

**Debate Pack**

4 January 2024

Number CDP 2023/0236

By Patrick Brione,  
Khadijah Zaidi,  
Carl Baker,  
Isabel Buchanan,  
Brigid Francis-Devine

---

# Musculoskeletal conditions and employment

<b>1</b>	<b>Background</b>	<b>3</b>
1.1	Musculoskeletal conditions	3
	Work-related causes	3
	Impact on employment	4
1.2	Health and safety law	4
	Musculoskeletal disorders in health and safety law	5
1.3	Disability and employment	6
	Reasonable adjustments	6
	Access to work	6
<b>2</b>	<b>Press articles</b>	<b>8</b>
<b>3</b>	<b>Press releases</b>	<b>10</b>
<b>4</b>	<b>Parliamentary material</b>	<b>11</b>
4.1	Parliamentary Questions	11
<b>5</b>	<b>Further reading</b>	<b>13</b>
5.1	Government resources and publications	13

5.2	Resources from other organisations	14
5.3	Reports	14
5.4	Journal articles	15

# 1 Background

A Westminster Hall debate on Musculoskeletal conditions and employment will take place on Wednesday 10 January 2024, from 9.30am – 11.00am. The debate will be led by Margaret Greenwood MP.

## 1.1 Musculoskeletal conditions

The umbrella term musculoskeletal (MSK) conditions covers a wide range of short- and long-term health conditions [affecting the joints, bones, muscles and associated body tissues](#), including types of arthritis, osteoporosis or back and neck pain.<sup>1</sup> Different types of MSK conditions have different causes. Some MSK conditions result from [injury and repetition of certain movements](#), especially those associated with particular working practices.<sup>2</sup> Some auto-immune or inflammatory conditions, such as rheumatoid arthritis, can also cause MSK symptoms.

The Government's Office for Health Improvement and Disparities provides available [figures on musculoskeletal health](#) on its Fingertips website. These are broken down by local authority.

It includes an estimate from GP Patient Survey data that 17.6% of people in England reported a long-term MSK condition in 2022. Specifically, this was the percentage of people aged 16+ who said they had arthritis or a problem with their back or joints.<sup>3</sup>

### Work-related causes

Statistics from the Health and Safety Executive (HSE) show that the industries with the most reported incidents of musculoskeletal disorders are agriculture, construction, health and social care and transport and logistics.<sup>4</sup>

In its 2021 report on work-related musculoskeletal disorders, HSE suggested that work-related musculoskeletal disorders are associated with work patterns which include the following:

- Fixed or constrained body positions.

---

<sup>1</sup> World Health Organization, [Musculoskeletal health](#), 14 July 2022

<sup>2</sup> European Agency for Safety and Health at Work, [Musculoskeletal disorders](#), (accessed 2 January 2024)

<sup>3</sup> Office for Health Improvement and Disparities, [Fingertips public health data – Musculoskeletal health: local profiles](#) (accessed 2 January 2024)

<sup>4</sup> Health and Safety Executive, [Musculoskeletal disorders at work](#), (accessed 2 January 2024)

- Continual repetition of movements.
- Force concentrated on small parts of the body such as the hand or wrist.
- A pace of work that does not allow sufficient recovery between movements.<sup>5</sup>

## Impact on employment

The Department for Work and Pensions provides statistics on employment status by medical condition. The employment rate for people with musculoskeletal conditions and classed as disabled was 57.5% in 2022/23, compared to a rate of 51.0% in 2013/14.<sup>6</sup>

In comparison, the employment rate for the whole population aged 16-64 was 75.7% in 2022/23.<sup>7</sup> This means people with musculoskeletal conditions are much less likely to be in employment than average.

According to HSE, musculoskeletal disorders accounted for 6.6 million days lost due to work-related ill health in 2022/23, out of a total of 35.2 million lost days in Great Britain. Musculoskeletal disorders were the second highest cause of days lost, after 'stress, depression or anxiety'.<sup>8</sup>

HSE released a short analysis of the costs of work-related musculoskeletal disorders in 2016 and estimated that the total costs to society are in the region of £2.3 billion per year.<sup>9</sup>

## 1.2

## Health and safety law

Health and safety law in Great Britain is governed both by statute and by common law principles such as the concept of a duty of care that employers have towards their workers. Workplace health and safety is a reserved matter in Great Britain but devolved in Northern Ireland. The concept of a duty of care owed by employers to their workers exists in both the common law of England & Wales and in Scots Law.

