



# Peer Review on Legislative and enforcement approaches to address psychosocial risks at work in the Member States

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Summary report

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# 1 Introduction

## 1.1 Background and purpose of the Peer Review

Before the COVID-19 pandemic<sup>1</sup>, approximately 84 million people in the EU were affected by mental health problems, a number that has increased since the pandemic<sup>2</sup>. An Occupational Safety and Health (OSH) [Pulse survey](#) (2022) revealed high levels of work-related stress, with many workers reporting stress, depression, or anxiety caused or made worse by work. These issues are associated with severe time pressure, work overload, and experiences of harassment, bullying, or violence at work. Workers whose employers took steps to address work-related stress generally experience lower rates of psychosocial issues.

In response to these challenges and to further promote and implement the existing legal framework, including the Framework Directive 89/391/EEC safety and health of workers at work, the European Commission has undertaken several key initiatives. More recently, on 7 June 2023, the European Commission adopted a [Communication on a comprehensive approach to mental health](#). The Communication included, as one of the flagships, a Peer Review on legislative and enforcement approaches for addressing psychosocial risks at work in Member States of the EU.

In this context, the Peer Review allowed to share experiences and information on the different legislative and enforcement approaches implemented by Member States to prevent and protect workers from psychosocial risks at work.

The event was hosted by the Belgian Federal Public Service Employment, Labour and Social Dialogue and organised by the European Commission's Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL). Government representatives from legislative and enforcement authorities, along with experts from the host country (Belgium) and nine peer countries (Finland, Greece, Ireland, Latvia, Malta, the Netherlands, Poland, Spain, and Sweden) convened to discuss approaches to address psychosocial risks at work at national level. Representatives from the European Commission, European Agency for Safety and Health at Work (EU-OSHA) and European social partners were also present.

## 1.2 EU legal and policy context

The EU has adopted several initiatives addressing psychosocial risks at work. [Framework Directive 89/391/EEC](#) lays down the employers' obligations to ensure the safety and health of workers at work, addressing all types of risks, including psychosocial risks, even if they are not explicitly mentioned. The Directive mandates employers to proactively address and manage all forms of risks, implement measures to prevent occupational accidents and diseases, and establish health and safety protocols and systems. These include comprehensive risk assessments, and the implementation of corresponding preventive and protective measures.

While the Framework Directive remains applicable across all areas of work, additional individual directives have been introduced to address specific factors of workplace safety and health. [Directive 2010/32/EU](#) implementing the Framework Agreement on prevention of sharp injuries in hospitals and the healthcare sector specifically states that employers

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<sup>1</sup>[https://www.oecd-ilibrary.org/social-issues-migration-health/health-at-a-glance-europe-2018\\_health\\_glance\\_eur-2018-en](https://www.oecd-ilibrary.org/social-issues-migration-health/health-at-a-glance-europe-2018_health_glance_eur-2018-en)

<sup>2</sup> European Commission (2023). Flash Eurobarometer on mental health. Available at: <https://europa.eu/eurobarometer/surveys/detail/3032>

have the duty to ensure the safety and health of workers comprehensively, encompassing all aspects of work, including psycho-social factors and the organisation of work. This obligation entails conducting thorough risk assessments that consider technology, the organisation of work, working conditions, the level of qualifications, and various work-related psychosocial factors. Furthermore, employers must develop a cohesive prevention policy that addresses these factors to safeguard the health and safety of the workers. [Directive 90/270/EEC](#) on display screen equipment refers to the assessment of the workstation to evaluate the safety at health conditions at work which can provoke physical health problems and mental stress. The requirements of these individual directives and the Framework Directive represent the minimum standard necessary to ensure worker protection at work. It is important to note that Member States have the discretion to maintain or implement higher levels of protection if they choose.

In addition to these directives, other EU legislation also addresses psychosocial risks at work. For instance, the [EU Artificial Intelligence Act](#), adopted by the European Parliament and the Council of the EU in May 2024, aims to promote the uptake of human-centric and trustworthy AI while ensuring a high level of protection of health and safety. Similarly, the [Platform Work Directive](#), for which the European Parliament and the Council of the EU reached a provisional agreement in 2024, includes provisions on psychosocial risks at work and requires their evaluation by the digital platforms.

