

Risk assessments

There are 2 main pieces of health and safety law which cover work-related stress:

- the Health and Safety at Work Act 1974 – this puts a 'duty of care' on employers to protect their employees from the risk of stress at work
- the Management of Health and Safety at Work Regulations 1999 – this requires all employers to make a 'suitable and sufficient assessment' of the risks to the health and safety of their employees at work

This means that by law employers must:

- identify any risks to their employees' health, for example by carrying out a risk assessment
- take steps to prevent or reduce work-related stress

Employers must also make sure they're following the law on [working time rules](#) (Working Time Regulations 1998). This is because working long hours without regular breaks can be a cause of work-related stress.

Carrying out risk assessments

By law, employers must carry out a risk assessment to protect their employees from stress at work.

The law applies to anyone with the [legal status of employee](#).

Someone is not likely to be an employee if they're:

- a casual worker
- on a zero-hours contract

Employers should work with their employees to:

- identify the risks of stress
- decide how to remove or reduce the risks
- agree what steps to take
- make any changes to avoid or reduce risks
- regularly review the plan

Managers should carry out risk assessments on a regular basis.

If an employee tells them they are experiencing work-related stress, they should do an individual risk assessment.

Using tools can help managers work with their employees to identify the risks of stress. For example, the [Talking Toolkit from the Health and Safety Executive \(HSE\)](#).

This can help them to understand:

- what's causing work-related stress or any potential issues
- what they can do to tackle the causes

When a risk assessment needs to be in writing

If an organisation employs 5 or more employees, they must do a written risk assessment.

If an organisation has 4 or less people, they do not have to do a written assessment. But putting it in writing means:

- everyone knows what they've agreed to do to reduce the risks
- the employer is taking their duty to consider stress risks seriously

[Download a risk assessment template from the Health and Safety Executive](#)

If an employee is unhappy with how a risk assessment was handled

If an employee is not happy with how a stress risk assessment was handled, they can raise this with their employer. It's usually best to raise the problem informally first by [talking to their employer](#).

If that does not resolve the issue they can [raise a grievance](#). This is where they make a formal complaint to their employer.

For any questions about raising a problem, [contact the Acas helpline](#).

Agency workers

The law on stress risk assessments is likely to also apply to agency workers.

Before offering someone an assignment, an agency has a duty to find out:

- what risks there are
- what steps an employer is taking to reduce the risks

The employer should also include agency workers in their stress risk assessment process.