Under the common law it is an implied term in every employment contract that employers are considered to have a general duty of care to ensure, as far as is reasonably practicable, the health, safety and wellbeing of their

---

<sup>5</sup> Health and Safety Executive, [Work-related musculoskeletal disorders statistics in Great Britain, 16 December 2021](#) (PDF)

<sup>6</sup> DWP, [The employment of disabled people 2023](#), Table LMS003

<sup>7</sup> ONS, [A01: summary of labour market statistics](#), 12 December 2023

<sup>8</sup> Health and Safety Executive, [Working days lost in Great Britain](#) (accessed 22 December 2023)

<sup>9</sup> HSE, [Supplementary analysis of Costs to Britain data: using existing ill health appraisal values to estimate illustrative costs of work-related musculoskeletal disorders and stress](#) (PDF), September 2016

employees. This includes both the physical and mental health of employees and covers providing a safe place to work, safe equipment and safe working practices and colleagues. Where an employer fails in the duty of care, it can give rise to a claim of a tort of negligence.<sup>10</sup>

In addition to their common law duty of care, employers have similar statutory duties under the [Health and Safety at Work etc Act 1974](#) (HASAWA) to take reasonable steps to protect the “health, safety and welfare” of their employees at work.<sup>11</sup> Building on this statutory duty in HASAWA are various subsequent regulations such as the [Management of Health and Safety at Work Regulations 1999 \(SI 1999/3242\)](#). These 1999 Regulations impose specific obligations on employers to carry out risk assessments and to apply the “principles of prevention” (contained in [Schedule 1 to the Regulations](#)) to minimize these risks.<sup>12</sup> There are also a range of industry-specific regulations which impose more detailed requirements, such as the [Work at Height Regulations 2005](#) or the [Construction \(Design and Management\) Regulations 2015 \(SI 2015/51\)](#).

## Musculoskeletal disorders in health and safety law

HSE has a range of specific workplace [guidance on musculoskeletal disorders](#). This includes a summary of [the law on musculoskeletal disorders at work](#) which outlines duties under HASAWA and five pieces of secondary legislation that may be of particular relevance to workers with musculoskeletal disorders:

- [The Management of Health and Safety at Work Regulations 1999](#)
- [The Manual Handling Operations Regulations 1992](#)
- [The Health and Safety \(Display Screen Equipment\) Regulations 1992](#)
- [The Control of Vibration at Work Regulations 2005](#)
- [The Workplace \(Health, Safety and Welfare\) Regulations 1992](#)<sup>13</sup>

In addition, HSE has specific guidance about [health monitoring and support for workers with musculoskeletal disorders](#). This notes that while health monitoring is not usually required by law, it can be helpful to make employers aware of any arising health issues.<sup>14</sup>

---

<sup>10</sup> Acas, [Employer and employee duties](#), 7 July 2023; For more details on duty of care, see Carter and Carter Solicitors, [What is the Duty of Care of Employers?](#)

<sup>11</sup> [Health and Safety at Work etc. Act 1974, section 2\(1\)](#)

<sup>12</sup> [The Management of Health and Safety at Work Regulations 1999, Schedule 1](#)

<sup>13</sup> HSE, [The law on musculoskeletal disorders at work](#), [accessed 3 January 2024]

<sup>14</sup> HSE, [MSDs: Health monitoring and support for workers](#) [accessed 3 January 2024]

## 1.3

## Disability and employment

The Equality Act 2010 prohibits discrimination at work on the grounds of disability, along with other protected characteristics such as age or race. Disability is defined by the Act as a “physical or mental impairment” that has a “substantial and long-term adverse effect” on a person’s “ability to carry out normal day-to-day activities”.<sup>15</sup> Musculoskeletal conditions will therefore be considered disabilities whenever they meet this definition.

