

Equality legislation in Ireland states an applicant or an employee is under no obligation to disclose that they are presently (or were previously) experiencing a mental health challenge (*The Equality Authority & See Change, 2011*). They are completely at liberty to carry out their job without disclosing a mental difficulty and especially, if it has no disruptive impact on them or their workplace, there may be no reason or desire to do this. Nonetheless, there will be times when mental health challenges can affect an employee at work and in this case, it helps managers to take appropriate steps to best support their employees if they know this (refer to section on reasonable accommodation). Before an organisation can put in suitable steps to support employees, they need to be aware of the fact an employee is experiencing mental health challenge, which can often be invisible to others, given the nature of a mental health challenge. Creating a culture at work where mental health is respected and treated equally to any other health concern will make employee more likely to come forward if they are struggling. Employees need to feel safe when disclosing mental health difficulties, so provision of information, clear support structures and trusting work relationships are vital. It should also be clear to employees that disclosing a mental health challenge will not, for example:

- Impact negatively on their career
- Change how people perceive them or treat them
- Impact how their performance is perceived
- Increase the likelihood of discrimination

A clear line-management structure within your organisation will ensure employees have someone they can speak to about a mental health challenge. There should be regular confidential checks ins outside of the performance management structure to ensure your employee has the opportunity to raise an issue or concerns they may have in relation to their mental health. HR or nominated persons within the organisation could also be a point of contact for employees who may not feel comfortable discussing their mental health with their line manager.

''The support people receive from their manager is key in determining how well and how quickly they are able to get back to peak performance and wellbeing. If you notice a member of your team is experiencing mental health difficulties, or they disclose it to you, it is essential you have a conversation with them about their needs.''

Mental Health Ireland, 2019

In your policy, you can outline your commitment to managing disclosures well in your organisation. You can then refer and link to procedures for same.

Human Resources

EXPLAINER

Your Human Resources team play an integral part in responding well to and supporting a team member who is experiencing a mental health challenge. Policies and procedures for this department are essential components of a Workplace Mental Health Policy. Ensure your Recruitment Procedure is non-discriminatory and accessible and include relevant sections below. Take particular care with your Employment Terms and Conditions to ensure they are reasonable and non-discriminatory. Include relevant sections below. Review your Absentee Management and Return to Work Policies.

Pre-screening & Pre-Employment Questionnaires & Medical Assessments

EXPLAINER

According to the **Health and Safety Act** employees working in certain types of occupations may be required to an assessment of their medical fitness to carry out the job. These activities or occupations must be detailed in regulation. An assessment must only be completed by a qualified medical practitioner (*HSA, 2021*)

Employers should be clear in their Mental Health in the Workplace Policy about their approach in relation to pre-screening medical questionnaires and assessments for new job applicants. Medical questions should only be asked when a conditional offer has been made and there is a legitimate reason to do so. **(CC Solicitors)**

The policy should clearly state why this information is being collected and how this information will be used in relation to the recruitment process. Employers should not collect information beyond

the data required to decide if a candidate is fit for the job as this information could potentially sway the selection process **(CC Solicitors)**

Employers should ensure any information collected is in line with current GDPR regulation.

If it is identified at this stage that a candidate has a mental health condition, they should be in the first instance assumed fit to their job and reasonable accommodation must be put in place as far as is reasonably possible for the employer in relation to costs (See page 34 on reasonable accommodation).

According to the IHREC medical tests may be required for particular jobs but should only be carried out '**in relation to that post and not 'fitness in general'** (*IHREC, p.32*)

Remember that the **Employment Equality Act 1998 – 2015** means that employers must not discriminate against any employee or treat them less favourably to other employees upon disclosure of a mental health challenge.

Important to note:

If your organisation uses screening questionnaires and medical assessments, you need to outline in detail in the policy the circumstances where this would apply, how they are handled, who handles them, who has access to any results, what the results are used for, how long the results are kept, and how an employee can access results relating to them.

You need to consider and include how an employee might indicate to you any additional needs they may have in relation to a medical screening. For example, they may have experienced a physical trauma in the past and might prefer a particular gender as their doctor. They may want to bring a supporter with them. Remember that re-traumatisation can and does happen in the context of medical settings. You can minimise this by working with your team member to ensure they feel as safe and informed as possible.

Staff Mental Health Supports and Resources

EXPLAINER

You may want to include the organisation's commitment to providing mental health supports and resources. You can include your Employee Assistance Programme, training, 'wellbeing' days, etc. This will vary from organisation to organisation.

Related Policies & Procedures

List and link to your other relevant organisation policies and procedures in this section.

Examples:

- Bullying & Harassment
- Health & Safety
- HR Policies (time off, staff benefits, sick policy, recruitment, induction, remote working)
- Equality, Diversity and Inclusion
- Data Protection Policies
- Reasonable accommodation policy
- Complaints Policy
- Grievance Policy
- Health & Safety at Work
- Data protection

Complaints related to the Workplace Mental Health Policy

Include a link to the complaints procedure, the process through which a team member can flag if they believe this isn't being adhered to. Also include in the procedure, a process through which a team member can complain if they feel they are not being supported appropriately with any mental health challenge that should arise.

