

Employer toolkit

Supporting employees with epilepsy in the workplace

Safety – With references

Key points

- Employers have to assess risks and put control measures in place for all employees
- Some employees with epilepsy won't need any adjustments to their job
- A risk assessment might identify safety measures that can be done easily or at no cost

On this page

[What the law says](#)

[Concerns employers might have about safety](#)

[Epilepsy risk assessments](#)

[Insurance](#)

[Working at home](#)

[Evacuation in emergencies](#)

[Stress](#)

What the law says

All employers must make the workplace safe by law. To do this, they must protect all their employees from any possible danger to their health or safety while they are at work.¹

Employees also have a legal responsibility to take reasonable care of their own health and safety and those around them. If an employee's epilepsy could cause a health or safety risk while at work, they should tell their employer about it.²

If an employee's epilepsy is unlikely to be a health and safety risk, there is no legal duty for them to disclose it.³

“I've had bad experiences with employers before. As I hadn't had a seizure for over a year, when I started this job, I decided that I would wait to tell my manager. He was a very supportive manager, so I told him quite quickly and he's been very understanding.”

Concerns employers might have about safety

Research shows that safety is one of employers' top concerns when employing someone with epilepsy. Safety concerns might include:

- Working at heights
- Operating machinery
- Lone working
- Pressure, stress or tiredness increasing the likelihood of an employee having a seizure⁴

Over half of people with epilepsy in the UK are seizure free⁵, as their seizures are controlled by medicine. If an employee is seizure-free there might not be any additional risks for them at work.

Health and safety laws say you have to have appropriate measures in place to reduce risks for all employees. The safety measures needed for people with epilepsy might not be any different than those you provide for everybody. Doing a risk assessment will tell you if there are any situations that might be riskier for your employee.

You cannot use health and safety as a reason not to employ someone with epilepsy unless you can justify your reasons. You could only do this after a health and safety risk assessment and if there were no reasonable adjustments that could make the role safe.

Epilepsy and safety concerns at work

Watch Grace from the Epilepsy Action Helpline talk about some common concerns employers have about safety.

[Watch the video](#)

Epilepsy risk assessments

Employers have a duty by law to assess risks in the workplace.⁶

There is no requirement to carry out a separate risk assessment for disabled employees.⁷ But because epilepsy affects everyone differently, a general disability risk assessment, by itself, is unlikely to identify suitable controls for an employee with epilepsy. You need to understand how epilepsy affects your employee and what the specific risks might be for them.

Steps

1. Check that risks to all employees have been assessed and control measures put in place
2. Ask your employee to complete the 'My epilepsy' template and to talk to you about their epilepsy so you understand how epilepsy affects them
3. Complete a seizure action plan with your employee
4. Complete a risk assessment with your employee. Using the risk assessment for all employees is a good place to start. You can talk about whether your employee's epilepsy increases the risks for their job or not
5. If you need more information to complete the risk assessment, you could refer your employee to occupational health or ask your employee if you can write to their GP or epilepsy doctor
6. Communicate any actions to people who need to know. For example, if there is a task that the risk assessment identifies as too risky for your employee, who needs to know about it?

A risk assessment may identify that there are no additional safety measures needed for your employee. Or it could identify controls that would make work safer for all employees.

There's no required legal timeframe for reviewing risk assessments.⁸ Your organisation may have a policy about how often they are reviewed. If your employee's epilepsy changes you should review their risk assessment.

Some employers review their disability risk assessments and support for employees once a year as part of their annual review or appraisal.

Risk assessment tools

[Risk assessment template](#)

[Risk assessment checklist](#)

[Example risk assessment - Warehouse environment](#)

[Example risk assessment - Office environment](#)

Health and Safety Executive – [Risk assessment at work](#)

Tips for doing a risk assessment

- Involve your employee. They know the most about how their epilepsy affects them and the potential risks at work
- Treat them as an individual. Not everyone with epilepsy is affected in the same way
- Don't make assumptions that there are safety risks because of epilepsy

Case study: Daniel

“I work for a football club as a performance analyst. My employer did a risk assessment when I started. There was only one risk that came up about working at heights. In my job sometimes we film a game from a gantry so that we have footage of the match to watch back. But they've adjusted it to have someone else do the filming from the gantry instead of me. I do the other half of the job at ground level. And that way I'm not going to fall from a height and people can easily get to me.”