### Reasonable adjustments

Under the Equality Act 2010, employers must make reasonable adjustments to workplaces, working practices and policies or procedures to remove or reduce disadvantages faced by workers that are related to their disabilities.

The Acas [guidance on reasonable adjustments at work](#) outlines what kind of adjustments employers might make, giving a series of examples across four different areas: making changes to the workplace; changing someone's working arrangements; finding a different way to do something; and providing equipment, services or support.<sup>16</sup>

What counts as a reasonable adjustment will vary from case to case. Employers may need advice from occupational health or from workers’ own doctors as to what would be helpful adjustments for individual workers.

For more information on reasonable adjustments and disability discrimination, see the Library briefing on [Disability discrimination](#).<sup>17</sup>

### Supporting disabled people into employment

The Access to Work scheme provides support to disabled people in the workplace. Access to Work grants are available to employees and to the self-employed and aim to provide practical and financial support to help disabled people find or stay in work.<sup>18</sup>

In March 2023, the Government published the [Transforming Support](#) white paper with proposals aimed at helping “more disabled people and people with health conditions to start, stay and succeed in work”.<sup>19</sup> This was followed by a consultation on the [Disability Action Plan 2023 to 2024](#) which ran from 18

<sup>15</sup> [Equality Act 2010, section 6\(1\)](#)

<sup>16</sup> Acas, [Reasonable adjustments at work: What reasonable adjustments are](#), 1 November 2022

<sup>17</sup> Commons Library briefing CBP-9061 [Disability discrimination](#), 4 January 2023

<sup>18</sup> GOV.UK, [Access to Work: get support if you have a disability or health condition](#)

<sup>19</sup> DWP, [Transforming Support: The Health and Disability White Paper](#), 15 March 2023

July to 6 October 2023. The Government is currently considering their responses to the consultation.<sup>20</sup>

For more information on Government programmes to support disabled people in work, see the Library briefing [Disabled people in employment](#).<sup>21</sup>

---

<sup>20</sup> Disability Unit and Equality Hub, [Disability Action Plan 2023 to 2024](#), 18 July 2023

<sup>21</sup> Commons Library briefing CBP-7540, [Disabled people in employment](#), 19 June 2023

## 2

## Press articles

The following is a selection of news and media articles relevant to this debate.

Please note: the Library is not responsible for either the views or the accuracy of external content.

### [494 Million People Had Other Musculoskeletal Disorders Globally in 2020](#)

Health Day

22 December 2023

### [Scots workers deserve clarity on what new industrial injuries benefit will look like](#)

Mark Griffin MSP

Daily Record

10 December 2023

### [Summary of HSE Work-related Musculoskeletal Disorders Statistics 2022](#)

First Mats Research Hub

28 November 2023

### [Number of employees with ‘work limiting’ health conditions jumps 60 per cent – what can HR do?](#)

People Management

23 November 2023

### [Musculoskeletal research among work and health projects awarded share of £1.5m funding](#)

University of Aberdeen

20 October 2023

### [Analyzing the Impact of Musculoskeletal Disorders in the Construction Industry](#)

Occupational Health and Safety

15 August 2023

### [One in three employees keeping musculoskeletal condition quiet](#)

Personnel Today

26 June 2023

### [What is the “healthy working life expectancy” for those with musculoskeletal conditions?](#)

Open Access Government

12 May 2023



**Aviva pays £374 million in Group Protection claims during 2022**

Aviva Press release

9 May 2023

**Spring Budget 2023: Government to focus on mental health and musculoskeletal issues at work**

Employee Benefits

15 March 2023

**Government worker with musculoskeletal condition was discriminated against after other employees used her desk, tribunal finds**

People Management

25 April 2022

**Musculoskeletal disorders are the focus of European Week for Safety and Health at Work**

Informa Markets

12 October 2020

**Working from home: four in five develop musculoskeletal pain**

Occupational Health and Wellbeing Plus, from Personnel Today

17 September 2020

**Two-thirds suffering musculoskeletal issues say work has made condition worse**

Employee Benefits

21 January 2020

**Interview: EULAR Head Counting The Cost Of Rheumatic Disease** [intranet only]

Scrip Intelligence

22 June 2018

## 3

## Press releases

### **[A gold mine for growth and opportunity: Unleashing the full potential of the labour market](#)**

Department for Work and Pensions and Chloe Smith MP  
13 October 2022

The Secretary of State for Work and Pensions, Chloe Smith addressed an audience at the Policy Exchange about the labour market.