Moreover, the [EU Strategic Framework on Health and Safety at Work 2021-2027](#) emphasises the importance of addressing psychosocial risks at work, while the [European Commission's Communication on Comprehensive Approach to Mental Health](#) highlights the fact that psychosocial risks and work-related stress are among the most pressing issues in the realm of OSH.

In addition, the Council of the EU, [in its conclusions on mental health and precarious work on 9 October 2023](#), invited the European Commission to reflect on an adequate policy for addressing psychosocial risks at work based on the legal obligations laid down in the Framework Directive 89/391/EEC.

Finally, European Parliament's resolutions have called for initiatives such as [a new directive specifically addressing work-related psychosocial risks](#), addressed in the study 'Minimum health and safety requirements for the protection of mental health in the workplace', requested by the EP's EMPL committee, and [measures to promote mental health and work-life balance in the digitalisation context](#). The EU has also undertaken various campaigns, issued guidelines, developed tools, and conducted studies, underscoring its commitment to effectively addressing psychosocial risks in workplaces. Some workers' organisations, e.g. the European Trade Union Confederation, has called for a [Directive on psychosocial risks at work](#). The EU has also undertaken various campaigns, issued guidelines, developed tools, and conducted studies, underscoring its commitment to effectively addressing psychosocial risks in workplaces. The EU-OSHA has done extensive [work on psychosocial risks and mental health at work](#). In 2026-2028, the Agency will carry out a 'Healthy Workplaces' campaign which will focus on this area.

## 2 Host country practice<sup>3</sup>

This section provides an overview of Belgium's legislative and enforcement approaches to address psychosocial risks at work. It outlines the way in which psychosocial risks in the workplace are regulated and presents enforcement approaches, including the prevention of psychosocial risks in the workplace.

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<sup>3</sup> Section based on the host country paper and host country presentations during the Peer Review.

## 2.1 Legislative approach

Belgium began its legislative efforts to protect workers from psychosocial risks in the workplace in 1992 with a [royal decree](#), targeting in particular sexual harassment<sup>4</sup>. Four years later, in 1996, the [Act on the Well-being of Workers](#) was introduced, transposing [Council Directive 89/391/EEC](#). This Act aimed to update workplace safety and health regulations by expanding the scope of well-being measures, although it did not specifically address psychosocial risks at that time. In 1999, Belgium adopted [Collective Labour Agreement No. 72](#), focusing on the management of work-related stress prevention. Subsequently, in 2002, the 1996 Act was amended to include protections against harassment, sexual harassment, and workplace violence. Legislation has obliged every employer to appoint a 'prevention advisor for psychosocial aspects' and to set up an internal procedure for resolving situations through informal or formal procedures. The employer could also appoint a 'confidential counsellor' to manage the informal procedure. Following an evaluation of the 2002 legislation, the legislation has placed greater emphasis on collective prevention of 'psychosocial burden', expanding protection against various workplace risks, including stress and conflict, while maintaining specific procedures for harassment and violence. An evaluation in 2011 indicated positive results from these legislative changes, particularly noting the relevance of the legislation.

In 2014, Belgium further revised the law and refined its approach by replacing 'psychosocial burden' with 'psychosocial risks at work'.

Psychosocial risks at work are defined as:

'the probability that one or more workers will experience psychological harm, which may be accompanied by physical harm, following exposure to parts of the work organisation, the content of the work, working conditions, living conditions at work and interpersonal relations at work, on which the employer has an impact and which objectively pose a danger<sup>5</sup>.'

This definition focuses on five causes of work-related psychosocial risks, namely:

- the organisation of the work,
- the content of the work,
- working conditions,
- living conditions at work, and
- interpersonal relations at work<sup>6</sup>.

