



Sharing your mental health problem in the recruitment process

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Paid or unpaid work is important to health, happiness and personal growth and being contributing members to society. The value and role of work is significant for people experiencing mental health difficulties; work can boost confidence, contribute to the recovery process and provide opportunities for developing skills and social relations.

In the workplace, people who experience mental health difficulties have the right to the same opportunities and to be treated equally as anyone else without fear of discrimination. Employers' procedures should ensure that all are able to take advantage of opportunities, while UK law, specifically the Equality Act, protects from discrimination.

The Equality Act 2010

Disability is one of the 'protected characteristics' covered by The Equality Act 2010. This allows for a mental health difficulty to come under the protection of the law if:

- There is substantial (more than minor) adverse impairment in relation to daily activities.
- The difficulty is long term (has lasted or may well last 12 months).
- The cumulative effects of a mental health difficulty may combine to render its total effect 'substantial'.
- Difficulties that are episodic in nature are covered if they are likely to reoccur.

A person who has recovered from a mental health difficulty also remains protected by the Act if the difficulty is likely to reoccur. Also, a person does not need to show that the adverse effects impact on any particular capacity (e.g. memory or concentration).

The following may also be taken into account:

- The extent to which a person is able to lessen the effects of impairment by modifying their behaviour.
- The impact of the environment and the extent to which the effects of impairment vary.

Will I be asked about my mental health?

Employers are only able to ask about health history if:

- They've offered you a job. You may be asked to complete an employment health questionnaire. At this stage it is unlawful to withdraw a job offer because of a disability.
- A specific ability is intrinsically required, or if not having a set of desirable criteria was a health and safety risk. For example, a lifeguard would be expected to be able to be physically and mentally able to deal with rescuing someone in danger, and therefore health-related information may be required before a job is offered.

Should I tell the employer?

You can share this information at any time before, during or after the recruitment process but deciding to do so is a personal decision.

Reasons to tell the employer:

- You should expect to be treated equally regardless of mental health challenges.
- If you do share, you should expect to have some discussion about how your difficulties may or may not affect your performance and work experiences. Having told them, you may feel less pressure in the workplace and potential issues could be headed off before they occur. It might also be better to ask for help when you need it than be seen to be struggling in your role due to something which might easily be supported
- You may be entitled to receive 'reasonable adjustments' under the Equality Act. These adjustments to your work should be designed and implemented to enable you to fulfil the role without being disadvantaged. If you do not tell them, then potentially helpful adjustments will not be given. Mind has a [draft letter](#) to help you start with your request for reasonable adjustments.
- Many employers embrace diversity and focus on a person's ability to do their job rather than the nature of their health or disability:
 - Some organisations have an Equal Opportunities Policy and are committed to employing without prejudice.
 - Companies that sign up to the government's 'Disability Confident' scheme should guarantee an interview to all disabled applicants who fulfil the minimum requirements outlined in a job description.
 - [The Business Disability Forum](#) is a leading employer membership organisation focusing on developing best practice on disability. Check if the organisation you are applying to is a member of the forum.
 - You may be eligible for funding through the [Access to Work](#) initiative to cover extra costs at work, such as a support worker. Note that you will need evidence to access this.

Reasons why you may choose not to tell the employer:

- Discussing a mental health issue can be challenging and you may not be ready to share.
- You may fear discrimination and feel judged.
- You may have had previous bad experiences talking about mental health.
- You may feel that you want to keep your health issues private as it may not affect your work performance, or it is not relevant to your ability to do the job.
- The job market is competitive and sharing a mental health issue may make you appear less employable than the next applicant.

If you are unsure about sharing, talking with people you trust and who know you may help you decide. If you need further help and advice on sharing information about a mental health difficulty, you may wish to contact the people mentioned at the end of this guide.

When to tell them

If you decide to share your mental health information with employers, it can be positive and empowering; you may have a wealth of valuable experiences due to your mental health difficulties including developing coping strategies, getting to know yourself and your capabilities, and increased empathy with others. According to Mind, an estimated 1 in 4 people will experience a mental health problem each year in the UK and 1 in 6 of us have difficulties at any one time, so you will not be alone in disclosing.

You may choose to tell the employer:

On application: Or in a covering letter. Do remember that the information you give at the application stage should be relevant to the job you are applying for.

During recruitment: Consider the relevance and what the benefit would be. For example, you may feel that your difficulties need taking into account within the recruitment process itself (e.g. in an assessment centre).

When a job offer is made: This might be a good time to think about the acceptance of the role and how your difficulties may affect your performance. It may be helpful to talk to HR to discuss adjustments before starting your job.

During employment: You may find that your difficulties are affecting work commitments, or you need time off work for appointments, for example. It could be that you have developed a mental health condition whilst at work, or that it may have deteriorated. You can tell them at this point, potentially to a line manager, colleague you have formed a trusting relationship with or Occupational Health.

If you decide to share your information with the employer, bear in mind that they may not know much about the condition and will not understand how you experience it personally. Therefore, it can be helpful to:

- Consider who you wish to share this information with. It may be a trusted manager, colleague or the HR department.
- Explain how it affects you, and techniques and adjustments that you have found useful previously.

- Bring along a note from your doctor to help you explain. You may find it useful to also bring some further information from a website, such as Mind, to help you. This can also be a great time to share the strengths you have developed from your mental health condition such as resilience, overcoming challenges and working with others' working styles.

Further Resources

If you would like to discuss if, when and how you should share a mental health issue in the recruitment process, with a Careers Consultant, please contact the Careers Network. Here is a list of other sources of information.

- [The Careers Network website](#) includes a section on Disability Support.
- [Student Wellbeing and Inclusivity](#): 01509 228338
studentwellbeing@lboro.ac.uk
To book an appointment with any of our services within Student Wellbeing and Inclusivity (including the Counselling Team, Mental Health Support Team and the Wellbeing Advisers), please complete [the referral form](#).
- [Mind](#) is a mental health charity which has a wealth of information on applying for and being in work with a mental health problem including:
 - [Applying for jobs](#).
 - [Telling my employer](#).
 - [Challenging workplace discrimination](#).
- [Mental Health at Work](#) has resources and information to help you with workplace mental health.
- The [Mental Health Foundation](#) has a resource on how to support mental health at work including managing your own mental health, supporting others and being a champion for change in the workplace.
- [Business Disability Forum](#) provides support and training to help organisations become fully accessible to disabled customers and employees.
- The [Equality and Human Rights Commission](#) is a statutory body with the responsibility to protect, enforce and promote equality across the seven "protected" characteristics including disability.
- The [Government website](#) has advice and information on the two tick symbol employers, Access to Work scheme, employment rights etc.
- [Centre for Mental Health](#) is a charity providing research, economic analysis and policy influence in mental health.