

# Psychosocial risk prevention – strategies and legislation | Denmark

## National report

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# 1 Introduction

This report examines national approaches to work-related psychosocial risks (PSRs) in Denmark, with a focus on legislative and non-legislative measures as well as success factors and challenges concerning the national and sectoral approaches taken to enhance PSR prevention. It is part of a larger study on the strategies and legislation on PSR prevention at work in a selection of EU Member States, namely Belgium, Denmark, Estonia, Spain, Croatia and Austria.

Methodologically, this study relies on data gathered through desk research and semi-structured interviews. Five national interviews were conducted during September and October 2024, with representatives from government, the social partners, and organisations and institutes involved in occupational safety and health (OSH), a trade union representative and a legal expert working in academia. To ensure confidentiality, the names of individuals are not included, and the names of organisations are only mentioned where explicit consent was given.<sup>1</sup>

## 2 Country context

### 2.1 PSR trends at national level

Overall, Denmark has recorded a rise in almost all mental health and PSR indicators among people in employment over the last 20 years. However, the share among the Danish workforce is still below the average for EU Member States (Eurofound, 2021).

In 2023, the National Institute of Public Health published a report that showed the development of mental health issues in the labour force between 2013 and 2021 (Rosenkilde et al., 2023). The report was based on the so-called National Health Profile (NHP), which is the largest database of respondents in Denmark (N=>180.000). According to the report, there has been a rise in self-reported mental health issues (depressive symptoms: from 25.5% in 2013 to 33.8% in 2021; anxiety from 21.2% to 28.8%; difficulties in sleeping from 36% to 46.1%; stress from 16.4% to 24.5%). Women are more likely than men to report mental health issues. Respondents in the youngest age group (18-24 year-olds) are the most likely to experience such issues, while the oldest respondents (65-70 year-olds) are the least likely to be affected. In the private sector, workers in larger companies (250-499 workers) are the least likely to report depressive symptoms (31.3% versus 24.7% in 2013), while those employed in micro-companies (two to nine workers) are the most likely to report such symptoms (35.8% versus 25.9% in 2013). Overall, no significant differences were noted between the public and private sectors.

It is hard to find comparable data for the period prior to 2010 because of changes in both indicators and surveys. However, a paper (Nielsen et al., 2005) based on data from the NHP's predecessor, namely the 'Health and Morbidity Survey' (HMS), shows that, in 2000, 11.1% of the Danish labour force reported symptoms of stress (compared with 16.4% in 2013 and 24.5% in 2021). The HMS also revealed that women were more likely than men to report symptoms of stress. Interestingly, people in the youngest age group were the least likely to report stress in 2000, while those in the middle group (25-44 year-olds) were the most likely to do so.

In 2011, the government and a group of political parties agreed on a working environment agreement with the aim of reducing PSR-related stress among the general workforce by 20% by 2020 (BM, 2011). This agreement provided for researchers at the National Research Centre for Working Environment (NRCWE) to develop so-called stress indices for PSRs and ergonomics respectively, based on the national representative survey of OSH published by the Working Environment Authority (WEA) and the NRCWE every second year from 2012 onwards, with the aim of closely monitoring the progress of the reduction targets. In this index, a modified 'Perceived Stress Scale' was used to measure the level of stress symptoms. For the purposes of the indices, stress was defined in three ways:

- Workers who reported a high level of PSRs on a job-related PSR exposure scale (consisting of items such as the quality of management, information on work tasks, role clarity and emotional demands) AND reported symptoms of stress.

<sup>1</sup> Interviewees in this report have requested anonymity. Accordingly, we use the pronoun they/their when referring to them, so as not to compromise them by revealing their gender. See APA guidelines on singular 'they' (<https://apastyle.apa.org/style-grammar-guidelines/grammar/singular-they>).

- Workers who had experienced bullying AND reported depressive symptoms.
- Workers who had experienced violence AND reported depressive symptoms.