Besides the definition of psychosocial risks, the 2014 law underlines that the general risk analysis (and the need for the employer to take material and organisational prevention measures to prevent risks and harm) must include an analysis of work-related psychosocial risks. This means that 'the employer identifies situations that may lead to psychosocial risks in the workplace and determines and assesses the risks involved. In particular, they take into account situations that may lead to stress in the workplace, violence and moral or

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<sup>4</sup> Royal decree of 18 September 1992, [https://www.ejustice.just.fgov.be/mopdf/1992/10/07\\_1.pdf#page=9](https://www.ejustice.just.fgov.be/mopdf/1992/10/07_1.pdf#page=9)

<sup>5</sup> See: [https://employment.belgium.be/en/themes/well-being-workers/psychosocial-risks-work/definitions-and-scope-application#toc\\_heading\\_1](https://employment.belgium.be/en/themes/well-being-workers/psychosocial-risks-work/definitions-and-scope-application#toc_heading_1)

<sup>6</sup> The concepts of work content, working conditions, working life conditions and interpersonal relationships come from the Dutch legislation which identified those elements as the major causes of work-related psychosocial risk, whereas the concept of work organisation was included in accordance with the view of the social partners in the National Labour Council.



sexual harassment in the workplace'<sup>7</sup>. The 2014 law additionally clarifies the roles of all those involved in prevention: the employer, the hierarchical line, the internal prevention advisor, the occupational physician, the Committee for Prevention and Protection at Work, the 'confidential counsellor' and the 'prevention advisor for psychosocial aspects' to ensure that these risks are treated in the same way as other risks. In 2014, the internal procedure has been extended to cover all psychosocial risks (stress, burn-out, conflict, etc.) and it is since then no longer limited to situations of violence or harassment. An evaluation of the legislation in autumn 2024 is expected to review the effectiveness of the legal provisions relating to the prevention of psychosocial risks at work on a collective level, highlighting areas for improvement in systematic risk analysis and policy adoption.

The legislative framework was further consolidated in 2017 with the adoption of the [Code of Well-being at Work](#), which brought together the implementing decrees of the 1996 Act and included a specific section on psychosocial risk prevention. In late 2023, Belgium mandated the compulsory appointment of confidential counsellors in companies with 50 or more workers. This change aimed to enhance informal resolution processes and provide front-line support for workers facing psychosocial risks, complementing the formal role of prevention advisors.

In Belgium, addressing psychosocial risks at work primarily involves resolving issues within the company itself. Internal procedures such as informal or formal requests for psychosocial intervention are preferred for addressing and mitigating instances of workplace psychosocial harm, encompassing issues such as violence, harassment, stress, burnout, and conflicts. Two important actors support the effectiveness of the internal procedures: the 'prevention advisor for psychosocial aspects' and the 'confidential counsellor'.

The prevention advisor for psychosocial aspects<sup>8</sup> is compulsory in all companies. Employers must appoint a prevention advisor who can be internal or external to the company. The primary role of the prevention advisor for psychosocial aspects is to assist the employer in the assessment of the psychosocial risks and to give advice on the collective measures (technical and organisational) to prevent the psychosocial risks. To qualify as a prevention advisor, individuals must hold a university degree with a significant proportion of psychology and sociology. Moreover, they are required to complete specific training focused on the psychosocial aspects of work and possess at least five years of practical experience in the field. Key tasks of prevention advisors include conducting thorough risk analyses to identify potential psychosocial risks in the workplace, advising on preventive measures to mitigate these risks, handling both informal and formal requests for psychosocial intervention from employees in order to propose adequate measures to the employer, and collaborating with other relevant parties to safeguard the mental well-being of workers.

The confidential counsellor<sup>9</sup> plays a crucial role in handling psychosocial risks at work through informal procedures, consisting of informally looking for a solution through interviews or an intervention with a third party or conciliation. Employers with 50 or more workers are required to appoint a confidential counsellor within the company. For employers with fewer than 50 workers, the appointment of a confidential counsellor is optional unless specifically requested by all members of the trade union delegation or, in their absence, by all the workers themselves. The counsellor's role focuses on informal processes, excluding

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<sup>7</sup> Art. 32/2. § 1 of the law of 4 August 1996 on the well-being of workers during the performance of their work with regard to the prevention of psychosocial risks at work, including, in particular, violence and moral or sexual harassment at work. See also host country paper.