EXPLAINER

Outline how the policy will be communicated and clearly define the critical implementation steps in an implementation plan. Indicate how and when the policy will be implemented. Be clear and specific. Include timeframes, tasks, persons with responsibility, and the ask of team members.

You might like to consider some of the below tasks in your implementation plan:

1. Train management and leadership on the policy

2. Design Monitoring and Evaluation Processes

3. Review all related policies and procedures

4. Train mental health workplace champions on the policy

5. Train all staff on the policy

6. Provide training for the whole team on mental health awareness. You might like to consider Mental Health Ireland's training, detailed later in this document.

7. Provide staff with access to resources such as:
   a. Counselling
   b. Coaching
   c. Mental health champions

8. Promote a culture of team work, collaboration and information sharing

9. Offer opportunities to grow positive working relationships and social connections

10. Promote a healthy life/work balance and ensure managers are modelling same

11. Promote and model positive workplace behaviours

12. Ensure robust policies on bullying and harassment etc are in place and well publicised

13. Provide regular opportunities for staff to share ideas and be involved in decision making

14. Encourage exercise and regular social events to boost staff health, teamwork and mental wellbeing

15. Consider offering mentoring and buddy systems. They can help new starts to understand your organisation faster and support staff to gain confidence and develop new skills

16. Promote a culture of checking in with each other – use campaigns such as Mental Health Ireland's **Hello, How Are You?**

17. Where will the policy be stored and how can it be accessed.

USEFUL RESOURCES

> **CDC Policy Implementation Guide**
> **Heads Up – Developing a Workplace Mental Health Strategy Guidance document**

Monitoring of Adherence to Policy & Evaluation

EXPLAINER

Include how you will track compliance and adherence to policy here. Ideally set up a working group with a leader and team members from different departments. Set a schedule for this.

Evaluation:

You need to design the process through which you will monitor and evaluate both the implementation of the policy and the impact of the policy. There needs to be clear responsibility and accountability set for this piece of work. This is not an add on but a crucial tool for ensuring the policy is implemented and improved.

Accountability will make this an effective policy. Ensure you have a process in place to keep abreast of legislative changes.

Do this before you roll out the policy so you can evaluate from the beginning. Sources of data might include absence rates, EAP Usage, staff surveys, focus groups, interviews, line management feedback, employee performance and productivity.

USEFUL RESOURCES

> CDC Overview of Policy Evaluation

Policy Section 10: ## Policy Change Process

EXPLAINER

Outline how changes to the policy can be proposed, agreed and signed off. Set a review date.

Risks and Remedies +

Ten categories of risk factors for poor mental health (as well as poor physical health) related to the workplace have broadly been identified by the World Health Organisation in 2022. (*WHO, 2022b*)

Below you will find them listed with some suggestions on how to manage these risks. The suggestions are just examples, and where possible we have included remedies that don't require a large monetary investment.

RISK 1

WORK CONTENT/ TASK DESIGN:
e.g. lack of variety or short work cycles, fragmented or meaningless work, under-use of skills, high uncertainty, continuous exposure to people through work

Remedies

Perform a staff skills analysis and strategically assign work based on the skillset of the employee.

Rotate front line staff so they have an opportunity to come away from continuous public facing duties. Even a few hours away from this task can provide relief and variation. Train all members of staff to be able to perform public facing duties so that this break can be facilitated. Timetable it so it happens.

Take time to plan the workloads of your staff members. Work with them to create workplans of at least 6 months at a time so they can have a sense of responsibility and understand what their role is and how it contributes to the larger organisation. This investment of time will ultimately free you up from having to constantly manage the minutia of their daily work.
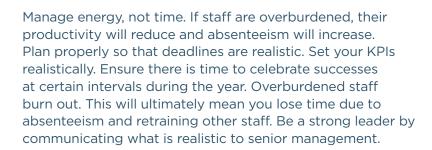
Look for opportunities for your team members to develop new skills relevant to their role. A learning environment can increase meaning and interest, even in monotonous roles.

RISK 2

Remedies

WORKLOAD AND WORK PACE:
e.g. work overload or under-load, machine pacing, high levels of time pressure, continual subjection to deadlines

Manage energy, not time. If staff are overburdened, their productivity will reduce and absenteeism will increase. Plan properly so that deadlines are realistic. Set your KPIs realistically. Ensure there is time to celebrate successes at certain intervals during the year. Overburdened staff burn out. This will ultimately mean you lose time due to absenteeism and retraining other staff. Be a strong leader by communicating what is realistic to senior management.
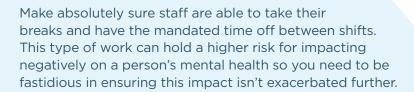
If there is work underload, review the needs of the department and work with the employee to match their skills to the needs. This will take some time but ultimately will protect the organisation and staff member. If there are times where there isn't enough work, set learning objectives with the staff member so they can use their time to study, shadow or work with a mentor.

RISK 3

Remedies

WORK SCHEDULE:
e.g. shift-working, night shifts, inflexible work schedules, unpredictable hours, long or unsociable hours

Make absolutely sure staff are able to take their breaks and have the mandated time off between shifts. This type of work can hold a higher risk for impacting negatively on a person's mental health so you need to be fastidious in ensuring this impact isn't exacerbated further.