The baseline for the index (14.5%) was calculated using the 2012 survey data. Since then, three reports have been published (2015, 2017 and 2019) with the intention of measuring whether the number of respondents who were 'stressed' was declining or increasing.

The first such report (Arbejdstilsynet, 2015) revealed a small but not significant increase in 'stressed' respondents (15.1%), while the increase recorded in the second report (Arbejdstilsynet, 2017) was more significant, rising to 16.9%. However, in the final report (Arbejdstilsynet, 2019) the share of stressed respondents fell back to 15.4%, albeit still at a higher level than the baseline. In summary, the share of workers suffering from PSR-related stress has risen, from 14.5% of the overall working population in 2012 to 15.4% in 2018 (NFA, 2018).

Changes in stress levels were also broken down by sector. The three sectoral groups with the highest proportions of 'stressed' workers were: 1) workers in meat packing plants; 2) residential care workers and home care workers; and 3) water, sewage and sanitation workers.

More recent data do exist, since in both 2021 and 2023 the WEA also published the findings of a new survey called the 'National Surveillance of Work Environment' (NSWE).<sup>2,3</sup> However, the stress indices in 2012-2018 and the self-reported stress and depressive symptoms in NSWE 2021-2023 are measured in different ways and comparison must be made with caution. The NSWE findings indicate that the upward trend had not been reversed, since over the two-year period measures by NSWE of the number of workers experiencing stress and depressive symptoms had again increased. However, the WEA assesses that the trends from 2021 to 2023 may have been influenced by the COVID-19 pandemic in 2021 and interpretation of trends must be made with caution.

The 2019 European Survey of Enterprises on New and Emerging Risks (ESENER) data provide insights into OSH management, emerging risks and their management (including PSRs), drivers and barriers, and worker participation. According to the 2019 ESENER (EU-OSHA, 2019), Denmark has the second highest share of surveyed establishments that reported having an action plan in place to prevent work-related stress (65.8%), while 64.5% had a procedure in place to deal with possible cases of bullying or harassment, and 79% had a procedure to deal with possible cases of threats, abuse or assault by customers, patients, pupils or other external persons. Moreover, 70% of the establishments that regularly held risk assessments indicated that they had sufficient information on how to include PSRs in risk assessments.

With regard to new technologies and digitalisation, the COVID-19 pandemic led to an increase in teleworking in Denmark as in most other Member States. According to an analysis by Eurofound, the percentage of respondents who reported that they worked from home was already high, even before COVID-19 (approximately 25%), but has increased significantly to 34%. However, according to Eurofound data (Eurofound, 2021) Denmark is among the countries with the lowest percentage of full-time teleworkers and among the countries with the highest percentage of full-time in-office workers, even in the case of jobs suitable for teleworking. These data suggest the following conclusions: because of the large group of workers who could work remotely, but normally did not do so, Denmark was relatively well prepared for the wave of teleworking that had to be implemented in response to COVID-19. This large reserve of people could then switch relatively easily to teleworking, thereby minimising exposure to the pandemic among the working population.

The findings of a survey conducted by the National Institute of Public Health (Møller et al., 2021) provide some insights into the impact of the pandemic on PSRs and wellbeing in Denmark. The survey was conducted in 2020 after the first lockdown and was structured in such a way that the findings could be compared with those of earlier surveys carried out in 2016 and 2019. The authors reported that overall

<sup>2</sup> See: <https://at.dk/arbejdsmiljoe-i-tal/national-overvaagning-af-arbejdsmiljoeet-blandt-loenmodtagere/>

<sup>3</sup> This survey incorporates the Danish Psychosocial Work Environment Questionnaire (DPQ), a tool designed to assess various dimensions of the psychosocial work environment. The DPQ evaluates factors such as collaboration, the quality of management, work demands and employees' influence over tasks, offering insights into conditions that affect employee wellbeing. Its detailed structure, comprising 119 items across 38 psychosocial dimensions, ensures thorough and reliable data collection.

depressive symptoms (mild and severe) had risen between 2019 and 2020. However, it is not possible to provide a definitive answer as to whether this increase was related to work-specific PSRs.

