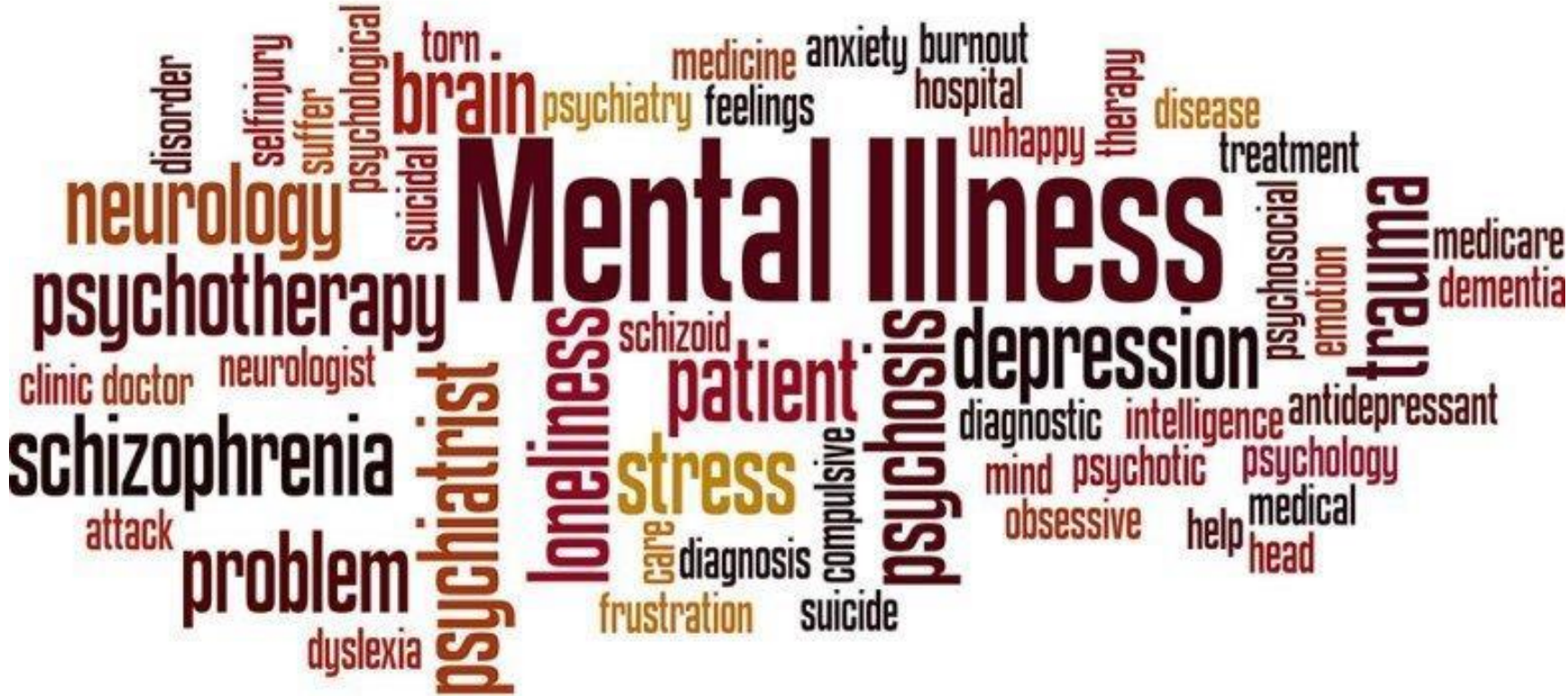


The future landscape for wellbeing, stress, mental health and its regulation

Mary Lawrence, Osborne Clarke and Amy Sadro, Eversheds



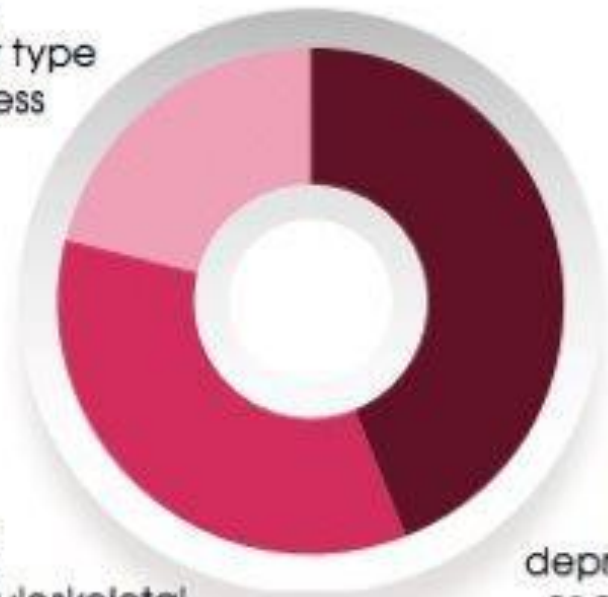


Applying the same legal framework

- **Section 2 (1) HSWA** - It shall be the duty of every employer to ensure, so far as is reasonably practicable, the **health**, safety and **welfare** at work of all his employees.
- **Section 3 (1) HSWA** - It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their **health** or safety.
- **Regulation 3 (1) MHSWR** - Every employer shall make a suitable and sufficient assessment of—
 - a) the risks to the **health** and safety of his employees to which they are exposed whilst they are at work; and
 - b) the risks to the **health** and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking

