



# wurkplace

Taking the risk out of your business  
with our HR packages.

**Wurkplace LIVE:**  
HR Advice for  
Employees & Employers

## Improving Employee Mental Health & Wellbeing

Host:	Mark Whitfield
Speaker:	Karen Owen
Guest:	Phil Crosby

# **AREAS COVERED IN THIS SESSION**

1. COVID-19 News & Updates
2. Improving Employee Mental Health and Wellbeing
3. Q&A with Mark
4. Wrap up.



# COVID-19 News & Updates

with Karen Owen

# COVID 19 News



## News & Updates

- Furlough scheme has ended
- Mandatory vaccination in England Care Homes with effect 11<sup>th</sup> Nov 2021
- Employment Tribunals are hearing cases related to Covid 19 claims
- Covid 19 rules in place for self isolation of close contacts across the England, Wales, NI and Scotland have been updated
- Cases high across the UK so not time to take eye off the ball
- Risk Assessments and measures should still be in place
- Company's navigating vaccinated and non-vaccinated employees

# COVID 19 News



## ET Cases

- ET are starting to filter through regarding cases relating to Covid 19 and the pandemic
- There have been varying outcomes – still early days in terms of telling us how future decisions might be dealt with

# COVID 19 News



## ET Cases

Gibson v Lothian Leisure

- Automatic unfair dismissal less than 2 years service
- Claimant won
- Tribunal found that he was dismissed for redundancy because he had raised H&S Concerns

# COVID 19 News

Case Number: 1601260/2020(V)



## EMPLOYMENT TRIBUNALS

Claimant  
Mr M Ham

v

Respondent  
Esl Bbsw Ltd

Heard at: Cardiff (by video) On: 12 and 13 April 2021

Before: Employment Judge C H O'Rourke

### Appearances

For the Claimant: in person  
For the Respondent: Mr K Chehal – legal consultant

## JUDGMENT

1. The Respondent automatically unfairly dismissed the Claimant, on health and safety grounds, contrary to s.100(1)(c) and/or (e) Employment Rights Act 1996.
2. The Respondent is ordered to pay the Claimant the sum of £16,640, subject to such deductions as may be appropriate under the Recoupment of Benefits Regulations (as set out in the Reasons below).

(The Respondent having, at the Hearing, requested written reasons, in accordance with Rule 62(3) of the Employment Tribunal's Rules of Procedure 2013, the following reasons are provided:)

## REASONS

## ET Cases

Ham v ESL BBSW Ltd

- Dismissal for refusing instruction – less than 2 years service
- Claimant won
- H&S concerns were raised – automatic unfair dismissal

# COVID 19 News



## ET Cases

Rodgers and Leeds Laser Cutting Ltd

- Dismissal less than 2 years service
- Claim automatic unfair dismissal – “serious and imminent danger” staying away from a dangerous workplace
- Claimant unsuccessful
- Company demonstrated that they had a robust Covid RA that had been communicated to employees
- H&S measures were in place



# COVID 19 News



## ET Cases

Kubilius v Kent Foods

- Dismissed for refusing to wear face mask (PPE) on customer site
- Claim unfair dismissal
- Claimant unsuccessful

# COVID 19 News



## Learnings

- The importance of having a Covid 19 Risk Assessment inline with Govt. guidance which involves and is communicated to all with robust measures in place
- Have clear policies that allow the organisation to explain and outline the company's stance on Covid 19 practices – distancing testing, vaccination, PPE etc.
- Employers and employees have a statutory duty under H&S Act 1974
- Important to genuinely listen to concerns raised around health and safety and address where required

# COVID 19 News



## Vaccinations

- We are receiving a number of queries relating to vaccinations and if clients are able to ask employees to be vaccinated as part of company policy
- Vaccinations are not mandatory outside of care homes in England (from 11 Nov)
- Ensure that your Covid 19 Policy includes a section on vaccinations taking into account legal aspects such as data protection, discrimination and health and safety duties
- NHS Frontline workers in England will have to be fully vaccinated – Deadline is expected to be set.

# COVID 19 News



## Points to Consider

- GDPR - ensure that if collating Vaccine information your GDPR Privacy Notice is updated to include Vaccination data as a "Special Category"
- Risk Assessments – ensure that there is a section on 'vaccinations' but also include alternative safety measures



# Employee Wellbeing

with Phil Crosby (Links Wellness)



# LINKS WELLNESS

**The benefits of  
investing in  
employee wellbeing**



# **AGENDA**

- ◆ THE IMPORTANCE OF EMPLOYEE WELLBEING
- ◆ THE FINANCIAL IMPACT OF DECLINING WELLBEING
- ◆ THE BENEFITS OF THE RIGHT INVESTMENT



# **THE IMPORTANCE** **OF EMPLOYEE** **WELLBEING**





# THE MENTAL HEALTH SPECTRUM



# **Why should we be sitting up and taking note of employee wellbeing?**

- ◆ Your employees are your most valuable asset. Taking good care of the things we value should be a given.
- ◆ It doesn't matter what industry you are in or what job you do, you do it best when you're in a good place, physically and mentally.
- ◆ Your staff are human, not robots ... things will be impacting them and subsequently impacting their ability to do their job to their full potential.
- ◆ Investment in employee wellbeing gives a return to business wellbeing. Average ROI for every £1 spent on workplace wellbeing initiatives is £4.20
- ◆ A positive focus on employee wellbeing is the foundation of a healthy workplace culture.



# **THE FINANCIAL** **IMPACT OF** **DECLINING** **WELLBEING**



# Mental Health Financial Impact

- ◆ Estimated cost to UK employers up to £42bn annually
- ◆ Over half the above figure attributed to presenteeism with additional costs from sickness absence and staff turnover
- ◆ Depression, stress and anxiety are thought to be responsible for almost half of working days lost due to health issues
- ◆ 300,000 people per year are leaving employment due to mental health conditions
- ◆ A lot of these costs are preventable with the right investment



# **THE BENEFITS OF** **THE RIGHT** **INVESTMENT**



# **How does proactive employee wellbeing investment benefit our business?**

- ◆ A healthy workplace is a more productive workplace. Ensuring as many of your staff are at the healthy end of the spectrum as possible is directly linked to productivity.
- ◆ Reduction of costs associated with absenteeism, presenteeism and staff turnover.
- ◆ Get and keep a fine-tuned workforce of engaged, focussed, motivated individuals.
- ◆ It prevents unhealthy/toxic cultures developing.
- ◆ It cements your status as a “Responsible Employer” which can help you attract good staff as well as safeguarding you from possible employment law action.



# **How does proactive employee wellbeing investment benefit our staff?**

- ◆ Sense of increased value by being invested in.
- ◆ Improved working environment.
- ◆ Heightened feeling of engagement between employer and employee.
- ◆ Improved personal and professional mindset – CPD.
- ◆ Ability to prevent more serious issues developing.
- ◆ Opportunity to address non-work issues.
- ◆ An outsourced solution creates a degree of separation that eliminates barriers to discuss issues they might have not previously felt comfortable discussing with managers/supervisors/HR within the organisation.



**ANY**  
**QUESTIONS?**







# wurkplace

Taking the risk out of your business  
with our HR packages.

## Q&A

Mark Whitfield

Number : 0330 400 5490

Email: [Mark@wurkplace.co.uk](mailto:Mark@wurkplace.co.uk)

Website: [www.wurkplace.co.uk](http://www.wurkplace.co.uk)