The survey's findings also indicated that more 'positive' labour market developments continued in spite of COVID-19. The authors reported a small percentage decrease in workers who feared getting laid off, despite the economic uncertainties that were prevalent during the COVID-19 pandemic. Furthermore, people reported that the organisation and planning of work tasks improved between the 2016 survey and the 2020 survey during the COVID-19 period. The percentage of people who reported that it was 'always' or 'often' necessary to work 'very fast' fell from 68% in 2016 to 46% in 2020. Furthermore, the percentage of people reporting that they had deadlines that were hard to meet also decreased, from 36% in 2016 to only 21% in 2020. At first sight, these results seem to contradict those of the NRCWE survey that showed high levels of stress in 2021 (Arbejdstilsynet, 2022), as reported above. However, the surveys measure different concepts. The survey mentioned here refers only to having to work very fast and to tight deadlines, whereas the NRCWE survey focused on reported work-related stress.

Another study based on a survey among elementary school teachers (Nabe-Nielsen et al., 2021) also showed that so-called frontline workers suffered emotionally during COVID-19. The study was a cross-sectional study of 2,665 Danish public school teachers, who were surveyed after the first COVID-19 wave in May 2020. The study showed that the level of negative emotional effects was high. Teachers over the age of 50 worried more than their younger co-workers about being physically present at work or about getting infected.

Taken together, it is clear that PSRs related to work and related mental outcomes are not improving in Denmark. On the contrary, the trend over at least the last 12 years has been negative. Moreover, this trend was perceptible even before the COVID-19 pandemic, and thus cannot be attributed solely to the mental health issues that might have arisen in that period.

## 2.2 Main national stakeholders involved in OSH governance and specifically in PSR prevention

In Denmark, a **wide range of stakeholders is involved in the design and implementation of policies and regulations on OSH**. This section offers a brief description of the main actors, their roles and responsibilities.

**The Ministry of Employment:** in Denmark, the overall responsibility for safety and health at work, including PSRs, lies with the Ministry of Employment, which has executive authority in this domain. The ministry plays a central role in driving PSR-related legislation. While all members of parliament can table draft bills, this is traditionally the prerogative of the Ministry of Employment.

**The Employment Committee:** this standing committee of the Danish Parliament, comprising members from all parties, has a legislative function. All legislative proposals related to employment issues, including workplace PSRs, must pass through this committee. Additionally, the committee performs a supervisory role with regard to the actions and decisions of the Ministry of Employment, including the authority to submit parliamentary questions and initiate inquiries. Members of the committee are the politicians most closely involved with PSRs in addition to the Minister of Employment.

**The National Working Environment Council:** Denmark has a long tradition of labour market cooperation (Pedersen, 2010). This is also the case in terms of PSRs at work, where the social partners have huge influence and in practice must consent to key legislative innovations in terms of PSRs. In its first paragraph, the Danish Working Environment Act (WE-Act) lays down that the social partners must be involved. Its stated aim is to ensure: 'the basis on which enterprises themselves will be able to solve issues related to safety and health **under the guidance of the employers' and workers' organisations** [emphasised by authors], and under the guidance and supervision of the Working Environment Authority'.<sup>4</sup>

Therefore, the social partners are present in advisory committees and, in this role, have to consent to most new developments within the legally described working environment system. In practice, this means that advisory committees will be established and chaired by the authorities as the representative

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<sup>4</sup> LBK N° 2062 of 16/11/2021.

of the ministry, with the major social partners within the sectors for which the changes in law or practice are relevant being invited to participate.