If possible, make available healthy subsidised food as it may be difficult for these workers to routinely shop or prepare food.

Check in with these employees more often and make sure they have line-management supervision so you can flag early if a person is experiencing mental health distress.

Create opportunities for these team members to connect to the rest of the team. This can be social events but could be an online forum, app, or group chat.

If your employee is desk based, ensure lighting and screen settings are appropriate to the shift.

Communicate an employees roster to them as early as possible, and stick to the schedule where possible. This will help the employee to plan their own lives.

RISK 4

CONTROL:
e.g. low participation in decision-making, lack of control over workload, pacing, etc.

Remedies

Consult regularly with your employees through line management and informal check in sessions. Provide a space where the employee can be heard and where they can contribute ideas.

Provide forums for feedback and take the feedback on board where it is of benefit to the organisation and workforce. This could be through Friday evening or Monday morning standing meetings. Or it could be through staff days or focus groups.

Employees don't need to hold the reigns completely to feel a sense of control. They need to be heard and to have an opportunity to share their concerns.

Remember that your employees are a resource and may have insight into a better way of doing particular tasks.

Have team meetings where senior management are present and engaged.

Introduce the Board of Management to the workforce.

Avoid micro-managing at all costs. It is a destructive practice and inhibits the employee from growing in confidence and ability. Practice trusting employees.
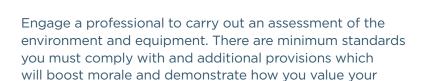
RISK 5

ENVIRONMENT AND EQUIPMENT:
e.g. inadequate equipment availability, suitability or maintenance; poor environmental conditions such as lack of space, poor lighting, excessive noise

Remedies

Engage a professional to carry out an assessment of the environment and equipment. There are minimum standards you must comply with and additional provisions which will boost morale and demonstrate how you value your employees.

Create a process through which any environment or equipment issues can be reported.

Commit to acting on any issues that arise within a certain timeframe and follow through. This will build trust with your team.

Engage directly with the team to work together on a solution where some of the factors are immovable. There may be a workaround which your team members have already thought of but didn't have the authority to carry out.

RISK 6 → Remedies

ORGANISATIONAL CULTURE & FUNCTION:
e.g. poor communication, low levels of support for problem-solving and personal development, lack of definition of, or agreement on, organisational objectives, organisational change; high competition for scarce resources, over-complex bureaucracies

Communication is at the heart of this risk. Improve multi directional communication and many of these issues will resolve.

Ensure the organisations strategy is clear and accessible and that workplans stem from the strategy.

Ensure leaders are accessible and check in on staff to make sure that is their experience.

Be honest and clear in your communication with staff. If there is an issue, name it. If there is to be changes to the status quo, communicate it early and bring representatives from the team on board to be a part of the change making process.

Consider internal newsletters and forums to ensure everyone is on the same page.

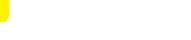Ensure regular line management meetings for all staff.

Dissolve siloed working to pool resources and improve communication and team working

RISK 7 → Remedies

INTERPERSONAL RELATIONSHIPS AT WORK:
e.g. social or physical isolation, poor relationships with superiors, interpersonal conflict, harmful work behaviours, lack of (perceived, actual) social support; bullying, harassment, mobbing; microaggressions

Ensure your Bullying and Harassment Policy and Procedures are clear, accessible, up to date and that they are followed.

Create an avenue through which an employee can complain or report an issue that bypasses their line manager.

Communicate and explain the procedure at intervals throughout the working year.

Get Senior Management to review any complaints and their follow up on a bi-annual basis.

Provide training for all staff on bullying, dignity at work, unconscious bias, diversity, and microaggressions.

Provide conflict resolution training for managers.

Minimise lone working and where it is essential, provide other means through which the employee can connect with the team. This could be through forums, group chat, and wellbeing days. Bring employees from different teams together to work on projects.

Wellness Works

RISK 8

ROLE IN ORGANISATION:
e.g. role ambiguity, role conflict, and responsibility for other people

Remedies

Provide clear role descriptions to new starters. Review these role descriptions with your staff at line management meetings. Where there is role drift, explore why this has happened. If it is essential to the work, ensure the employee has had appropriate training and mentorship. Revise the role description and agree it with the employee. If the drift is not essential, reallocate the work or discontinue it. Clear role descriptions should reduce instances of role conflict.

Ensure managers who have responsibility for other people also have an opportunity to meet for line management with their own superiors. It is just as essential for managers, if not more so.

Provide peer support and networking opportunities where managers can learn from and empathise with those in a similar position.

RISK 9 ———→ Remedies

CAREER DEVELOPMENT:
e.g. career stagnation and uncertainty, under-promotion or over-promotion, poor pay, job insecurity, low social value of work

Invest time in considering pathways for progression for roles within your organisation.

If progression isn't possible, ensure staff members have learning opportunities via training, mentoring or shadowing. This will help the person to continue to progress even if progression to different roles isn't possible in the organisation.

If there is low social value associated with certain roles within your organisation, make a deliberate effort to express your appreciation you have for colleagues who perform those roles. Ensure they are included in team meetings and social events.

When promoting, ensure your current employees are aware of the competition, even if it is an external competition.

