

Mental Health & Stress:

An H&S Issue — Not Just HR

HSE Management Standards for work-related stress, employer duties, risk assessment for psychosocial hazards and supporting your team.

 Last reviewed: August 2026

 HSE · HSE Management Standards

 England, Scotland and Wales

ukworkrights.co.uk

In Northern Ireland, similar duties come from Northern Ireland's own health and safety law (contact HSENI, not the HSE), and disability discrimination is covered by the Disability Discrimination Act 1995, not the Equality Act 2010. The Labour Relations Agency can help with problems at work.

Work-related stress — the facts

- Work-related stress, depression and anxiety account for 52% of all work-related ill health in Great Britain (HSE 2024/25)
- 22.1 million working days were lost in 2024/25 to work-related stress, depression and anxiety
- Employers have a **legal duty** to assess and manage psychosocial risks — just as they do physical risks
- The **HSE Management Standards** set out what good management of work-related stress looks like
- Work-related stress is not a personal weakness — it is a **hazard to be managed**
- Mental health conditions that have a substantial, long-term effect on daily activities may be a **disability under the Equality Act**

▲ NOT JUST HR

Work-related stress is a health and safety issue. The HSE can inspect for it, issue improvement notices and prosecute employers who fail to manage it.

The 6 Management Standards

- 1 Demands**
Workload, work patterns and the work environment. Workers should not face excessive demands they cannot reasonably meet.
- 2 Control**
How much say a worker has over how they do their work. More autonomy generally reduces stress.
- 3 Support**
Encouragement and resources from managers and colleagues. Workers need to feel supported when under pressure.
- 4 Relationships**
Promoting positive working to avoid conflict — having processes to deal with unacceptable behaviour.
- 5 Role**
Workers understand their role and responsibilities — no conflicting demands or role ambiguity.
- 6 Change**
Organisational change is managed and communicated effectively — workers are consulted, not just told.

What you're entitled to

- A **stress risk assessment** covering your role — you can request to see it
- If your mental health condition is a disability, your employer must make **reasonable adjustments**
- **SSP from day one** (from April 2026) if signed off sick with a mental health condition
- Access to an **Employee Assistance Programme** if your employer provides one — confidential, free counselling
- Protection from **dismissal or detriment** for raising a stress concern or taking time off with stress
- A **safe, fair and supportive** working environment under your employer's general duty of care

 YOU DON'T HAVE TO NAME THE CONDITION

You can request reasonable adjustments without disclosing your diagnosis. Describe how you are affected and what would help — your employer must take this seriously.

Frequently asked questions

Q Can I be dismissed for being off sick with stress?

Your employer cannot dismiss you simply for having a mental health condition. Dismissal during or because of mental health absence can be disability discrimination, which needs no minimum service. Ordinary unfair dismissal needs 2 years' service, or 6 months where the employment ends on or after 1 January 2027. Your employer must follow a fair process and consider reasonable adjustments before dismissing.

Q What is an Employee Assistance Programme?

An EAP is a confidential support service — usually providing free telephone or online counselling, legal advice and financial guidance. Many employers provide one. Check your staff handbook or ask HR. You do not have to explain why you are using it.

Q Can I report my employer to HSE for failing to manage stress?

Yes. HSE can inspect employers for stress risk assessment and management. You can report concerns confidentially at hse.gov.uk. HSE may issue improvement notices requiring the employer to act.

Q What if my manager is the cause of my stress?

Raise a formal grievance — put it in writing to HR. Your employer has a duty to investigate. If the stress is caused by bullying or harassment, this may also be a separate legal claim. Document incidents with dates and keep copies.

Delivery notes & attendance record

Before you start

Handle with care and do not put anyone on the spot. Focus on workload, control and support — the HSE Management Standards — rather than on individuals' personal circumstances.

Questions to ask the team

1. Is the workload realistic at the moment, honestly?
2. Do you feel you have enough say in how you do your job?
3. Who would you go to if you were struggling, and would you actually go?
4. What one change would take the most pressure off this team?

The law behind this talk

Management of Health and Safety at Work Regulations 1999 reg. 3 (risk assessment includes stress); Health and Safety at Work etc. Act 1974 s.2; Equality Act 2010 (reasonable adjustments)

Employers must give workers comprehensible information, instruction and training on the risks they face — Health and Safety at Work etc. Act 1974 s.2(2)(c) and Management of Health and Safety at Work Regulations 1999 reg. 10. Keep the record below as evidence that you did.

Attendance record

Topic

Date

Site / location

Delivered by

Actions agreed

Next talk due

Attendees

Name

Signature

Use the Print handout button to print this record. General guidance only, not legal advice. This toolbox talk is generic material and is not a substitute for a suitable and sufficient risk assessment by a competent person. Employers remain responsible for their duties under the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999.

FREE H&S GUIDANCE

Mental Health *free guidance*

Get plain-English guidance on your rights and your employer's legal duties.

HSE ADVISORY TEAM

0300 003 1747

hse.gov.uk

ACAS

0300 123 1100

acas.org.uk

CITIZENS ADVICE

0800 144 8848

citizensadvice.org.uk

UK WORK RIGHTS

Mental Health

ukworkrights.co.uk/toolbox-mentalhealth.html

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FREE GUIDE

Mental health at work (England, Wales and Scotland)

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