

Employment – 20:20 vision

Providing clarity and insight on employment law matters

Blue Monday: Managing mental health in a virtual workplace



This year Blue Monday falls on Monday, 18 January and in addition to the normal January blues, there is the additional burden of COVID-19 bringing with it the latest lockdown measures, closures of schools as well as continued economic uncertainty.

What does Blue Monday mean for businesses?

The impact of COVID-19 on employees' mental health has been an area of growing concern that has garnered increased attention over the last year. Blue Monday is a good opportunity for employers to focus on mental health in the workplace and review their policies, procedures and communications to ensure that they are providing adequate support to their employees.

Mental health issues can lead to many difficulties in the workplace, ranging from poor performance and productivity, to low morale and substandard retention rates. Employers could also face discrimination claims or constructive unfair dismissal claims for failure to make reasonable adjustments for an employee's mental health condition.

How to manage mental health in the workplace

1. Signpost support

- Clearly advertise the support available to employees, such as counselling through private medical insurance or Employee Assistance Programmes, and signpost to whom employees can talk internally if they are struggling with their mental health.
- For employees who are parents or carers, the extra strain of managing work and home schooling or caring responsibilities can be overwhelming. Consider what additional

support may be available for them, such as adopting a flexible approach to hours.

- The Government has confirmed that furlough can be used for employees with caring responsibilities. This includes employees caring for children who are at home as a result of school and childcare closures as well as those caring for a vulnerable individual in their household. However, any decision to furlough in these circumstances must be done in careful consultation with the employee and their agreement must be sought beforehand.

2. Communication is key

- Rising unemployment and increased financial hardship in the wake of COVID-19 has been widely reported and can have an unsettling effect on employees. A report by the Centre for Mental Health has estimated that, as a result of the economic impact of COVID-19, an additional 500,000 people might experience mental health conditions.¹
- Timely and regular communication with employees about how the ongoing restrictions may impact their work as well as the business as a whole can help alleviate concerns and provide some reassurance. Equally, take the time to recognise and

¹https://www.centreformentalhealth.org.uk/sites/default/files/2020-07/CentreforMentalHealth_COVID_MH_Forecasting_May20%20%281%29.pdf

praise achievements and hard work to remind employees that they are valued.

3. Promote good health

- With gyms and leisure facilities closed, and daylight seeming fleeting, it can be hard for employees to find time to get out of the house to get some exercise and much needed vitamin D. Adopting a flexible approach and encouraging employees to take regular breaks (during normal working hours) can pay dividends in the long run.

4. Take appropriate action

- Indefinite lockdown restrictions, isolation and rising infection rates can exacerbate pre-existing mental health conditions. If an employee makes a new disclosure about their mental health, treat it sensitively and take appropriate action.

5. Consider compassionate leave

- Given the impact of the pandemic some employees may lose friends or loved ones in the coming months. Such a loss can take a real toll on mental health. Whilst there is no obligation to provide compassionate leave, giving employees time away from work (including their laptop/phone) allows them to focus on their wellbeing and reassures them of your support.
- If you do not have a compassionate leave policy in place, you may want to consider implementing a policy so that any leave requests can be dealt with objectively.

If you would like to discuss any of the issues covered in this e-alert or you would like us to review any relevant policies, please get in touch with Paul Reeves, Leanne Raven, Elspeth Hunt or your usual Stephenson Harwood contact.

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