Provide focused support for the first six months of new promotions. This is frequently a stressor as the individual may be reluctant to ask for help as they want to appear to have been the right hire. Formalise check ins so there is an opportunity built in where the person promoted can ask questions and get the support needed.

Poor pay can be hard to address without a monetary investment. However, things like working from home on some days and group health insurance schemes can reduce some of a person's outlays. You might be able to link in with local business to put in place discount schemes for your employees.
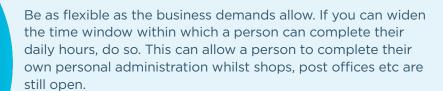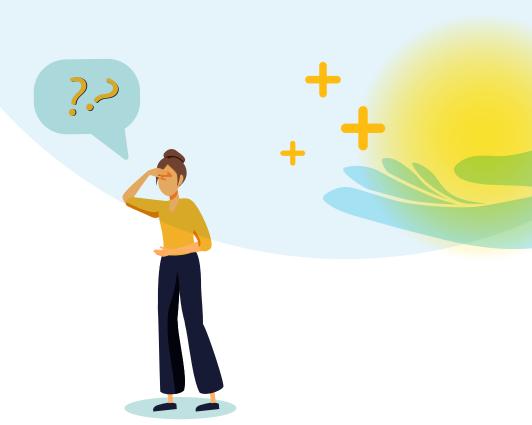
RISK 10

HOME-WORK INTERFACE:
e.g. conflicting demands of work and home, including for persons with caregiving responsibilities, low support at home, dual career problems; living at the same site where the work is done, living away from family during work assignments

Remedies

Be as flexible as the business demands allow. If you can widen the time window within which a person can complete their daily hours, do so. This can allow a person to complete their own personal administration whilst shops, post offices etc are still open.

Consider a hybrid work model. This can give the person back commuting hours and allow them to achieve a greater work/life balance.

If you have an EAP programme including counselling, ensure your staff know that they can utilise it to help manage these types of stressors. For example, discussing their care-giving responsibilities with a neutral person might help them feel relieved and heard. Some employees presume EAP supports are just for work related issues.

Make sure to advertise local supports for carers, families experiencing addition, financial issues, in shared spaces at work. You might even consider inviting local support groups in to discuss their services.

Responding Well to a Colleague in Mental Health Distress +

It is important to recognise that an employee's performance or behaviour can be affected if they are experiencing a mental health challenge. If you have specific grounds for concern, such as high absence levels or impaired performance, it's important to address these at an early stage. The support people receive from their manager is key in determining how well and how quickly they are able to get back to peak performance and wellbeing. If you notice a member of your team is experiencing mental health difficulties, or they disclose it to you, it is essential you have a conversation with them about their needs.

Below we provide tips to having conversations about mental health with team members you manage.

THINGS TO KEEP IN MIND

- Your role is to support and signpost
- You are not there to diagnose or fix
- Give time & space
- Avoid making assumptions
- Being non-judgemental & compassionate
- Be prepared with helpful information on signposting and supports available

WHAT DO I SAY?

Whilst what you say is of course important, giving someone the time and safe space to say how they feel and to really be listened to is essential. Keep these things in mind when chatting with someone about their mental health.

- Compassion and non-judgment
- Be honest, direct and clear in what you are saying
- Respect confidentiality but explain the limitations of that confidentiality. i.e You may have to disclose if you have concerns for their safety or the safety of others
- Questions to ask / Questions to avoid
- Push back

There are no perfect things to say. Try to be friendly and open in what you are saying instead of feeling you have to say the right thing. This is just your work colleague in front of you. They may be going through some challenges but they are still the same person.

Be honest, direct and clear in what you are saying. Try some of these openers:

- How are you doing?
- You don't seem yourself lately, how's it going?
- I noticed you've been quiet this week, you OK?
- What's been happening for you lately?
- I haven't caught up with you and wanted to see how you are feeling?
- How's life? How are the family?
- You got time for a coffee & catch up?
- Work's been full on this month, how're you managing?

Use open questions or at least follow a closed question with an open question. For example:
"I noticed you've been quiet this week, you OK?" Then you could follow with something like, **"What's been happening for you lately?"**

If your colleague says they are fine but you still feel they are not, ask again. Perhaps try asking a different question.

Avoid accusatory or assumption-based questions like:

- What's wrong with you?
- Why are you acting so strangely?
- Why are you always looking so depressed?
- What's with the low energy?
- You're not the same person we took on. What's wrong?
- Is it that time of the month?

You may experience push back. That is ok. If they don't want to talk, don't criticise them. Tell them you're still concerned and are there if they would like to talk at a different time. Avoid a confrontation.

You could say:
"Please call me if you ever want to chat about this again."
or **"Is there someone else you'd rather talk to?"**

If now is a good time for them to talk and they do engage with you, LISTEN.

- Take what they say seriously and don't interrupt or rush the conversation.
- Don't judge their experiences or reactions but acknowledge that things seem tough for them. If they need time to think, sit patiently with the silence.
- Encourage them to explain:
  "How are you feeling about that?" or **"How long have you felt that way?"**
- Show that you've listened by repeating back what you've heard (in your own words) and ask if you have understood them properly.
- Know you don't have to have any or all the answers.
- And remember: **COMPASSION, COMPASSION, COMPASSION**.