PSR-related developments and innovations were also presented and discussed in the mandatory tripartite Working Environment Council (WEC) up to 2024, as defined in the WE-Act. The WEC included representatives appointed by trade unions and employers' associations. Employers' associations and trade unions had 10 seats, while the managers' representative body had one seat. In addition, there was a chairperson appointed by the ministry. Representatives from the ministry (WEA and NRCWE) had observer status, without the right to vote in the proceedings. Although the WEC did not have a power of veto and could not vote on new laws, it was rare for governments to implement new working environment laws or regulations without some degree of agreement from the WEC. The WEC could moreover create ad hoc committees for specific working environment issues. These committees were staffed by the organisations with seats on the WEC.

The WEC produced an annual joint statement regarding the state of the working environment in Denmark. Furthermore, it was required to propose on an annual basis how to allocate in the national finance law the resources that have been assigned to the Sectoral Working Environment Communities (BFAs) system (see below for more information). The WEC can also create campaigns with information and process tools aimed at workplaces.

However, the WEC was decommissioned in 2024. Instead, the government decided to establish a new Labour Market Council, which will advise on and discuss relevant conditions and current challenges on the labour market of relevance to the Minister of Employment and across the employment and working environment area. The new council will be functioning from spring 2025 on.

**The Working Environment Authority (WEA)** is the main executive branch of government with regard to OSH, including PSRs. It enforces rules and regulations through inspections. The Danish WEA has developed various methods and manuals for carrying out PSR inspections. Among other innovations, it has pioneered the use of group interviews with workers. It also has specialised functions, including a PSR specialist unit that plays a key role in updating and maintaining regulations.

**The National Research Centre for Working Environment (NRCWE)** is a governmental research centre specialised in safety and health. It includes a specialised PSR research unit that comprises approximately 40-45 scientific workers dedicated to various PSR-related topics. The research unit has been responsible in particular for the development of the Copenhagen Psychosocial Questionnaire (COPSOQ) and more recently the Danish Psychosocial Working Environment Questionnaire (DPQ) (Boot et al., 2024). The NRCWE has a formalised triple commitment to 'research' (*forskning*), 'assessment' (*udredning*) and 'investigation' (*udforsker*). While the NRCWE does publish research on individual PSR-related causes and outcomes, its main publications focus on workplace and sectoral-level interventions. Prognostic research on PSRs as well as the treatment for individuals fall under the purview of occupational medicine clinics (see below).

**Occupational medicine clinics:** seven occupational medicine clinics are located in hospitals around the country. Patients are referred to these clinics by their private doctors or by other health sector personnel, if there is a suspicion that a certain disease or injury is caused by work. In all seven clinics, workers are treated and assessed for occupational diseases and injuries, and to determine whether a particular injury or disease is caused by job-related factors or other environmental factors. In terms of PSRs, all the clinics offer stress treatment for job-induced stress. There are also researchers employed in the clinics who research injuries and occupational diseases. In terms of PSRs, specially trained psychologists and, to a lesser degree, psychiatrists have been employed in the clinics as researchers, as well as clinicians. PSRs are only one of several areas of research in which the clinics are involved. Diagnostic characteristics of occupational stress (e.g. Jensen et al., 2024) and the causes of said stress (e.g. Rudkjoebing et al., 2022), and stress treatment at an individual level (e.g. Hwang et al., 2022) are some of the overall topics covered by the research carried out in the clinics. However, as mentioned above, the research mainly relates (with some exceptions, e.g. Begtrup Mølenberg et al., 2023) to diagnostic issues and therefore to individuals, and not directly to the effects of workplace intervention or regulation.

**Authorised working environment counsellors:** when a company fails a PSR-related inspection, the WEA may require the company to seek advice and guidance from a group of authorised PSR



consultancies. The WEA is the authorising body for these counsellors, based on a set of standards. The issues detected by the WEA are often complex and characterised by multiple aspects, thus making it necessary for a more in-depth investigation before a preventive or improvement strategy can be initiated.

**The Labour Insurance Fund** pays compensation to injured workers, after the injury has been assessed by medical assessors. Employers are legally required to contribute to this fund every month (ATP, see section 3.1.2 for more information on the compensation claims process).