<sup>8</sup> See for more information on the prevention advisor for psychosocial aspects: [https://employment.belgium.be/en/themes/well-being-workers/psychosocial-risks-work/role-and-status-prevention-stakeholders-1#toc\\_heading\\_2](https://employment.belgium.be/en/themes/well-being-workers/psychosocial-risks-work/role-and-status-prevention-stakeholders-1#toc_heading_2)

<sup>9</sup> See for more information on the confidential counsellor: [https://employment.belgium.be/en/themes/well-being-workers/psychosocial-risks-work/role-and-status-prevention-stakeholders-0#toc\\_heading\\_3](https://employment.belgium.be/en/themes/well-being-workers/psychosocial-risks-work/role-and-status-prevention-stakeholders-0#toc_heading_3).

involvement in formal interventions handled by the prevention advisor for psychosocial aspects. They assist in risk analysis implementation, maintain regular consultation with the prevention advisor, and contribute to policy evaluation and internal procedures. Every newly appointed confidential counsellor must undergo at least five days of training within the first two years of assuming the role.

The prevention of psychosocial risks further requires employers to adopt two prevention plans. Once the assessment of work-related psychosocial risks has been carried out, employers are required to adopt a five-year overall plan, and an annual plan. The overall plan outlines risk analysis results, priority objectives, necessary activities, resources, and responsibilities. The annual action plan is developed to specify that year's objectives, resources, methods, and responsibilities, and to adjust the overall plan based on new circumstances, incidents, and feedback. The system undergoes regular evaluations, resulting in an updated overall prevention plan once every five years.

## 2.2 Enforcement actions and approaches

A significant actor in the enforcement of the legislation is the Labour Inspectorate for control on well-being at work (CWW). The CWW plays a crucial role in enforcing well-being regulations, particularly concerning psychosocial legislation. Their responsibilities encompass several key functions aimed at promoting compliance and ensuring worker well-being. CWW informs various stakeholders, such as employers, employees, trade unions, confidential counsellors and prevention advisors about legal regulations and the roles of different actors within the framework of psychosocial legislation. They refer individuals to appropriate procedures, whether internal or external, tailored to their specific circumstances and expectations, such as solution-oriented approaches. CWW conducts inspections to identify infractions, taking preventive actions and, when necessary, enforcing corrective measures. This includes issuing warnings, setting deadlines for compliance, and in severe cases, preparing reports or documents for legal action. Additionally, CWW initiates targeted inspection campaigns in sectors with high psychosocial risks, evaluating employers' prevention policies and their effectiveness in mitigating these risks.

Over the past two decades, an integrated approach has been developed which includes collaborations at all levels to address psychosocial risks at work. Collaboration between legislation, research, and practice has been established to ensure that decisions are evidence-based. This implies involving researchers in the evaluation of the legislation and the development of various tools such as campaigns, guidelines, questionnaires, and training.

In November 2021, federal authorities launched an [information and awareness campaign](#) to encourage more open discussions about mental well-being in the workplace. The campaign was organised in different phases, starting with a national awareness initiative to inform employers and workers, and concluding with the development of actions and pilot projects for the primary prevention of psychosocial risks. Furthermore, Belgium developed a [guideline for preventing psychosocial risks in the workplace](#). This guide aims to assist organisations, including SMEs and very small enterprises, in integrating a psychosocial risk prevention approach within their overall occupational risk management and social dialogue policies. It defines these risks, outlines prevention principles, and details steps for implementing an effective prevention policy.

While Belgium's regulatory framework for managing psychosocial risks is robust at the organisational level, challenges persist, particularly in implementing collective prevention measures and accurately measuring the system's effectiveness due to inconsistent reporting and limited access to data. The economic impact of psychosocial risks has also been highlighted during the Peer Review. The increase in sickness and disability benefits

attributed to mental health conditions, such as burnout and depression, challenges the sustainability of the social security system. Addressing psychosocial risks comprehensively and effectively would strengthen the sustainability of the social security system.

### 3 Key Peer Review discussion outcomes

This section summarises the discussion during the Peer Review on the different national legislative and enforcement approaches to address psychosocial risks at work implemented by Member States, including the need for specific legislation addressing psychosocial risks at national level.

#### 3.1 Legislative approaches addressing psychosocial risks at work.

Different legislative approaches have been adopted in the Member States addressing psychosocial risks at work, which vary in the degree to which psychosocial risks are included in the OSH legislation of the Member States. This diversity reflects the different national situations and contexts and highlights that there is no unique model to address psychosocial risks at work.

Box 1 below provides a short overview of legislative approaches in the Member States participating in the Peer Review starting with those having specific legislation on psychosocial risks at work (Belgium, Sweden, Finland, the Netherlands), those having some references to this kind of risks in their legislation (Spain, Greece, Malta, Poland and Latvia) and Ireland, which has adopted a 'soft law' approach.