Respect confidentiality but explain the limitations of that confidentiality. i.e. You may have to disclose if you have concerns for their safety or the safety of others. Reassure the individual that any private information they disclose will not be shared to their colleagues. Discuss with the individual any information they would like shared with team colleagues and how, as this can be very supportive for some people.

WHAT DO WE DO NOW?

It is natural at this point of the conversation to sometimes feel a little overwhelmed. It is important to remember that your colleague may feel very vulnerable having opened up and potentially become upset. Give them a minute to relax and take a few breaths yourself. Remember again that you are doing with rather than doing for.

The following might help you:

- Thank, Acknowledge, Reassure
- Focus on Strengths, Encourage Action
- Agree a Plan
- Set a date for Check In
- Closing the Conversation
- If Unsure Seek Support
- Self-Care
- Returning to Work
- Crisis Support
- Irish Legislation

Avoid statements like:

- You should do mindfulness.
- Man up.
- It'll pass.
- Cheer up.
- It's not as bad as you think.
- Sure, it's that time of year. Get a SAD lamp/vitamin D tablets/blueberries/porridge/a weighted blanket.
- You should give up the pizzas and eat healthier.
- I go to the gym and I always feel great. Why don't you do that.
- Why don't you go to the GP and ask for antidepressants? They worked for my sister/aunt/neighbour's stepmother.

It's important to assist the person in identifying their own supports and strengths. Trust that the person has the answers and strengths required to move themselves on through the next steps. You can help them reflect and identify these supports and to assist in linking them in with them if required. Remember you are doing with, not for.

> **Consider asking some of the following questions:**
>
> - **Have you ever felt like this before?**
> - **What have you done in the past to manage similar situations?**
> - **Is there someone in your life who you trust and who could support you?**
> - **How would you like me to support you?**
> - **What do you need right now in this moment?**
> - **What's something you can do for yourself right now? Something that's enjoyable or relaxing?**
> - **So what is your next step today?**

If they've been feeling unwell for more than 2 weeks, encourage them to see a health professional. Again remember you are doing with not for. You could say:

- It might be useful to link in with someone who can support you. I'm happy to assist you to find the right person to talk to.
- The GP is often a great first point of contact for looking after your mental health. They usually have links with the other support services and know what's available in the community. Have you a GP?

- There's a good website/live line for getting information about the types of supports that are out there. Would you like us to give them a ring?

- I have an information sheet and some leaflets from local supports. We can have a look at some of them if you like?

- Did you know we have an Employee Assistance Programme. Lots of people use it when they are going through a tough time. Would you like to have a look at some of the options in it? It's confidential and solely there to support employees.

Be positive about the role of professionals in getting through tough times. Agree a plan with the person. Let the person lead in identifying what they need to support themselves. Be as flexible as possible in your responses and in how you can facilitate them getting the care they need. Encourage the person to name their next step.

Endings are important as people may experience increased vulnerability having disclosed how they are feeling. The ending is an opportunity to close things down and to provide reassurance.

- Sometimes conversations will come to a natural end. However, if this does not happen give the person a gentle indication that the conversation needs to come to an end.

- Thank, acknowledge and reassure again.

- Summarise your conversation and anything you have both agreed to do. For example: **"You have told me that you are going to speak to your GP about how you are feeling, and I will text you by the end of the day with the details of how to access counselling sessions through our Employee Assistance Programme."**

- Ask practical questions such as **"Is there going to be someone there when you get home?"** or **"Is there a friend you can go and see?"**

- Let the person know about Samaritans service and to contact their local A& E if they need support immediately.

- It may not be possible to get a clear idea of the next steps the person will take as a result of talking to you. Ending the conversation by inviting them to take some time to reflect on what has been discussed and to consider what they may want to do going forward could be the best way to bring the conversation to a close, especially if you feel that there is nothing more you can say at that time.

- Agree a next date for a check in.

The information in this section is from Mental Health Ireland's '**Tips for Managers – supporting an employee who is experiencing a mental health challenge**'. You can find the full booklet **here.**

This booklet details how to support a colleague who is returning to work and what to do should you have an immediate concern for a colleagues safety or that of another person.

Notes

4 Future Directions for Workplace Mental Health

In recent times, our reality has been reshaped. Businesses had to adopt new ways of working, leaders and managers had to rethink their visions and practices, employees had to learn new skills and work procedures, and this had to happen as a rapid response to the ever changing COVID-19 pandemic. We all felt the pressure to ensure the survival of our organisations. Change has happened on a scale rarely experienced, be it social, cultural, or existential. At the same time, a need and desire emerged for a more holistic and inclusive vision of organisations as groups of people, and employees as complete human beings that cannot be compartmentalised based on their role in the workplace only.

As a consequence of this large-scale reconfiguration, it is expected that in the next two to three years, post COVID-19, the increased level of awareness of the importance of mental health in the workplace will require changes in the scope and variety of mental health related initiatives needed in workplaces around the country, for example:

- Variety of wellbeing supports
- Focus on developing manager skills around employee mental health
- Focus on maintaining employee connectivity to each other
- Focus on maintaining employee connectivity to the organisation
- Communications to employees around wellbeing
- Focus on reducing work related stress

Ignoring this call for change might have negative consequences for organisations in term of employees' wellness, recruitment, retention and productivity.

