

Mental Health and Employment Law

Practical, human, and legally grounded support
for managers and HR professionals

Delivered by Alicia Collinson | Senior Associate Solicitor and Head of Training
and Ashmina Raghvani | Associate Solicitor, Thrive Law



What we'll cover today

You'll leave with practical, actionable steps you can apply straight away.

01

Having the conversation

Approaching mental health talks with confidence and compassion

02

Reasonable adjustments

What they look like in real workplaces, not just on paper

03

When to bring in support

Knowing when a coach or mental health professional is the right step

04

Your legal responsibilities

The risks managers need to understand, clearly and honestly

Alicia Collinson

Senior Associate Solicitor | Head of Training
Thrive Law

Ashmina Raghwani

Associate Solicitor | Thrive Law
Thrive Law

About your speakers

Thrive Law is one of the UK's only employment law firms with mental health and ED&I genuinely at its core.

Alicia leads Thrive Law's training programmes, helping organisations understand their legal duties around mental health.

Ashmina advises employers and employees on employment law including disability, adjustments and wellbeing at work.

People don't leave jobs. They leave environments where they don't feel safe, seen, or supported.

Thrive Law works with organisations across the UK to build workplaces where people genuinely thrive. Not just survive.

01

Having the Conversation

Approaching mental health talks with confidence, not fear



**Join at slido.com
#27825308**



How confident do you feel approaching the mental health conversation?

What are the barriers to having the conversation?

Join at slido.com and add your words

Do not edit
How to change the
design



What makes these conversations difficult?

CONVERSATION: Why does it feel so hard?

Most managers want to help. The problem isn't empathy. It's not knowing where to start.

-  Fear of saying the wrong thing
-  Concern about legal risk
-  Worry about overstepping boundaries
-  Personal discomfort with emotion at work
-  Not knowing what support to offer
-  Team culture that doesn't yet feel safe

CONVERSATION: How to start the conversation

1

Find the right moment

Choose a private, calm setting. Ideally, not a quick call between meetings. Give the conversation the space it deserves.

2

Open with curiosity, not conclusions

“I’ve noticed you seem a bit quieter lately. I just wanted to check in and see how you’re doing.” Simple, warm, and no pressure.

3

Listen more than you speak

You don’t need to fix anything straight away. Being heard is often what matters most. Resist the urge to rush to solutions.

4

Follow up

A single conversation isn’t enough. Check back in to show that your care wasn’t a one-off moment. It builds real trust over time.

02

Reasonable Adjustments

What they really look like in practice

ADJUSTMENTS: Why mental health conditions can trigger legal duties

The Equality Act 2010 definition of disability

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

SUBSTANTIAL

“More than minor or trivial.”

A condition that significantly affects daily life; sleep, concentration, mood, energy, or ability to carry out tasks.

LONG-TERM

Lifelong, has lasted 12 months or more, or likely to last 12 months or more, or for the rest of a person's life.

Conditions that recur, even with periods of remission, can still qualify.

APPLIES TO MENTAL HEALTH

Conditions such as depression, anxiety, PTSD, ADHD, bipolar disorder and OCD can all qualify.

Diagnosis is not required - the impact on daily activities is what matters.

ADJUSTMENTS: Avoiding assumptions

Assumption 1

"They haven't said anything, so they must be fine."

People rarely volunteer that they're struggling, especially early on. Silence is not the same as being okay.

Assumption 2

"I know what they need. It worked for someone else."

Every person is different. Jumping to a solution without asking the individual first almost always misses the mark.

The best adjustments come from genuinely asking the person what would help.

Know your limits: not sure whether something amounts to a disability, or what adjustments are reasonable? That's when you seek support from HR or legal advice.

ADJUSTMENTS: What actually counts as a reasonable adjustment?

The legal foundation

Under the Equality Act 2010, employers must make reasonable adjustments for employees with a disability, including many mental health conditions.

The test is whether the adjustment is reasonable, taking into account cost, practicality, and the potential benefit.

You don't need a formal diagnosis. If you are aware, or ought reasonably to be aware of a difficulty, the duty can apply.

Real examples from real workplaces

- Flexible start and finish times to manage anxiety in the mornings
- Regular one-to-ones as a dedicated check-in, separate from work tasks
- Written summaries of verbal meetings for those with memory or concentration difficulties
- Reduced or redesigned workload during a period of recovery
- Permission to take short breaks or work from a quieter space
- A phased return to work following a period of mental health absence

ADJUSTMENTS: Keep records: it matters more than you think

Lawyers love paper.