#### **Box 1. Legislative approaches to psychosocial risks at work in the countries participating in the Peer Review<sup>10</sup>**

##### ***Countries with specific legislation on psychosocial risks at work***

- **Belgium** has specific legislation addressing psychosocial risks, as described in the chapter above.
- In **Sweden**, preventive action to address psychosocial risks at work is included in the Work Environment Act from 1977. There are also specific provisions on the organisational and social work environment (adopted in 2015), preventing risks associated with excessive workloads, unhealthy working hours and victimisation. The Swedish approach emphasises the organisational dimension of psychosocial risks by mandating preventive actions in relation to the organisational and social work environment.
- In **Finland**, although the legislation does not specifically mention psychosocial risks at work, it does refer to psychosocial workload factors. A recent amendment (222/2023) clarifies that the Occupational Safety and Health Act covers both physical and psychosocial workload factors. These factors include aspects related to work content, factors related to the way in which work is organised, and factors related to the social functioning of the work community. The Occupational Safety and Health Act mandates employers to conduct risk assessments and implement measures to improve working conditions, specifically addressing psychosocial risk factors.
- In the **Netherlands**, the Working Conditions Act includes two types of psychosocial risks at work, namely 'work pressure' and 'unacceptable behaviour'. Bullying,

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<sup>10</sup> Based on the peer country papers and presentations prepared for the Peer Review.

aggression and violence, discrimination and (sexual) harassment are the forms of unacceptable behaviour listed in the law. The Netherlands is currently looking into a new specific legislation on 'unacceptable behaviour'.

### ***Countries with some references to psychosocial risks in their legislation***

- In **Spain**, EU OSH Directives are transposed through Law 31/1995 on the prevention of occupational risks, which imposes a general obligation on employers to ensure workers' safety and health, implicitly including psychosocial risks. In addition, the Royal Decree 39/1997 of 17 January 1997, approving the Prevention Services Regulations (while not explicitly mentioning psychosocial risk factors in its regulatory text), mandates the management of occupational safety and health in general terms and recommends mitigating stress and other psychosocial problems; assessing the consequences of harmful psychosocial factors; and carrying out specific risk assessments.
- In **Greece**, reference is made to specific issues such as harassment or mental health at work, while other risks are not mentioned specifically. Employers who lack relevant expertise can use tools like the [Online interactive Risk Assessment \(OiRA\)](#) to conduct a pre-assessment.
- In **Malta**, the Occupational Health and Safety Authority Act refers to health and safety in general. However, both physical and psychosocial wellbeing are mentioned and links to some psychosocial risks are made.
- In **Poland**, 'psychosocial conditions' were added to the Polish Labour Code after the COVID-19 pandemic but only in the context of the assessment of the occupational risks of remote work. In addition, the legislation includes a reference and coverage of mobbing at work.
- In **Latvia**, the 'Labour Protection Law' addresses psychosocial risks, mentioning them as part of the 'working environment' and 'special risks' without further developing them. However, the law also includes specific obligations to assess work environment risks related to psychological load.

### ***Countries adopting a 'soft law' approach to psychosocial risks***

- **Ireland** has explicit references to some specific behavioural hazards in the Safety, Health and Welfare at Work Act (2005), which puts duties on the employer to manage improper conduct at work. However, the law does not refer to 'psychosocial risks' in general, nor to any specific psychosocial risks or any work-related mental or physical health conditions. Instead, the country relies on non-binding [Guidance for Psychosocial Risk Assessment](#)<sup>11</sup> and [Code of Practice on the Prevention and Resolution of Workplace Bullying](#)<sup>12</sup>, and models of good practice.

Furthermore, **reference to specific expertise required for work-related psychosocial risk prevention, assessment and management** is made in the legislation of some countries. For example, in Finland, the Occupational Health Care Act mandates that employers provide preventive occupational health care services, focusing on assessing and monitoring work-related health risks, including psychosocial factors. Employers often

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<sup>11</sup> The Guidance, provided by the Irish Health and Safety Authority, defines and categorises psychosocial work risks. It outlines non-binding procedures for assessing and managing risks related to work demands, control, support, change, social relations, critical incidents, exposure to sensitive content, workplace bullying, aggression, and violence.

