

# Health & Safety: It's not just physical

Victoria Anderson and  
Malcolm Gunnyeon



## WHAT WE WILL COVER:

- Why a focus on mental health and wellbeing is important
- The key legal duties
- Investigation and Enforcement
- Tips to be aware of

# HEALTH & SAFETY: IT'S NOT JUST PHYSICAL

- In the year to November 2023 **1.8 million** working people suffered from work-related ill health
- By far the most common illness (**49%**) was work-related stress, depression or anxiety
- There were 338,000 new cases of work-related stress, depression or anxiety in 2023
- Across all industries **3% of all employees** have a work-related mental health issue, and the trend is increasing year on year
- **17.1 million** working days are lost annually because of work-related stress, depression or anxiety
- At any given point in time, **up to 40% of those working offshore may be experiencing suicidal thoughts** – IADC “*Changing minds: saving lives*”

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## The key legal duties

- The overarching duties under Sections 2 and 3 of the Health and Safety at Work etc. Act 1974 are not limited to physical health and wellbeing.
- Employers must put in place all reasonably practicable measures to reduce the risk to their employees' mental health.
- Employers must also take all reasonably practicable steps to avoid physical risks created by poor mental health.
- The symptoms of poor mental health create physical risks.

# HEALTH & SAFETY – IT'S NOT JUST PHYSICAL

## HSE Enforcement & Investigation

- HSE's Enforcement policy on mental health
  - Must be work-related
  - Multiple individuals
  - Employer must have been informed
  - Sufficient time must have passed with employer taking no action

So far there have been no Enforcement Notices nor prosecutions specifically for breaches relating to mental health. But...they are probably coming

# HEALTH & SAFETY: IT'S NOT JUST PHYSICAL

What can you do to avoid breaching your duty?

Six common causes of poor mental health at work:

- are not able to cope with the demands of their jobs
  - are unable to control the way they do their work
  - don't receive enough information and support
  - Are having trouble with relationships at work, or are being bullied
  - don't fully understand their role and responsibilities
  - are not engaged when a business is undergoing change
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- Encourage staff to raise concerns

If line management is contributing to stress HSE directs employees to find company policies on stress or to speak to HR/GP/mental health buddies etc

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## What can you do to avoid breaching your duty?

There is a legal duty on employers to assess the risks stress will have on employee's mental health and to share that risk assessment and the findings/details of control measures with employees.

### **Spot the signs in yourself and others:**

- feeling negative      being indecisive
- feeling isolated      feeling nervous
- being unable to concentrate

### **You may act differently, for example:**

- eat more or less than usual
- smoke, drink or take drugs 'to cope'
- have difficulty sleeping

# HEALTH & SAFETY: IT'S NOT JUST PHYSICAL

What can you do to avoid breaching your duty?

Post – Incident

- Timetabling of work recommencing
- Messaging/information shared with workforce
- RAMS reinforced
- Cast a wider net - Assessment for others not directly involved returning to work



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## Contact details



**Victoria Anderson**  
**Senior Associate**

+44(0)141 428 4158  
victoria.anderson@brodies.com



**Malcolm Gunnyeon**  
**Partner**

+44(0)122 392 686  
malcolm.gunnyeon@brodies.com