AGENDA ITEM NO 13
REPORT NO 84/11

ANGUS COUNCIL

STRATEGIC POLICY COMMITTEE – 1 FEBRUARY 2011

REPORT BY CHIEF EXECUTIVE

MENTAL HEALTH AND WELLBEING POLICY

ABSTRACT

This report seeks approval to adopt a Mental Health and Wellbeing Policy for the council.

1. RECOMMENDATION

The committee agree to adopt the Mental Health and Wellbeing Policy as outlined in the appendix to this report.

2. BACKGROUND

One of the commitments given by the council in its People Strategy is that it will provide employees with a healthy and safe working environment that promotes wellbeing. A key element of this commitment is the protection and promotion of employee mental health and wellbeing.

The World Health Organisation has estimated that one in four people will experience mental health problems at some point in their life. A person’s susceptibility to such problems will, in part, depend on their personal circumstances and environment and people in work are less likely to develop such conditions. However, some of our employees will experience mental health difficulties and the council must do what it can to minimise that number and to help those who do develop such conditions.

The Chief Executive’s Department service improvement plan for 2010/11 includes a commitment to develop a Mental Health and Wellbeing policy for the council.

3. PROPOSAL

The council has a variety of policies and practices in place to help ensure that work activities do not have a detrimental effect on employees’ health, whether physical or mental, and to provide assistance to employees who are experiencing mental health difficulties.

The aim of the proposed Mental Health and Wellbeing Policy is to bring together existing measures within the context of a coherent policy which both sets out the council’s aims in respect of the promotion of mental health and wellbeing and how it intends to achieve those aims.

The proposed policy is outlined in the attached appendix.

The policy is based on and supports the World Health Organisation’s definition of mental health and wellbeing:

‘Mental health is not just the absence of disorder. It is 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 his or her own community.’

Adoption of the policy will also assist council services to achieve the requirements of the Healthy Working Lives award scheme.

4. FINANCIAL IMPLICATIONS

There are no financial implications associated with the terms of this report.
5. **HUMAN RIGHTS IMPLICATIONS**

There are no human rights implications associated with this report.

6. **EQUALITIES IMPLICATIONS**

The issues dealt with in this report have been the subject of consideration from an equalities perspective. An [equalities impact assessment](#) has been undertaken.

7. **CONSULTATION**

The Mental Health and Wellbeing Policy has been the subject of consultation with the council’s trade unions, with a variety of internal groups which have responsibilities for promoting the health, safety and well being of employees, with Healthy Working Lives and the council’s chief officers. The Director of Corporate Services, Head of Finance and Head of Law and Administration have been consulted on the terms of this report.

DAVID S SAWERS
CHIEF EXECUTIVE

**NOTE**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.
MENTAL HEALTH AND WELLBEING POLICY

Introduction

1. One of the commitments given by the council in its People Strategy is that it will provide employees with a healthy and safe working environment that promotes wellbeing. A key element of this commitment is the protection and promotion of employee mental health and wellbeing and this policy sets out how the council will try to achieve this.

2. The council supports and will adopt the World Health Organisation definition of mental health and wellbeing:

‘Mental health is not just the absence of disorder. It is 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 his or her own community.’

3. The World Health Organisation has estimated that one in four people will experience mental health problems at some point in their life. A person’s susceptibility to such problems will, in part, depend on their personal circumstances and environment and people in work are less likely to develop such conditions. However, some of our employees will experience mental health difficulties and the council must do what it can to minimise that number and to help those who do develop such conditions.

4. There is a wide variety of types of mental health conditions. Amongst the more common are depression, anxiety disorder, panic disorder, post-traumatic stress disorder, obsessive-compulsive disorder, psychosis, bipolar disorder (manic depression) and schizophrenia. This is not an exhaustive list and all mental health conditions fall within the scope of this policy.

5. This policy applies to all employees of the council.

Legal Duties

6. The council’s commitment to protecting and promoting mental health and wellbeing is set out above. In addition, it has specific legal duties in this respect which derive from several sources.

The Health and Safety at Work Act 1974

This Act imposes a duty on every employer to ensure, as far as reasonably practical, the health, safety and welfare at work of all employees. This clearly includes mental health.

The Management of Health and Safety at Work Regulations (1999)

These regulations impose a duty on employers to make suitable and sufficient assessment of the risks to the health and safety of employees and others affected by their activities. The risk assessment process is about identifying and eliminating or controlling risks. Risks to mental health fall within the terms of these Regulations.

Equality Act (2010)

This Act bring together previous equality legislation on age, disability, gender, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity rights and the rights of carers. The Act retains the current definition of disability set out in the Disability Discrimination Act (1995) ie

‘a person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities.’