Case study: Erin

“I had an occupational health risk assessment when I started this job. We talked about my triggers being tiredness and stress and this was taken into account to make some small changes for me at work. The things I have in place are mini breaks throughout the day – I take 5- or 10-minutes rest every couple of hours. That makes me more productive overall, and less tired. I also have a fixed desk in the office instead of hot desking. That takes away a little bit of stress in the morning.”

Insurance

Most employers must have employer's liability insurance to cover them against claims if any employees are injured at work.⁹ Some employers are concerned that employing someone with epilepsy will increase the costs of employer's liability insurance.¹⁰ Insurance brokers have told us that in their experience, employing disabled people does not affect employer's liability premiums.

The cost of insurance depends on many factors, such as:

- the number of employees
- the type of business
- your claims history¹¹

Working at home

Many employees are now able to work from home. This can raise concerns about the risks of an employee having a seizure while they are working at home. The Health and Safety Executive has guidance about what employers should do to [protect all homeworkers](#). If your employee works at home or would like to, include it in your risk assessment.

For some people with epilepsy, working at home may reduce tiredness and stress. If these are [seizure triggers](#) for your employee, working at home may help to reduce their seizures.

Evacuation in emergencies

If an emergency evacuation was needed during or while recovering from a seizure, some employees may need help to evacuate the building. You should do a personal emergency evacuation plan (PEEP) to find out if they would need any assistance.

Some types of seizure are very brief and people don't lose awareness. In this case they are not likely to need any help to evacuate in an emergency.

[Personal emergency evacuation plan template](#)

[Personal emergency evacuation plan example](#)

Stress

For some people with epilepsy, stress can trigger seizures. If the epilepsy risk assessment identifies that stress is an issue, you can do a specific stress risk assessment. The [HSE's management standards](#) cover 6 areas of work that can affect stress. This risk assessment template and example can be used to identify the risks of stress to your employee and steps you can take to control them.

[Stress risk assessment template](#)

[Stress risk assessment - Care home example](#)

Health and Safety Executive – [Stress risk assessment](#)

References

¹ HSE (2013) *Workers Health and Safety – Employer's responsibilities* [online] Available at <http://www.hse.gov.uk/workers/employers.htm> (Accessed 06 October 2020)

² HSE (2013) *Workers Health and Safety – are you an employee?* [online] Available at <http://www.hse.gov.uk/workers/responsibilities.htm> (Accessed 06 October 2020)

³ <https://www.hse.gov.uk/disability/faqs.htm> (Accessed 06 October 2020)

⁴ Francis, R., Byford, M., Wilson, S., (2019) *Employment support for people with epilepsy* 56. <https://www.employment-studies.co.uk/system/files/resources/files/523.pdf> (Accessed 06 October 2020)

⁵ Chen, Z., Brodie, M.J., Liew, D., Kwan, P., 2018. Treatment Outcomes in Patients With Newly Diagnosed Epilepsy Treated With Established and New Antiepileptic Drugs: A 30-Year Longitudinal Cohort Study. *JAMA Neurol* 75, 279–286. <https://doi.org/10.1001/jamaneurol.2017.3949>

⁶ HSE (2013) *Workers Health and Safety – Employer’s responsibilities* [online] Available at <http://www.hse.gov.uk/workers/employers.htm> (Accessed 06 October 2020)

⁷ HSE - Health and safety for disabled people FAQ’s <https://www.hse.gov.uk/disability/faqs.htm> (Accessed 06 October 2020)

⁸ HSE – Review your risk assessment and update if necessary <https://www.hse.gov.uk/violence/toolkit/riskdetail5.htm> (Accessed 06 October 2020)

⁹ HSE (2012) Employers liability (Compulsory insurance) Act 1969: A brief guide for employers, <https://www.hse.gov.uk/pubns/hse40.pdf>(Accessed online 24 December 2020)

¹⁰ Francis, R., Byford, M., Wilson, S., (2019) *Employment support for people with epilepsy* 56. Pg.15. <https://www.employment-studies.co.uk/system/files/resources/files/523.pdf> (Accessed 06 October 2020)

¹¹ <https://www.abi.org.uk/products-and-issues/choosing-the-right-insurance/business-insurance/liability-insurance/employers-liability-insurance/> (Accessed 06 November 2020)

employers.epilepsy.org.uk

Epilepsy Action, Gate Way Drive, Yeadon, Leeds LS19 7XY, UK, +44 (0)113 210 8800
Epilepsy Action is the working name of British Epilepsy Association, a registered charity in England and Wales (No. 234343) and a company limited by guarantee (No. 797997) in England.

© Epilepsy Action 2021