We have an opportunity to work together to build a better and healthier workplace. Leaders who are willing to rethink their company culture to align with this new reality will be better equipped to understand and manage the structural change needed for their companies and organisations to flourish.

Leaders and managers are uniquely positioned to shape the vision and culture of their whole organisations. Their mindset, passion and drive for positive change can, in turn, inspire everyone else in their organisation to proactively take action towards building healthier workplaces and a more sustainable future.

In exchange for the structural change required, organisations can gain more motivated and productive employees, can develop new and innovative skills, build capacity for new processes, and empower employees to be more confident and creative in their teamwork.

As best practice evolves and we learn from each other and from the changes we commit to now, Mental Health Ireland will reflect those changes in this living document.

Signposting

Signposting is pointing someone in the direction of available supports and services. You don't have to be an expert on a person's difficulty or know all the services out there.

There are organisations whose role it is to make the more specialised recommendations. The **HSE** have an information portal and phone line set up for this specific purpose. You can find it on **www.yourmentalhealth.ie** or by calling **1800 111 888**.

The Samaritans are also an excellent first point of contact when exploring available supports. **Freephone: 116 123**.

Your GP is also qualified to refer to services and make recommendations on appropriate supports.

You can also go to the **Mental Health Ireland website** for national supports and county-by-county supports.
www.mentalhealthireland.ie/support

Supports available

If in CRISIS please call:

Your local G.P.

Samaritans (24/7)
Freephone: **116 123**

SUPPORTS

Text about it (24/7)
Text free: **50808**

INFORMATION

www.yourmentalhealth.ie
YourMentalHealth (HSE) 24/7 info line
Freephone: **1800 111 888**

www.citizensinformation.ie

www.hse.ie

Breakdown of Ireland's Workplace Relevant Legislation and Regulations

1989
Safety, Health and Welfare at Work Act, 1989

Health & Safety Authority was set up in Ireland through this act to oversee employer compliance with Health and Safety legalisation. Employers are required to have a H&S risk assessment covering physical, biological and psychosocial risk. To date, the focus has primarily been on physical and biological hazards but there is increasing recognition of the need to address psychosocial issues.

1998–2015
Employment Equality Acts

Under the Acts, employers are required not to discriminate against employees on the basis of a wide range of employment and employment related issues and to make reasonable accommodation to facilitate the participation of people with a disability (including mental health issues) including access to employment; participation in or advancement in the workplace and to undertake training.

The EEA Employment Equality Acts 1998–2015 applies to employers, self-employed and employees and protects the rights of employees and potential employees based upon nine grounds of discrimination at work, including:

(IHREC, Irish Congress of Trade Unions, 2017)

1. **Gender**

2. **Civil status**

3. **Family status**

4. **Sexual Orientation**

5. **Religious beliefs**

6. **Age**

7. **Disability**

8. **Race**

9. **Membership of the Traveller Community**

For this purpose of a Mental Health in the Workplace Policy, employers should be concerned with Number **7 – Disability,** as this covers the rights of employees with existing or pre-existing mental health challenges. According to *SeeChange (2013)* disability covers physical, intellectual, emotional, and mental health difficulties. Notably, discrimination in any capacity is a risk to factor for poor mental health and stress (*WHO, 2000*) and therefore all grounds of discrimination must be considered upon the implementation of a Mental Health in the Workplace policy.

The Act covers the following areas in relation to employment:

- **Access to the employment**
- **The conditions and environment of employment**
- **Training and experiences**
- **Promotion or re-grading**
- **Classification of post**

The aim of this act is to protect the rights of people with mental health difficulties by ensuring employers take suitable steps to meet the needs of employees and job applicants, so they have the support to do their job, and do not experience discrimination as a result of their mental health difficulties (IHREC, n.d). This is often referred to as Reasonable Accommodation and will be discussed in more detail further along in this policy guidance.

Employers do not have to hire, promote or retain staff not capable of doing the role they were hired for, but they cannot deem a person unsuitable for a role without having implemented appropriate supports to allow a person with disabilities to do that role (IHREC, n.d.)

Discrimination

According to the Employment Equality Act 1998 Discrimination occurs when one person is treated less favourably to another on the basis of the 9 Grounds of Discrimination (as listed in section above). Mental health is protected under the grounds of disability discrimination. Discrimination can occur both directly and indirectly and therefore, it is essential that employers put in place clear policies and guidelines to prevent discrimination from happening and so all staff have a clear understanding of what constitutes discrimination in the organisation.

The IHREC define the types of discrimination (under the 9 Grounds of Discrimination) below (as per the Employment Equality Acts 1998 – 2015)

Direct Discrimination

This occurs when one employee (or job applicant) is treated less favourably to another employee (or job applicant) in the same situation or circumstance. For example, if an employee discloses that they have a mental health challenge and is not considered for a potential promotion (yet their colleagues are) as a result of this.

Indirect Discrimination

This occurs when an employee (or job applicant) is treated less favourably to another employee (or job applicant) because of a certain requirement they cannot satisfy.