The Act aims to ensure that people who are disabled are not unfairly discriminated against in any circumstances, including those related to employment. The Act places a requirement on employers to make reasonable adjustments to enable those with disabilities – both employees and potential employees – to carry out their jobs.
Policy Aims

7 As our People Strategy states, work is a major part of an individual’s life. Working for the council involves a significant commitment of time and effort - physical, mental and emotional. In general, being in work is good for mental health and wellbeing. The experience of working with and for people contributes to a positive outlook. But the work environment can have detrimental effects. It is our aim that employees enjoy the benefits of working and are not exposed to its potentially negative effects. The policy also recognises that we must support employees experiencing difficulties outwith the workplace which impact on their mental health and wellbeing.

8 The aims of this policy are therefore to:

• Promote the mental health and wellbeing of employees.
• Provide a work environment which has a positive impact on mental health and wellbeing.
• Provide mental health awareness campaigns and activities for all employees.
• Identify and eliminate from the work environment any factors which have a detrimental effect on mental health and wellbeing.
• Treat individuals with a history of mental health conditions fairly in all employment decisions.
• Create a culture where those with mental health problems have the confidence to seek help.
• Provide reasonable assistance to employees with mental health problems and/or conditions.

9 The council’s approach is both proactive and reactive. Firstly it has in place and will continue to introduce measures which aim to prevent employees developing a mental health condition as a consequence of their work. Secondly it will provide reasonable assistance to any employees who have mental health problems and/or conditions.

Current Measures

10 The council already has a range of policies and procedures which are intended to help prevent employees experiencing problems which may result in mental health difficulties and to help those who do experience such difficulties. These are described below.

Management of Stress

11 Currently approximately 20% of all the council’s sickness absence is attributed to stress (5% to work related stress). The council defines stress as

‘the reaction that people have to excessive pressure or other demands placed upon them. It arises when they worry that they cannot cope.’

12 Stress is not in itself a medical condition but prolonged exposure to stress is linked to mental health conditions such as anxiety and depression.

13 The council has a detailed ‘Management of Stress at Work Policy’ which aims to:

• raise awareness of the causes, indicators and effects of work-related stress
• set out the control measures available to manage stress
• promote good management practice in dealing with stress
• offer support and guidance to employees experiencing stress

14 One of the key elements of the policy is that all managers are required to attend a one day course entitled ‘Stress Management and the Risk Assessment Process’. This course covers the content of the council’s policy and focuses on the use of risk assessment (see below) as a means to prevent or reduce stressors within the work environment.
Risk Assessment

15 The use of risk assessments is the basis of all good safety management and is applied to the control of stress. All managers undertake training in assessing potentially stressful situations and the council’s risk management guidance incorporates a specific check list to help managers identify potential stressors.

Harassment at Work Policy

16 The council is committed to establishing a work environment which is free from any behaviour which may be perceived as harassment. Harassment is any verbal or physical behaviour which is unmerited and/or offensive to the recipient and which may affect their dignity at work. The behaviour may relate to age, gender, disability, race, religion/belief, origin, sexual orientation, marital/civil partnership status or any other personal characteristic.

17 In establishing this policy the council recognised the potentially detrimental effect on mental health which may be caused by harassment. The main elements of the policy are that:

- Positive steps will be taken to promote a harassment free work place.
- Complaints of harassment will be resolved as quickly and as informally as possible, but
- Harassment will be treated as a disciplinary offence.
- A group of trained contact officers is available to provide confidential support and guidance to any employees who believe they are being harassed.
- There is a set of procedures for dealing with complaints of harassment informally or formally.
- All employees are made aware of this policy.

Sickness Absence Management Procedure

18 The council has a formal sickness absence management procedure, the aim of which is to ensure that the management of sickness absence is consistent and equitable across the council and that employees are treated sympathetically and fairly.

19 The council’s approach to sickness absence management includes:

- The regular collection of sickness absence statistics, including the reasons for absence, to allow the identification of particular problem areas so that these may be addressed.
- Maintaining contact with staff whilst they are absent from work.
- Training of all managers in using the council’s procedures.
- The use of occupational health advisers to obtain specialist advice on dealing with medical conditions and/or making suitable workplace adjustments.

20 The council requires that anyone returning from absence has a return to work discussion with their manager. Amongst the aims of these discussions is to identify work related issues which are contributing to ill health. Managers follow detailed guidelines on carrying out these discussions, including specific guidance on meeting an employee returning from a stress related absence.