New and long-standing cases of work-related ill health by type, 2017/18

21%
Other type
of illness

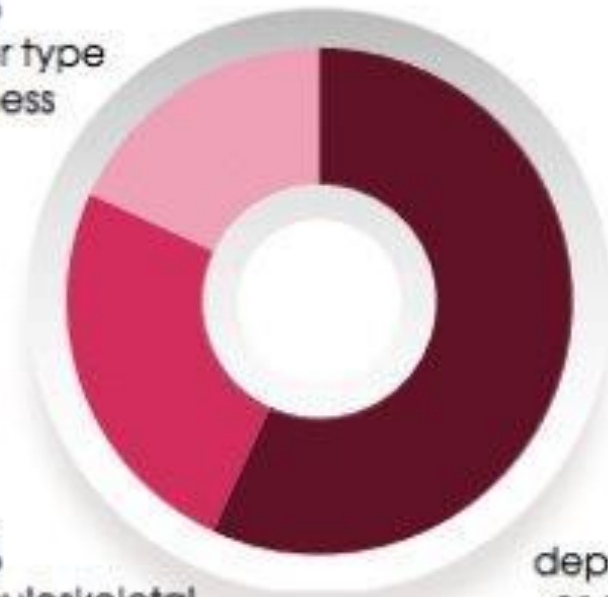


35%
Musculoskeletal
disorders

44%
Stress,
depression
or anxiety

Working days lost by type of ill health, 2017/18

18%
Other type
of illness



25%
Musculoskeletal
disorders

57%
Stress,
depression
or anxiety



lead
line for full page diagram

First aid needs assessment

Mental ill health and first aid



Work-related stress
Reporting a concern

Our Panel



Dr Paul Litchfield
What Works Centre
for Wellbeing



Ruth Denyer
ITV plc



Jocelyne Shaw
Mates in Mind



Abigail Hirshman
ACAS

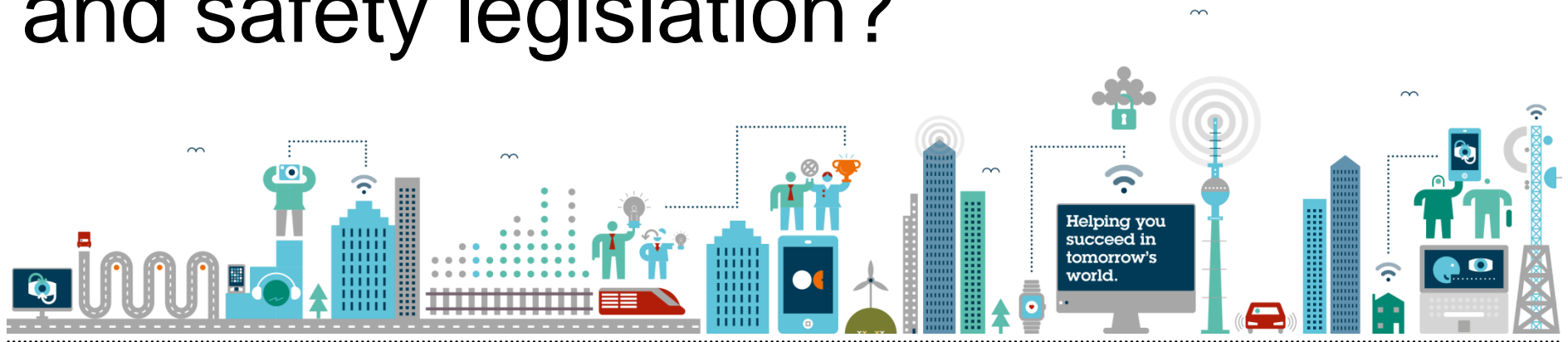
Question 1

What are your views on the legal minimum duties around duty of care for mental health?



Question 2

Do businesses understand their 'duty of care' for mental health under section 2(1) HSWA or other health and safety legislation?



Question 3

How should companies be approaching mental health risk in the workplace?



Question 4

What is stopping companies taking greater strides forward in this space?



Question 5

What do you see as the **big issues** affecting mental health in the workplace and some of the **real risks** companies are facing?



Question 6

Mental health first aiders -good or bad?



Question 7

Do you see any indicators that the **HSE** will take **enforcement action** on these issues in the future?



Summary of Conclusions