For example, a job advertisement may specify that the candidate must hold a driving licence and have access to a car, but a person may have a particular illness, disability or take certain medications that will not allow them to drive. The organisation would need to look at any suitable steps or an appropriate workaround they can take to support this person to do the job (for example, access to public transport). If driving is essential for the business needs and the organisation can provide no alternative solution, they must prove this and provide a clear reason why the job applicant could not be accommodated

Employers must consider that discrimination can be two-fold for employees and their mental health

- Employees can be discriminated against because they have a mental health challenge

- Employees can be discriminated against for many other reasons such as race, ethnicity, sexuality or having a disability, etc.

Discrimination of any form can impact an employee's mental health and wellbeing. Therefore, equality and inclusive practices should be at the heart of organisational structures, systems and policies to avoid discrimination of any kind. Clear policies and procedures reduce the risk of discrimination as a result of conscious or unconscious bias. For example, people may hold judgements against people with certain characteristics and be aware of this (conscious bias). Being aware of this means they can actively work towards changing this. Not being aware of this (which is what we sometimes refer to as unconscious bias) however means that the organisation needs to put in place appropriate systems to eliminate the risk of this occurring.

For example, a job applicant may disclose at interview stage that they have had mental health challenges in the past. The interviewer may see that person as less capable as a result despite the fact they have demonstrated that they have the experience & qualifications to the job and are the right fit for the company. They may not be aware of the judgment, therefore, clear recruitment processes, including transparent interview scoring, having multiple people on the interview panel and appropriate interview skills training may reduce the risk of this bias occurring.

Employers should be proactive about addressing workplace discrimination by educating an upskilling staff to understand and address our bias and unconscious bias which can sometimes lead to discrimination.

Employers must operate a zero-tolerance policy towards incidents of discrimination at the workplace to avoid being in breach of regulation but also to ensure the workplace is a safe and happy place for employees where all people are respected regardless of their background or circumstances,

If an employee feels they have been discriminated against they have the right to ask their employer for certain information that may support their case. Employees should be made aware of how they log an incident of discrimination and should be made feel safe to do so. Employers should be proactive in making employees aware of how they can report incidents of discrimination. This can be done through company policies, procedures, training, and appropriate signposting,

If an employee is requesting information from their employer, they can access the relevant form Statutory Instrument No 321/1999 – the Employment Equality Act, 1998 (section 76 Right to Information) 1999, at Schedule A. The form is available on-line at **www.statutebook.ie**

USEFUL RESOURCES

> **Making a complaint under the Equal Status Act**

2005
Disability Act

The Disability Act 2005 protects workers from discrimination on the basis of disability, including mental health difficulties

The Disability Act was set up to protect and promote the rights of people with disabilities in the Irish state. A person with a disability is described as someone who is unable to carry out their job or engage in social and cultural life due to an enduring physical, sensory, mental or intellectual impairment (*AHEAD, n.d.*). People with mental health challenges are protected within this act and have the right to their needs assessed and supported in order to be able to carry their daily tasks such as engagement in education or employment.

According to *Duffy (2018)* the **Social Model of Disability** places greater responsibility on structural issues in society which can often disable people from living their life optimally rather than a person's disability being the issue by removing these barriers people with disabilities are enabled, empowered and can live their lives with autonomy.

An employee has the right to make a complaint to Ombudsman in relation to their needs being met and adequate provision of services to support them in the workplace (*Duffy, 2018*)

The Disability Act 2005 Act also promotes the employment of people with disabilities specifying that at least 3% of the public sector workforce should make up people with disabilities (*AHEAD,n.d.*)

2005
Safety Health & Welfare at Work Act

The 2005 Act puts the responsibilities for safety and health directly on those in charge of workplaces, and Directors and managers who control the work being done have to take on this responsibility.

The Act applies to employers, self-employed and employees (*Health & Safety Authority, 2020*). This is often associated with the physical work environment, but equally as important it covers psychosocial hazards to employee health and welfare and failing to address these risks can have serious and even detrimental impacts your organisation. The WHO (2010a) in their Healthy Workplace; Framework and Model believe workplace polices should go a step further and develop practices that contribute positively to employee wellbeing. Furthermore, the HSA 's (2008) vision for a healthy workplace is one where employees view work as a positive contributor to mental health and wellbeing and at the same time, workplaces view employee health as fundamental to good work.

Employers should put appropriate measures in place to assess the work environment for psychosocial hazards and take the appropriate steps to ensure the environment, culture, job roles and relationships do not pose negative consequences to employee's wellbeing or result in stress (*HSA, 2020; SeeChange, 2013*). The policy implications of this Act will be discussed in greater detail later on in this document.

2018
GDPR and The Data Protection Act 2018

The General Data Protection Regulation (GDPR) applies from 25 May 2018. It has general application to the processing of personal data in the EU, setting out more extensive obligations on data controllers and processors, and providing strengthened protections for data subjects. Sensitive information surrounding mental health of staff should be treated with the utmost care and confidentiality. As with all personal information held by an organisation, compliance with GDPR around information relating to staff mental health is highly important. Any information recorded among other restrictions, must be obtained lawfully, held for a specific purpose, and obtained through explicit consent by the individual.

Information stored must be accurate, secured and protected and any use of the information for reasons outside the scope of obtainment may lead to a breach. This breach may not only result in fines but may also lead to the breakdown of trust and confidence in the relationship between staff and employers. The breach may further cause distress or potential reputational damage for the individual involved as well as the organisation as a whole.