### **[NHS recovery to put staff wellbeing at its heart](#)**

Department of Health and Social Care and The Rt Hon Matt Hancock MP  
30 July 2020

The then Health Secretary welcomed the launch of the new NHS People Plan as he launches a new bureaucracy-busting drive so staff can spend less time on paperwork and more time with patients.

### **[Adding years to life and life to years: our plan to increase healthy longevity](#)**

Department of Health and Social Care and The Rt Hon Matt Hancock MP  
12 February 2020

The then Secretary of State for Health and Social Care addressed the All-Party Parliamentary Group for Longevity at the launch of their longer, healthier lives strategy.

## 4 Parliamentary material

### 4.1 Parliamentary Questions

#### Primary Health Care

**25 January 2023 | 127835**

**Asked by: Martyn Day**

To ask the Secretary of State for Health and Social Care, what assessment his Department has made of the potential merits of patient self-referral into routine NHS community services to reduce GP backlogs in England.

**Answering member: Neil O'Brien | Department: Department of Health and Social Care**

Direct access and self-referrals allow patients to take control of their healthcare, streamlines access to services and reduces unnecessary burden on general practitioner (GP) appointments. The NHS England '2023/24 priorities and operational planning guidance' was published in December 2022. This set out a key action for systems to expand direct access and self-referral for a range of services where GP involvement is not clinically necessary. By September 2023, systems are asked to put in place self-referral routes to audiology-including hearing aid provision as well as falls response services, musculo-skeletal physiotherapy services, weight management services, community podiatry, and wheelchair and community equipment services. Systems are also expected to put in place direct referral pathways from community optometrists to ophthalmology services for all urgent and elective eye consultations by September 2023.

#### Musculoskeletal Disorders

**7 March 2018 | HL5738**

**Asked by: Lord Luce**

To ask Her Majesty's Government what is their estimate of the economic cost of the loss of productivity resulting from musculo-skeletal problems and chronic pain.

**Answering member: Lord O'Shaughnessy | Department: Department of Health and Social Care**

The Government is committed to helping people with musculoskeletal (MSK) and other long-term health conditions to get into, stay in, or return to work.

Good work is generally for people's physical and mental health and wellbeing, and work participation has benefits for the wider economy. It is estimated that the total cost of ill-health that prevents working age people from working, is around £100 billion per year.

That is why we published *Improving Lives: The Future of Work, Health and Disability* in November 2017. The publication sets out our plans over the next ten years focussing, in particular, on the next two to three years and on three key settings – the welfare system, the workplace and health services. A copy is attached.

Support for people with MSK conditions is one theme of the publication, as MSK conditions are among the most common health conditions affecting people's work participation. In relation to MSK services, we are continuing to invest in research to build our understanding of existing provision across the health and employment support systems.

The Government will continue to work with other key stakeholders, disabled people and other experts as we develop our plans.

## 5 Further reading

### 5.1 Government resources and publications

**[Reasonable adjustments for workers with disabilities or health conditions](#)**

Department for Work and Pensions

**[Employing disabled people and people with health conditions](#)**

Department for Work and Pensions

**[Access to Work guide for employers](#)**

Department for Work and Pensions

**[Access to Work: factsheet for customers](#)**

Department for Work and Pensions

**[Employers that have signed up to the Disability Confident scheme](#)**

Department for Work and Pensions

**[The law on musculoskeletal disorders at work](#)**

Health and Safety Executive

**[Advice for workers with musculoskeletal disorders](#)**

Health and Safety Executive

**[Musculoskeletal conditions profile: short commentary, May 2022](#)**

Office for Health Improvement and Disparities

4 May 2022

**[Statistics: Work-related ill health and occupational disease in Great Britain, 2022-23](#)**

Health and Safety Executive

**[Improving Lives The Future of Work, Health and Disability](#)**

Department for Work and Pensions, Department of Health and Social Care,  
The Rt Hon David Gauke, and The Rt Hon Jeremy Hunt MP