**The Sectoral Working Environment Communities (BFAs)** are sectoral organisations that are jointly operated by the sector's social partners. Each BFA presents and develops workshops, guides, toolboxes and process templates for all working environment-related issues. Even though they exist as mandatory structures, they are controlled and staffed by people employed by the sector's social partners.

There are currently five BFAs:

- Welfare and public administration;
- Construction and rail;
- Industry;
- Commerce, finance and offices; and
- Transport, tourism, service and agri-food.

Each BFA has a PSR section on its website. The tools and guidelines vary from sector to sector, but some examples are presented in section 3.4, PSR prevention activities implemented by the social partners.

## 3 Legislative and non-legislative measures

### 3.1 National legislative and strategic approaches to PSRs

#### 3.1.1 National PSR legislation

There are numerous laws, executive orders and mandatory guidelines that are relevant for the wellbeing of workers, including in relation to PSRs. The labour insurance system and its rules and regulations are laid down in law,<sup>5</sup> as is the right to holiday leave.<sup>6</sup> Similarly, there are laws governing discrimination and harassment based on gender, ethnicity or other minority identities.<sup>7</sup> To give an example, sexual harassment was more explicitly introduced in the gender equality law in 2023, whereby employers are now concretely responsible for providing a harassment-free workplace.<sup>8</sup>

In terms of the rules and regulations that make concrete reference to PSRs in the workplace, there is one overarching law, namely the WE-Act of 1975 and its corresponding array of executive orders and guidelines.

The WE-Act combines a range of OSH legislation in a comprehensive health and safety law and remains the foundation of the Danish OSH regulatory system, having been updated by numerous revisions (the last major revision was in 2021). The first paragraph states that the law aims to ensure a '... safe and healthy working environment that at any given time is in concordance with the technical and social development in society' (WEA §1).

The WE-Act is an illustration of what is known as 'reflexive regulation' (Aalders & Wilthagen, 1997; Refslund, 2022). This means that the law does not dictate specific preventive actions or improvements, but rather mandates 'reflexive structures' (Teubner, 1983) that have to be maintained within companies in the desired state (in this case, healthy and safe workplaces). Therefore, the law and the regulators are, in theory at least, more interested in inspecting the 'reflexive structures' (processes, risk assessments, action plans, safety rounds, etc.) than the concrete safety or hazardous nature of

<sup>5</sup> LBK N° 919 of 25/06/2024.

<sup>6</sup> LBK N° 152 of 20/02/2024.

<sup>7</sup> LBK N° 438 of 16/05/2012 and LBK N° 942 of 19/07/2024.

<sup>8</sup> LBK N° 942 of 19/07/2024.



workplaces. In practice however, there are multiple related ‘executive orders’ that define concrete limits and mandatory preventive actions.

Until 2013, there was no official reference to PSRs in legislation, besides the general term referring to a ‘healthy working environment’.<sup>9</sup> Revisions in 2019 and 2023 clarified further the coverage of both PSRs and physical risks, with the employer being responsible for preventing both types of risks and the workers being responsible for reporting both types of risks and cooperating on the respective preventive measures.

In 2020, the WEA released a specific executive order on PSRs (Executive Order 1406 of 26 September 2020). The executive order specifically mentions five areas of PSRs in Danish workplaces (unclear and conflicting demands at work; high emotional demands when working with people; offensive behaviour, including bullying and sexual harassment; heavy workload and time pressure; and work-related violence and threats).

The executive order is supported by a set of five specific guidelines giving a detailed description of preventive measures and inspection principles with regard to PSRs. Three of them were developed in the years after the release of the executive order (High workload and time pressure – 2021, Unclear and conflicting demands at work – 2023, High emotional demands when working with people – 2023). Two other guidelines on offensive behaviour and work-related violence had already been released beforehand.

