

STIGMA AND DISCRIMINATION IN EMPLOYMENT

Mental health is one of the most important issues facing employers and employees. Taking and keeping a job has consistently been shown as a key life goal, and the confidence and self esteem employment provides is key to emotional wellbeing. A workplace that promotes good mental health achieves more through greater morale and productivity.

Even given the powerful evidence that mental health problems in the workplace impair the success of those workplaces through days lost, stress or staff turnover, the stigma surrounding mental health issues in Scottish workplaces is rife.

- Nearly 3 in 10 employees will have some kind of mental health problems in any given year. (Office for National Statistics)
- Some studies have found employment rates for people with severe mental health problems are as low as 4%¹.
- 117,000 Scots with mental health problems want to work, and are unable to access jobs.
- Over 91 million working days are lost due to mental ill health every year. (Dept. of Health)
- Stress related absence accounts from nearly half of all sickness, with an estimated cost of £4billion per annum.
- In 1995, 279,000 people in the UK believed they were experiencing work related stress, anxiety or depression. (Health and Safety Executive)
- An Institute of Management survey of members showed that 16% of managers had taken time off in the last year because of stress. (Health and Safety Executive)

What About Finding Work?

- People with long term mental health problems are the most likely of any disabled people to be out of work: only 21% of people with long-term mental health problems of working age are actually working, as compared to 49% of disabled people overall (DRC Disability Briefing, 2003).

¹ Perkins R.E. & Rinaldi M. (2002), *Unemployment rates amongst patients with long-term mental health problems: A decade of rising unemployment*, Psychiatric Bulletin 26, 295-298

- A 2001 study found that only 37% of employers said they would in future take on people with mental illness. This compared to the 62% who would take on physically disabled people, 78% who would employ long-term unemployed people and 88% who would appoint lone parents. (Department for Work and Pensions, 2001).
- 64% of young people say that they would be embarrassed to disclose a mental health problem to a prospective employer. (Mind Out for Mental Health, 2001)
- 37% of people with mental health problems report facing discrimination when looking for work. (Mental Health Foundation, 2000)

What about during employment?

- 90% of workplaces have no formal mental health policy².
- In a 1996 survey of people with mental health problems by Mind, 52% concealed their psychiatric history for fear of losing their job.
- In the same survey, people reported various consequences of revealing their mental health problems in the workplace:
 - 34% said they had been dismissed or forced to resign.
 - 39% said they had been denied a job
 - 16% said they had been threatened with dismissal
 - 15% said they had been denied promotion

Is it a question of law?

The Disability Discrimination Act (1995) (the DDA) was passed to provide disabled people with protection from discrimination in all aspects of life. Many people with mental health problems are disabled under the definition of disability used in that law.

- Ensuring access to employment is a central component of the law. Of all employment cases taken under the DDA, 23% have related to people with a mental health impairment³.

² Confederation of British Industry/Department of Health, *Promoting Mental Health at Work*, 1997

³ Disability Rights Commission "Coming Together: Mental Health Service Users and Disability Rights", 2003.

- The first case the Disability Rights Commission supported under the DDA concerned a man with depression dismissed from his job as a local authority accountant. He won the case, and was awarded £120,000 in loss of earnings³.
- Even although the DDA helps some people, many workplaces are not covered, and many mental health problems fall outside the remit of the legislation. It is important that employers not only meet their legal obligations, but also meet and exceed the other requirements of a mentally healthy environment.

What Can Employers Do?

- In many cases, it is possible for employers to accommodate workers with mental health related disabilities, by making simple changes to policies and practices. Taking the step and forming a mental health policy, and putting it into meaningful practice, can go a long way.
- In some cases, it will be necessary to avoid treating someone “less favourably” by making changes known as “reasonable adjustments”, to make sure a disabled person can continue with their job, or join a company as an equal. These could include additional supervision or support, mentoring, or flexible working patterns.
- Studies have shown that employer’s assumptions about employees with mental health problems, including worries about their liability insurance, potential litigation, and the employee’s competence, are often based on not knowing where they can go for advice and information. (Learning and Skills Council/North Birmingham NHS Trust 2003)

For further information and advice on all aspects of employment and mental health problems, contact Safe and Healthy Working (www.safeandhealthyworking.com), The Disability Rights Commission (www.drc-gb.org) or see the links section of the ‘see me’ website (www.seemescotland.org)