<sup>12</sup> The code provides definitions of psychosocial risks at work and can be used in court cases. Failing to follow the codes of practice has relevance in court cases and is admissible as evidence in court and shall be taken into account in particular circumstances.

rely on occupational health care experts to evaluate and manage these risks. In the Netherlands, employers are legally required to assess and mitigate psychosocial risks at work. They are obliged to implement policies to prevent these risks, for example by appointing a confidential advisor and providing employee education and training. The Working Conditions Act mandates that employers seek advice from experts, such as certified Labour and Organisation experts on psychosocial risk.

### 3.2 Enforcement approaches and practical tools to address psychosocial risks at work

Robust enforcement measures are essential for the effective implementation of legislation addressing psychosocial risks at work. Different preventive and enforcement approaches and practical tools addressing psychosocial risks at work are employed across Member States which include guidelines, employers' risk assessment tools, inspections, training, counselling, awareness raising campaigns, and collaboration among different stakeholders.

**Guidelines** providing details and actionable recommendations on how to address psychosocial risks at work for different stakeholders, such as employees, employers, workers and employers' organisations, are used in several countries. For example, in the Netherlands, while the (framework) law lays down general principles and obligations, specific details on how to comply with these rules are detailed in sector specific health and safety catalogues concluded by employers and employees. Sector specific catalogues adapt to the differences among sectors and organisations and function as guidelines containing sector specific measures and tools to meet the law and reduce occupational risks. These catalogues contain a chapter on psychosocial risks at work. While the catalogues are not mandatory, if an organisation lacks a catalogue during inspections, this will be taken into consideration. The advantage of sector specific health and safety catalogues is that they leave room for tailored interventions. Similarly, in Ireland, addressing psychosocial risks at work relies on non-binding guidance and codes of practice, as the legislation does not mention 'psychosocial risks' in general or any specific work-related mental or physical health conditions.

**Risk-assessment tools** are easy to use processes that help employers to evaluate psychological risks at work and obtain practical suggestions to improve working conditions and well-being. Examples includes the [WorkPositive<sup>CI</sup>](#) in Ireland and the [method](#) for psychosocial factors evaluation and management in Spain.

#### Box 2. The WorkPositive<sup>CI</sup> in Ireland<sup>13</sup> and the method for psychosocial factors evaluation and management in Spain<sup>14</sup>

- [WorkPositive<sup>CI</sup>](#) is a free, online, confidential, and easy to use survey for organisations to assess psychosocial risks in Ireland. It follows the six management standards for psychosocial risks: demands, control, support, social relations, change management and job role. After completing the survey, WorkPositive<sup>CI</sup> generates a practical, online report which identifies risk areas and provides actionable recommendations to enhance working conditions and employee well-being. Work stressors are scored using a benchmark system, comparing an organisation's scores with those of other Irish entities that have completed the survey. Beyond being a mere questionnaire, the tool serves as a proactive tool to drive organisational changes. It guides employers through a four-step process aligned with the Psychosocial Risk Management

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<sup>13</sup> Ireland peer country paper and presentation during the Peer Review.

<sup>14</sup> Spain peer country paper and presentation during the Peer Review.

European Framework (Prima-EF): prepare the organisation; assess psychosocial risks; develop an action plan; and review and evaluate changes.

- The National Institute for OSH in Spain has recently created a [method](#) for the evaluation and management of psychosocial factors in small businesses. It is a free of charge tool designed mainly for micro and small companies of up to 25 workers, where the employer personally assumes preventative actions. The method structures the evaluation process, provides explanations and support, focuses on the most important risk factors and allows to establish concrete measures to modify working conditions.

**Inspections** on psychosocial risks at work are conducted in all the countries which were part of the Peer Review. Inspections are conducted based on complaints or on a more proactive and systematic approach by the labour inspectorates. For example, in the Netherlands, inspections are conducted based on analysis of psychosocial risks in sectors.