In concrete terms, the legal definition of PSRs in Executive Order 1406 stipulates:

**‘Section 7.** In this Executive Order, the impact on the psychosocial working environment is defined as the psychosocial effects of the work that takes place in relation to the following:

- The way the work is planned and organised.
- Organisational conditions of importance to the work carried out by the workers.
- The content of the work, including the requirements of the work.
- The way the work is performed.
- The social relations in the workplace.’

The five guidelines mentioned above outline the employer’s responsibilities for preventing PSRs. Each guideline delineates issues related to the specific topic and mandates various actions, such as worker involvement in work planning, training in necessary skills (e.g. dealing with violent customers, patients, etc.), and the implementation of zero-tolerance policies for bullying and harassment.

### **3.1.2 Occupational diseases related to PSR exposure and mental health aspects**

When an individual experiences an incident at work or contracts a work-related illness, the WEA and the insurance occupational system are the primary actors. This also includes injuries and illnesses caused by psychosocial factors. Injuries or occupational diseases are mostly reported by general practitioners (GPs) or the hospital staff who treat patients suffering from diseases or injuries caused by work. In the case of more complex health problems or if there is doubt about whether a condition is caused by occupational factors, GPs can refer patients to the occupational medicine clinics (see section 2.2).

There are two kinds of PSR-related occupational diseases included by law on the list of occupational diseases:<sup>10</sup>

- post-traumatic stress disorder (PTSD), and
- depression caused by accidents or events at work (very narrow definition in the legal text<sup>11</sup>).

This does not mean that other occupational diseases caused by PSRs are not considered occupational diseases. This just means that the two abovementioned occupational diseases are the only ones that

<sup>9</sup> LOV N° 356 of 09/04/2013.

<sup>10</sup> BEK N° 587 of 31/05/2024.

<sup>11</sup> ‘War participation which has involved either traumatic events and/or situations of shorter or longer duration and exceptionally threatening or catastrophic like nature.’

can be recognised as occupational diseases administratively. The law states that all diseases that medical expertise can recognise as more prevalent among a certain group of workers than among the population in general can in principle be recognised as occupational diseases, with the subsequent right to compensation. A mental illness that is not on the list of occupational diseases can be recognised as an occupational disease if the illness is exclusively or predominantly caused by the particular nature of the work. The basis for this is an assessment of whether the work can be assumed to have led to a special risk of developing the mental illness, and that a causal link between the risk factors and the illness has also been made probable.<sup>12</sup> A case must first be submitted to the Industrial Diseases Committee if the Industrial Injury Authorities find it possible to recognise the illness.

Before the Industrial Injuries Authorities submit a case to the Occupational Diseases Committee, they must have assessed whether it has been established that the work-related strain is or may be of an extraordinary nature and thus may give rise to a special risk of developing the mental illness.

Notice of Principle 15-23 (Danish Ministry of Social Affairs and Housing, 2023) lists examples of workloads that may be of an extraordinary nature depending on the circumstances. These include:

- Violence, physical assault and/or threats or other threatening behaviour (of a certain severity) directed directly at the injured person.
- Bullying, (sexual) harassment and other transgressive behaviour.
- Serious unjustified accusations of, for example, theft or assault.
- Public shaming or negative media coverage with the possibility that the injured person can be recognised through the publicity.
- Stress effects in the form of high psychological demands, persistent psychological pressure and lack of support, where a diagnosis of depression has been made. Other psychiatric diagnoses can be submitted if there has been a very specific and relevant burden.

The list in the Notice of Principle is not exhaustive, and it will always depend on a specific assessment of the overall information in the case whether it has been established that the burdens are or may be of an extraordinary nature that allows for recognition.

The potential coverage of work-related mental health aspects has also been increased by an executive order<sup>13</sup> published by the Ministry of Employment in 2024 as an addendum to the law on compensation for occupational injuries and diseases,<sup>14</sup> which mandates all employers within specific sectors (defined by specific NACE codes in the order text) to take out insurance cover to pay compensation to victims of violence in the workplace. The sectors included cover all jobs where statistics show that there is a high risk of violence (e.g. residential care workers and homecare workers, certain teachers, workers in psychiatric facilities).