30 November 2017

**[Case study: Supporting musculoskeletal \(MSK\) health at work](#)**

Public Health England

6 December 2017

## 5.2

## Resources from other organisations

### [Factsheet: Musculoskeletal health](#)

World Health Organisation  
14 July 2022

### [FOP and a Career](#)

FOP Friends  
FOP is Fibrodysplasia Ossificans Progressiva, a musculoskeletal condition

### [MSK at Work Network](#)

Supporting Occupational Health and Wellbeing Professionals (SOM)

### [Access to Work](#)

Disability Rights UK

### [Doing Careers Differently](#) [PDF]

Disability Rights People

### [Employee Advice: Top Tips for RARE Employees](#)

Rare Revolution Magazine

### [Employer Advice: Top Tips for RARE Employers](#)

Rare Revolution Magazine

## 5.3

## Reports

[The State of Musculoskeletal Health 2023](#) [for impact on the economy, see page 28]

Versus Arthritis

[Musculoskeletal conditions and Black, Asian and minority ethnic people: addressing health inequalities](#)

Race Equality Foundation  
25 May 2020

## 5.4

### Journal articles

**Quantifying the Employer Burden of Persistent Musculoskeletal Pain at a Large Employer in the United Kingdom: A Non-interventional, Retrospective Study of Rolls-Royce Employee Data**

Roomes D, Abraham L, Russell R, Beck C, Halsby K, Wood R, O'Brien M, Massey L, Burton K.

Journal of Occupational and Environmental Medicine 2022 Mar 1  
64(3):e145-e154

### Disclaimer

The Commons Library does not intend the information in our research publications and briefings to address the specific circumstances of any particular individual. We have published it to support the work of MPs. You should not rely upon it as legal or professional advice, or as a substitute for it. We do not accept any liability whatsoever for any errors, omissions or misstatements contained herein. You should consult a suitably qualified professional if you require specific advice or information. Read our briefing '[Legal help: where to go and how to pay](#)' for further information about sources of legal advice and help. This information is provided subject to the conditions of the Open Parliament Licence.

### Sources and subscriptions for MPs and staff

We try to use sources in our research that everyone can access, but sometimes only information that exists behind a paywall or via a subscription is available. We provide access to many online subscriptions to MPs and parliamentary staff, please contact [hoclibraryonline@parliament.uk](mailto:hoclibraryonline@parliament.uk) or visit [commonslibrary.parliament.uk/resources](https://commonslibrary.parliament.uk/resources) for more information.

### Feedback

Every effort is made to ensure that the information contained in these publicly available briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated to reflect subsequent changes.

If you have any comments on our briefings please email [papers@parliament.uk](mailto:papers@parliament.uk). Please note that authors are not always able to engage in discussions with members of the public who express opinions about the content of our research, although we will carefully consider and correct any factual errors.

You can read our feedback and complaints policy and our editorial policy at [commonslibrary.parliament.uk](https://commonslibrary.parliament.uk). If you have general questions about the work of the House of Commons email [hcenquiries@parliament.uk](mailto:hcenquiries@parliament.uk).

The House of Commons Library is a research and information service based in the UK Parliament. Our impartial analysis, statistical research and resources help MPs and their staff scrutinise legislation, develop policy, and support constituents.

Our published material is available to everyone on [commonslibrary.parliament.uk](https://commonslibrary.parliament.uk).

Get our latest research delivered straight to your inbox. Subscribe at [commonslibrary.parliament.uk/subscribe](https://commonslibrary.parliament.uk/subscribe) or scan the code below:



 [commonslibrary.parliament.uk](https://commonslibrary.parliament.uk)

 [@commonslibrary](https://twitter.com/commonslibrary)