Employers should ensure that staff are adequately trained on all aspects of GDPR and staff awareness on the potential causes of breaches such as forwarding emails, texts or files containing personal data or sensitive information.

2021

Workplace Relations Commission's Code of Practice on the Right to Disconnect

The Work Relations Commission (WRC) describes the right to disconnect as including:

- **"The right of an employee to not routinely perform work outside normal working hours.**

- **The right to not be penalised for refusing to attend to work matters outside of normal working hours.**

- **The duty to respect another person's right to disconnect (e.g., by not routinely emailing or calling outside normal working hours)".**

(*WRC, Code of Practice on the Right to Disconnect. p4*)

The right to disconnect is particularly relevant for staff who work remotely, flexibly or have a hybrid working arrangement, where it may be more difficult for employees to "switch off". Incorporating this right into your policy and encouraging this in your workplace can go a long way in showing an organisation-wide commitment to protect and respect your staff's personal life and further, their work-life balance.

2022

Scheme of the Right to Request Remote Working Bill 2022

Following the pandemic, the workplace as we know it has changed. We know now that it is not only possible for some of the workforce to work from home, but that large sections of the workforce in a position to do so, would prefer a remote (28%) or hybrid option (60%). (McHugh,2022) This accommodation may not only aid in the retention of skilled staff but attract new talent to your organisation. Having a remote working policy for your staff can set out clear boundaries and expectations where this arrangement is in place. This way staff can feel supported and have a clear idea of what is expected of them, and the organisation can ensure that expectations are met and adhered to.
This bill sets out:

- An employee's statutory right to make, or to have made on their behalf, a request for Remote Working

- A requirement that an employer deal with a request as soon as possible but not later than 12 weeks after receiving it

- A requirement that an employer may refuse a request if it cannot be accommodated on reasonable grounds

- A requirement on employers to maintain a policy on remote work which can be inspected by employees and the Workplace Relations Commission, to provide for reference of the matter to the Workplace Relations Commission if an employer does not deal with a request in accordance with the process specified

(*Scheme of the Right to Request Remote Working Bill 2022, p3*)

USEFUL RESOURCES

> **Employment Equality Act Rights Guide**

> **Overview of the Disability Act, 2005 - AHEAD**

> **Data Protection Legislation**

> **Safety, Health and Welfare at Work Act 2005**

> **Health & Safety Authority Website**

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- Data Protection Act 2018
- Disability Act 2005
- Employment Equality Act, 1998
- EU Safety at Work Directive 89/391/EEC 1989
- EU Strategic Framework on Health & Safety at Work 2021-2027
- Safety, Health and Welfare At Work Act, 1989
- Safety Health & Welfare at Work Act 2005
- Scheme of the Right to Request Remote Working Bill 2022
- Workplace Relations Commission's Code of Practice on the Right to Disconnect 2021

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Fundraising for Mental Health Ireland

If your workplace has found this document useful and would like to contribute to the work of Mental Health Ireland by organising a fundraiser, please email:
fundraising@MentalHealthIreland.ie

Funds raised for Mental Health Ireland enable us to continue to promote mental health and support recovery across Ireland.

Mental Health Ireland Workplace Training & Resources +

One of the ways Mental Health Ireland promotes mental health and wellbeing is by training people within workplaces and communities on different aspects of mental health and providing them with the knowledge and tools to enhance their own mental health. Our trainings also support business leaders and managers to create healthier workplaces.

Our current workshops for businesses and organisations include both online or in person.

Workshops include:

- **Connect Cafés** - 1/1.5 hr long events to connect with other people and have conversations that promote positive Mental Health.

- **5 Ways to Wellbeing** – available in webinar or workshop format. This session illustrates simple actions people can do everyday to feel good and function well.

- **Mental Health & Wellbeing for Managers** – a half-day long session to support leaders and managers to take care of their own Mental Health and to have conversations about Mental Health with their employees who might be struggling.

- **Mental Health & Wellbeing for Employees** - a half-day long session that explores the concepts of Mental Health & wellbeing and how they apply in the workplace.

- **Mental Health & our Relationship with Alcohol** – a 2 hrs long session that explores the relationship between alcohol and Mental Health and some positive coping strategies people can use in their lives.

More information about our Mental Health Promotion corporate workshops is available on Mental Health Ireland's website at www.mentalhealthireland.ie/training or on our Training Brochure.

There are also additional public events that are available to individuals or small business who may not qualify with numbers for one of our corporate bookings from our brochure. They are delivered online and can be booked on Mental Health Ireland Eventbrite.

Over the last five years, a pattern emerged from our workplace training feedback telling us that managers need more specific knowledge and tools to help them support colleagues who are experiencing mental health challenges. Taking this as a starting point and building on the latest research on the risks to mental health in the workplace, we have coproduced 'Wellness Works – A Framework for Progressing Mental Health in Your Workplace' to support leaders and managers to protect and sustain their staff's mental health at work and respond supportively when a team member experiences a mental health challenge.

The Framework covers the **current status of mental health in the workplace, legal considerations, mental health as a health and safety consideration, Workplace Mental Health Policies,** and **risks and remedies**.

Mental Health Ireland