### **3.1.3 PSR prevention in the national strategic approach to OSH**

The overall regulatory direction and legislative agenda regarding all working environment-related policies is adopted by parliament. This is based on consecutive 'working environment agreements', which are renegotiated every three years, before the current agreement expires. It is the government, specifically the Ministry of Employment, which draws up the first draft of the new agreement and negotiates the text with parties represented in parliament. The social partners, organised in the mandatory tripartite WEC, are consulted throughout the process, and can suggest policies and new initiatives to the ministry before and during the negotiation phase. The working environment agreement is separate from the tripartite agreement (section 3.4). In the latter, concrete working environment goals such as incidence rates and other indicators are agreed upon at sectoral levels, while the former focuses mainly on the roles of the WEA and the NRCWE. An example of a working environment agreement is the agreement that implemented the 'stress indices' (see section 2.1).

<sup>12</sup> [Ny principmeddelelse fastslår, hvornår arbejdsskade-myndighederne skal forelægge sager om psykisk sygdom for Erhvervssygdoms-udvalget — Ankestyrelsen](#)

<sup>13</sup> BEK N° 841 of 26/06/2024.

<sup>14</sup> LBK N° 919 of 25/06/2024.

The current political agreement, which was agreed in 2023, is valid until 2026. In the political agreement there are several specific PSR-related initiatives.<sup>15</sup>

- 1) Working with the BFAs, the WEA is to establish sector-specific communication initiatives to disseminate knowledge about new PSR legislative initiatives (see section 3.1.1, National PSR legislation).
- 2) The WEA is to establish communicative initiatives regarding its work on PSRs in relation to specific groups of workers.
- 3) The WEA is to continue to upskill inspectors and build capabilities in relation to PSRs.
- 4) The WEA is to improve its ability to identify companies that are prone to PSRs.
- 5) Sector-specific online information meetings are to be organised in sectors with high levels of occupational stress.
- 6) The WEA is to establish a call centre providing information, advice, resources and knowledge specifically in relation to stress. The call centre has to be available for both workers and managers/employers.
- 7) A new WEA hotline for managers is to be established to specifically advise managers on how to deal with occupational stress.
- 8) The WEA is to arrange online information meetings for managers about stress prevention.

No analyses or evaluations covering either the implementation or the results of the agreement have yet been published.

## 3.2 Measures supporting the implementation of PSR legislation

As the above-mentioned strategy shows, the WEA is the vehicle for a wide variety of supportive approaches aimed at ensuring compliance with the law.

### 3.2.1 Inspections

The WEA has included PSRs in its inspections in Denmark since the mid-1990s. This means, in principle, that PSRs have been within the remit of the WEA for several decades. However, the legally binding comments to the act stated that the WEA could not impinge upon what is known as the ‘management’s right to manage’ in accordance with the Danish tradition of tripartite labour relations. However, this approach started to be debated in greater depth in the early 1990s as a result of pressure from public service workers and their trade unions, and this led to the commissioning of the so-called Methods Committee with members from the social partners and the government. The committee stipulated that PSRs caused by either ‘technology’ or work-related factors could be investigated but specified that the inspection authorities could not require specific solutions to be implemented since companies should have the freedom to choose the methods to be adopted to prevent PSRs. Generally, two categories of situations are distinguished, where the WEA can intervene in one type of situation but not in another.

The main group, the one where WEA can intervene, involves workplace issues directly linked to the worker’s situation because of work processes and methods, the products used and so on. The PSRs here are, for example, very high or very low job demands, the worker’s influence over their own work and processes used, a lack of support, violence from colleagues and customers, harassment and so on. The second category of issues relates to the management’s overall decisions about the company or interactions between managers and workers — unless this refers to bullying, violence and harassment. Aspects that fall under this category are, for example, job insecurity due to cut-backs, the meaning of work for workers, organisational changes and so on.

