

TIP SHEET #3

MENTAL HEALTH CONDITIONS AND PERFORMANCE MANAGEMENT

One of your responsibilities as a leader is to deal with performance concerns with employees, including employees with a known or suspected mental health condition.

Leaders are often unsure of how to deal with performance concerns when a mental health condition is an influencing factor.

The Mental Health Conditions and Performance Management Tip Sheet provides guidance on how to best approach performance concerns with an employee who has a mental health condition.

Can I performance manage an employee who has a mental health condition?

A leader is entitled to apply the organisation’s performance management processes to any employee when there is a concern about performance.

This includes an employee with a mental health condition. When dealing with any performance issue, including if there is a known or suspected mental health condition, leaders must:

- 1 Consider all of the circumstances and variables involved.
- 2 Implement a fair and reasonable course of action.

How can I approach an employee when I know they have a mental health condition?

- 1 Explore the extent to which the mental health condition is impacting on the performance concern.
- 2 Work together on how to best address the performance issue in the context of the mental health issue.
- 3 Come up with a plan that has been put together in a consultative manner and agreed upon by both parties.
- 4 Manage the issue in the first instance outside of the performance management process.
- 5 Implement reasonable work adjustments wherever possible.
- 6 Initiate a formal performance management process if the performance concern is not resolved.

How can I approach an employee when they have not disclosed a mental health condition but you suspect it may be a factor in the performance concern?

- 1 Make reasonable adjustments to the role requirements to prevent the performance issue from occurring again.
- 2 Pursue the normal course of action in your organisation for a performance concern.

Who should I involve in my organisation when performance managing an employee who has a mental health condition?

Whilst respecting the right to privacy, leaders are encouraged to work with their organisation's human resource professionals (if available) during any sort of performance management process. This is particularly recommended when this process is one which involves a known or suspected mental health condition. If necessary, leaders are encouraged to seek internal or external legal counsel (if available). Alternatively, contact Business Queensland or Fair Work Australia for free and confidential advice.

So what if the employee who has a mental health condition is unable to meet the agreed expectations and improve their performance?

Where performance or behaviours do not improve in the time frame agreed, an employer may implement disciplinary action as per organisational policy.

Sometimes if performance expectations cannot be met despite all fair and reasonable process, this may result in the termination of an employee's employment.

If termination is the outcome, it is important for the employee that ongoing support such as your organisation's Employee Assistance Program (EAP) or other support services such as TIACS is offered to provide the person with support during a difficult time and to seek alternative employment.

How do I know if I have done the right thing?

A supportive and sensitive manner is paramount when addressing any performance concern – and particularly so when a mental health condition is a factor.

Whatever the final outcome of addressing a performance concern, you must feel comfortable and be able to demonstrate that all steps taken were:

- 1 Fair and reasonable.
- 2 Applied in the context of a known or suspected mental health condition.
- 3 Respectful and equitable.
- 4 Compliant with both your organisation's performance management processes and all relevant legislation.

If you or someone you know needs help contact **TIACS** on 0488 846 988 or your organisation's Employee Assistance Program (EAP), your GP or call: **LifeLine** on 13 11 14, **Kids Helpline** on 1800 551 800, **MensLine Australia** on 1300 789 978 or the **Suicide Call Back Service** on 1300 659 467.