### Box 3. The Dutch programmatic approach to inspections<sup>15</sup>

In the Netherlands, due to limited capacity of the labour inspectorate, inspections are conducted based on analysis of psychosocial risks by sector. The process begins with monitoring studies, such as the Netherlands Working Conditions Survey (NWCS), which helps identify sectors with the highest psychosocial risks. Once the sectors are identified, an orientation phase commences. During this phase, relevant documents are analysed, and interviews are conducted with key stakeholders (e.g., trade associations, professional groups, specialized knowledge institutes, and trade union research teams). The focus is on understanding the underlying causes of high psychosocial risks. Solutions that are already being implemented and factors hindering their implementation are also discussed. The insights gathered during the orientation phase inform subsequent inspections within the sector. Conclusions are drawn based on document analysis and stakeholder interviews. Ultimately, these conclusions are shared with sector-level stakeholders, including employers who have not previously undergone inspection.

Inspecting psychosocial risks requires specialised skills. Effective enforcement relies on labour inspectors receiving **training**. In some countries, inspectors undergo training related to psychosocial risks at work. For instance, in the Netherlands, a one or two-year training programme is available for inspectors focusing on psychosocial risks. Similarly, in Malta, dedicated university courses cater to labour inspectors in this field.

**Counselling** services play a significant role, providing essential support to employers and employees alike, enhancing compliance through advice on best practices and legal requirements. For example, in Greece, the ‘occupational physician’ is responsible for providing consultation for workers’ mental health and is responsible for issues pertaining to the physiology and psychology of work, ergonomics and hygiene of work, as well as the work environment, and organisational aspects. In Sweden, ‘safety delegates’, as the representatives of the employees, play a crucial role in identifying and addressing psychosocial risks, with legal rights to demand improvements and initiate enforcement processes.

**Thematic campaigns** can also be an effective tool to raise awareness and provide sector-specific information on psychosocial risks, although their effectiveness can be hindered by resource constraints. Several countries participating in the Peer Review organise campaigns addressing psychosocial risks at work. For example, in Greece, campaigns allowed for a wide range of awareness raising activities to take place. To this end, a platform

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<sup>15</sup> The Netherlands peer country paper and presentation during the Peer Review.

has been set up offering digital tools and services in relation to health and safety at work. The main objective is to provide micro, small and medium-sized enterprises with tools regarding health and safety at work. This includes information on legislation, training, Online interactive Risk Assessment (OIRA) tools, and direct contact channels with the ministry. The [platform](#) offers a free course on psychosocial risks. The ministry is also developing a new information system, IRIDANOS, which will contain material on psychosocial risks. In Poland, awareness campaigns are essential preventive measures in addressing psychosocial risks.

#### Box 4. Awareness campaigns in Poland<sup>16</sup>

One exemplary preventive programme and awareness campaign addressing psychosocial risks in Poland is the national programme titled '[Counteracting the negative effects of stress in the workplace](#)' coordinated by the State Labour Inspectorate. This comprehensive program includes education, analysis, occupational risk assessment, and risk elimination. It offers training sessions for employees and employers, covering stress management, discrimination prevention, burnout mitigation, and strategies to combat workplace harassment. Additionally, upon request from participating organisations, the programme offers the service of conducting an analysis of the workplace to identify stress-inducing factors. In 2022, 165 training sessions were conducted, involving nearly 263 employers, 6 711 employees, and 42 social labour inspectors.

**Collaboration with different stakeholders** is also essential for sharing best practices, developing joint guidance, and coordinating thematic campaigns to raise awareness and improve compliance with legislation. For example, in Finland, the cooperation between occupational health care services and the workplace plays a crucial role in supporting the management of psychosocial risks. In the Netherlands, there is a lot of collaboration with sector organisations and trade unions on all relevant policy areas and disciplines.

#### Box 5. Collaboration with stakeholders in Greece<sup>17</sup>

- The Worker Health and Safety Council (S.Y.A.E.), established by the Supreme Labour Council (A.S.E.) under the Ministry of Labour and Social Security, is dedicated to safeguarding workers' health and promoting occupational hygiene and safety. S.Y.A.E. comprises representatives from the state, employers' and workers' organisations, and scientific institutions.
- The Hellenic Institute of Occupational Health and Safety (EL.IN.Y.A.E.), established in 1992, is a non-profit organisation that operates with input from both employers and employees. Its primary focus is researching the effects of emerging technologies and preventive measures related to occupational risks. It provides OSH matters and offers training programs covering health and safety at work, including psychosocial risks. Additionally, other institutions like the Hellenic Statistical Authority gather data and publish reports specifically addressing psychosocial risks.