Other Policies

21 The following range of council policies and procedures complement the above and provide support and assistance to managers and employees:

Adoption Leave  
Adoption Support and Statutory Paternity Leave  
Alcohol and Drugs  
Disciplinary Procedure  
Employee Development  
Flexible Working  
Grievance Procedure  
Guidelines for Retention of Employees with Disabilities  
Health and Safety  
Healthy Working Lives  
Leave of Absence  
Maternity Leave, Pay and Support  
Maternity Support  
Paternity/Parental Leave  
Performance Appraisal and Development  
Performance at Work
Employee Support

22 The council has a confidential employee counselling service which may be accessed by telephone, online or in person. The telephone counselling service is available 24/7 to help employees deal with any issues causing them concern whether work or non work related.

23 In addition the council has an industrial chaplaincy service which offers a welfare service to all employees.

24 The council’s employee development programme includes a ‘Personal Stress Awareness course which helps employees understand the nature and causes of stress and develop coping strategies.

25 The council has achieved Investor in People (IiP) status which recognises its commitment to effective management and development of and communication with employees.

26 Stress management education is available for all staff involved in registered Healthy Working Lives teams, alongside a wide range of relevant health improvement topics.

Responsibilities for Mental Health and Wellbeing

The Council

27 The council has an overall responsibility to take all reasonable measures to protect and promote good mental health and wellbeing. This policy sets out how it aims to do this.

Managers

28 Managers must at all times be sensitive to the individual needs of each employee and have a responsibility to:

• Make themselves familiar with this policy and undertake appropriate training.
• Ensure that mental health problems are not a barrier to employment or opportunity in recruitment, promotion, development or general treatment at work.
• Encourage employees to identify, and report, factors which affect their health and mental wellbeing at work.
• Tackle stigma regarding mental health wherever it occurs.
• Provide appropriate information and access to training for employees about mental wellbeing and mental health problems.
• Offer effective, confidential support and supervision to employees and be aware of sources of help, information and support, encouraging employees to seek these where appropriate.
• Be aware of the role of bullying in adversely affecting mental wellbeing, taking action against such behaviour.
• Ensure absence management and return to work meetings consider mental health, and where appropriate, increased support/ supervision.
• Consider whether any ‘reasonable adjustments’ at work could be made to support employees experiencing mental health problems or a mental illness.

Employees

29 Individual employees have a responsibility to:

• Look after their own mental wellbeing and seek to minimise pressures eg through self help, management/peer support and Healthy Working Lives initiatives.
• Be aware of how they positively or adversely affect/support the mental wellbeing of their colleagues.
• Make sure they are informed about mental health and wellbeing issues, attend any available training, for example the ‘Personal Stress Awareness’ course.
• Tackle stigma regarding mental health where it occurs.
• Be aware they can seek free, confidential support through their GP, trade union, and the Care First Employee Assistance Programme.
• Raise concerns and problems with their manager, especially where the issues are work related or exacerbated by work.

Sources of further information and support

Care First Counselling (Angus Council’s employee assistance service). Tel: 0800 174319; Internet: [www.care-first.co.uk](http://www.care-first.co.uk).

ACAS (Advisory, Conciliation and Arbitration Service) [www.acas.org.uk](http://www.acas.org.uk)

CAS (Citizens Advice Scotland) [www.cas.org.uk](http://www.cas.org.uk)

Mental Health Foundation [www.mentalhealth.org.uk](http://www.mentalhealth.org.uk)

Mind [www.mind.org.uk](http://www.mind.org.uk/) Tel: 0845 766 0163

Institute of Occupational Health [www.iosh.co.uk](http://www.iosh.co.uk)

Health and Safety Executive Work-Related Stress [www.hse.gov.uk/stress](http://www.hse.gov.uk/stress)

Shift: Line Managers’ Web Resource [www.shift.org.uk/employers](http://www.shift.org.uk/employers)

Breathing Space ‘Don’t hide it, talk about it’. [www.breathingspacescotland.co.uk](http://www.breathingspacescotland.co.uk) Tel: 0800 83 85 87

Samaritans [www.samaritans.org.uk](http://www.samaritans.org.uk) Tel: 08457 90 90 90

Living Life to the Full, On-line CBT Resource [www.livinglifetothefull.com](http://www.livinglifetothefull.com)

APODA (Angus Partnership on Domestic Abuse) [www.apoda.org.uk](http://www.apoda.org.uk)

Tayside Council on Alcohol (TCA) [www.alcoholdayside.co](http://www.alcoholdayside.co), Tel: 0845 072 0190

Choose Life

Insight

Review

30 This policy will be reviewed every two years or sooner if circumstances require.

Consultation Process

31 This policy was the subject of consultation with the trade unions recognised by the council and with various internal groups having responsibilities for promoting health safety and wellbeing of council employees.