What to document

- Adjustments agreed and the date they were put in place
- Trials of adjustments and the outcomes
- Review meetings and what was discussed
- Any changes to adjustments and the reasons why
- Any requests made by the employee and your response

Why it matters

- Shows the employer took the duty seriously
- Demonstrates a fair and consistent process
- Protects the organisation in tribunal proceedings
- Helps managers (or lawyers!) who pick up the case later understand the history
- Good records are often the difference between a defensible decision and an indefensible one

03

When to Bring in Support

Coaches, counsellors and mental health professionals explained

SUPPORT: Understanding who does what

It's not your job to be a therapist. But knowing who to refer to can make all the difference.

Line Manager

Your role

Notice changes, start conversations, provide initial support and reasonable adjustments.

You're the first point of care, not the last.

When: Always, as a first response

Workplace Coach

Performance and goals

Helps an employee navigate challenges, build resilience and develop coping strategies.

Not therapy, but hugely valuable for people who are struggling but functional.

When: When someone is underperforming or feeling stuck

EAP / Counsellor

Confidential emotional support

Employee Assistance Programmes offer short-term counselling and signposting.

Low barrier and free for the employee if provided by employer. Widely underused.

When: When someone needs a confidential space to talk

Mental Health Professional

Clinical support

Psychiatrists, psychologists, and clinical therapists for more complex or persistent mental health needs.

Requires referral, either through NHS or privately.

When: When symptoms are severe, persistent or worsening

Can also provide guidance on reasonable adjustments – helpful when people don't know what they need.

04

Legal Risks and Responsibilities

What every manager needs to know, clearly explained

LEGAL: The risks no manager should ignore

Understanding the law isn't just about avoiding claims. It's a proactive duty.

Disability discrimination

Mental health conditions with a substantial and long-term adverse effect are likely to be a disability under the Equality Act. Failing to make adjustments or treating someone less favourably can lead to tribunal claims.

Constructive dismissal

If an employee resigns because their mental health concerns were ignored or mishandled, they may argue you fundamentally breached their contract. This is a costly and reputationally damaging claim to face.

Failure of duty of care

Employers have a legal and moral duty to protect the health and safety of employees, including mental health. Ignoring clear signs of distress can expose the organisation to personal injury claims.

Unfair dismissal

Dismissing someone whose performance or attendance is connected to a mental health condition, without following a fair process and exploring adjustments first, is a significant legal risk.

Your takeaways

A few headlines to take away...

1

You don't need to have all the answers. Checking in with genuine care is enough to begin.

2

Reasonable adjustments are often small and low cost. The conversation itself is often the most important step.

3

Knowing when to involve a professional isn't a sign of failure. It's a sign of good management.

4

Getting the legal fundamentals right protects your people and your organisation. These go hand in hand.



**How confident do you feel
now about mental health
conversations in the
workplace?**



Audience Q&A

① The Slido app must be installed on every computer you're presenting from

slido

Thank you for being here.

Workplaces where people thrive start with conversations just like this one.

Get in touch

enquiries@thrivelaw.co.uk

thrivelaw.co.uk

0113 869 8101

LinkedIn: [thrive-lawleeds](#)

Twitter: [@thrive_law](#)

thrive law

where people matter

About Thrive Law

Thrive Law is one of the UK's only employment law firms with people's mental health and wellbeing genuinely at the centre of everything we do.

We work with employers and employees across the UK to create workplaces that are legally compliant, mentally healthy, and truly inclusive.

Our services include employment law advice, HR consultancy, ED&I strategy, mental health training, and bespoke wellbeing programmes.

Thrive Law Leeds | 5 Park Place, Leeds, LS1 2RU



**Scan the QR code and tell us what you
thought about this training session**

Next Webinar

Want to keep the conversation going?

Join us next time for our next Learn & Lunch
Webinar



Register here to join us!

03 June 2026

1:00 – 1:45

How to Dismiss Fairly in 2027 with Alicia Collinson and Ashmina Raghwani from Thrive Law.

Disclaimer

Please note that the information in this presentation is provided for general informational purposes only. It does not constitute any form of legal or professional advice, and you should not use it as a substitute for advice tailored to your specific circumstances.

We disclaim all and any liability for any actions you take or omit to take in reliance upon the contents of this presentation.

Please contact us directly if you would like professional advice on any of the matters covered today.

Alicia Collinson and Ashmina Raghwani | enquiries@thrivelaw.co.uk | 0113 869 8101