The **collective dimension** of psychosocial risks at work was also emphasised, as these risks stem from organisational factors and affect all individuals within a company.

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<sup>16</sup> Poland peer country paper and intervention at the Peer Review.

<sup>17</sup> Greece peer country paper and intervention at the at the Peer Review.

## 4 Key messages from the Peer Review

The Framework Directive 89/391/EEC on Safety and Health of Workers at Work and other relevant EU Directives establish minimum requirements that all Member States need to transpose into national laws, but Member States still have flexibility to develop detailed national specifications that enables them to adopt an approach that best suits their national context.

The key insights gained from the presentations and working group discussions during the Peer Review are summarised below.

### **National legislative approaches**

- Different legislative approaches have been adopted in the Member States, which vary in the degree to which psychosocial risks are included or explicitly mentioned in the OSH legislation of the Member States. This diversity reflects the different national situations and contexts and highlights that there are different models to address psychosocial risks at work.
- Among the Member States that participated in the peer review, Belgium, Sweden, Finland and the Netherlands have specific legislation on psychosocial risks at work. Other Member States have some references to psychosocial risks at work in their legislation (e.g. Spain, Greece, Malta, Poland and Latvia). Finally, in Ireland, the legislation does not refer to 'psychosocial risks' or specific work-related health conditions. Instead, it relies on a soft law approach with non-binding guidance and best practices to address these risks.

### **Need for specific legislation addressing psychosocial risks at work at national level**

- There was a strong consensus among the participants of the peer review that there is a need to specifically address psychosocial risks at work in national legislation. Specifically, some participants noted that it can:
  - ensure political commitment to the issue;
  - clarify the content of the concept of psychosocial risks;
  - more clearly determine the tasks of the inspectors and their possibility to act;
  - specify the obligations of employers relating to psychosocial risks, taking into account the size of the enterprise and possibly complemented with more specific and tailored guidelines for specific sectors to ensure that they are understood and applied in the same way, encouraging employers to fulfil their obligations related to psychosocial risks at work (employers tend to pay more attention to risks specifically addressed in the legislation); and
  - bring the issue to the attention of a wider audience and thereby act as a driver for cultural change.
- There was also a discussion on the risk factors (such as workload, work organisation and working conditions) that could be addressed in order to determine the prevention measures to deal with psychosocial risks.
- A consensus was also reached on the need to support employers and a discussion took place on ways to provide expertise in the psychosocial aspects of work.
- Dialogue among social partners and stakeholders is considered essential for shaping legislation effectively, as well as for supporting its implementation and enforcement.



- An important conclusion from the discussions at the peer review was that legislation alone is not sufficient – it needs to be combined with effective implementation, enforcement, guidance and support.
- Member States can benefit from further exchanges and peer learning, focused on further evaluation and evidence to determine what works well and to help shape future decisions on legislative and enforcement approaches.

**Implementation and enforcement actions and approaches, including practical tools and solutions to address psychosocial risks at work**

- Similar to other occupational safety and health legislation, robust enforcement measures are essential for the effective implementation of legislation addressing psychosocial risks at work.
- Different enforcement actions and approaches are employed across Member States to address psychosocial risks at work.
- An effective inspection system is generally considered essential to promote and monitor compliance with OSH legislation. Inspections have both a preventive role through proactive activities and a protective role by reacting to complaints on psychosocial risks at work. The balance between proactive and reactive inspections related to psychosocial risks varies across the Member States.
- Training on psychosocial risks for labour inspectors is recognised as crucial for effective enforcement, although challenges remain due to the specificities and complexity of the issue.
- Guidance and counselling services on psychosocial risks at work play a significant role, providing essential support to employers and employees alike, enhancing compliance through advice on best practices and legal requirements.
- Thematic campaigns can be an effective tool to raise awareness and provide sector-specific information on psychosocial risks, although their effectiveness can be hindered by resource constraints.
- Common challenges across Member States include the specialisation of inspectors, and the management of complaints on psychosocial risks at work.
- Collaboration among Member States and stakeholders is essential for sharing best practices, developing joint guidance on psychosocial risks, and coordinating thematic campaigns to raise awareness and improve compliance with legislation.