Furthermore, the committee stated that the authorities did not have any mandate in situations where PSRs were the result of either relations between management and workers or between colleagues.

In 2015, the official state auditor (Rigsrevisionen) criticised the fact that the approach to PSRs in inspections still relied on a 20-year-old document (Methods Committee). Accordingly, the Ministry of

<sup>15</sup> See: <https://bm.dk/arbejdsmraader/politiske-aftaler/politiske-aftaler/2023/arbejdsmiljoaftale/> (accessed 28 June 2024).

Employment invited the social partners and several experts to evaluate and renew the WEA's approach to inspections of the psychosocial working environment. The committee's work lasted two years (2015-2017) and the process culminated in an amendment to the legislation (WE-Act) that allowed inspectors to talk with workers in private, without having to have management representatives present at the same time. Furthermore, an executive order from the WEA from 2001 was changed to include 'offensive behaviour' with the aim, inter alia, of enhancing the possibilities of detecting taboo-like subjects such as sexual harassment, bullying or other forms of degrading actions.<sup>16</sup> This was the prime policy suggestion from the social partners and the experts on the committee.<sup>17</sup>

Since then, the new executive order on PSRs from 2020 has been introduced and the focus is on five PSR areas as described in section 3.1.1, National PSR legislation.

The approach to inspections has been further developed and elaborated over the last decades. Today, a PSR inspection includes the following steps:

- Introductory meeting with management and worker OSH representatives.
- An inspection and observation round with brief discussions between workers and inspectors.
- Systematic PSR data collection using various tools (e.g. group or single informant interviews, observations, collection of written materials such as satisfaction surveys, policies or guidelines for management in various relevant PSR situations, for example if a worker is subjected to harassment or violence from colleagues or customers).
- Meeting with management representatives about the data and preliminary conclusions.
- Final meeting with management and worker OSH representatives where the inspectors give their impressions and, if applicable, their findings. Otherwise, the findings will be sent to the company afterwards.

The WEA has several thematic PSR interview guides for inspectors that are used in all interviews with workers, as well as in the introductory meeting. Each guide has the same structure but focuses on a different area: 1) prevalence of the PSR in question; 2) company strategies and actions to mitigate or prevent PSRs; and 3) PSR consequences. It is not mandatory for inspectors to ask all questions, and the guides specify that they must also ask for other data sources, such as company policies and so on.

The risks/topics covered in the guides are:

- physical and/or psychosocial violence;
- high emotional demands;
- bullying and harassment;
- psychological first aid;
- high workload and/or time pressure; and
- unintelligible and/or contradictory demands.<sup>18</sup>

The WEA can adopt several types of decisions if the inspectors find breaches of the law, or suspect breaches:

- Immediate improvement notice:
  - Action must be taken immediately because of the seriousness of the detected issue.
- Notice with time limit:
  - Issues must be resolved within an agreed timeframe.
- Decision without an obligation to act:
  - A warning without immediate consequences.
- Investigation notice (§ 21 notice):
  - Where PSRs are suspected, but not detected by inspectors, companies are then required to hire an independent authorised working environment consultant to

<sup>16</sup> See: <https://bm.dk/nyheder/pressemeddelelser/2019/02/ny-vejledning-ansatte-skal-beskyttes-mod-kraenkende-handlinger/>

<sup>17</sup> See: <https://bm.dk/media/5400/statusredegoerelse-2017-vedroerende-metodeudvalgets-anbefalinger.pdf>

<sup>18</sup> See: <https://at.dk/tilsyn/hvad-er-tilsyn/hvad-er-et-grundtilsyn/tilsyn-med-psyisk-arbejdsmiljoe/psyisk-arbejdsmiljoe-spoergeguide/spoergeguides/> (accessed 28 June 2024).

investigate the PSR(s) in question. The working environment consultant must then submit an unbiased evaluation report to the WEA.

Another possibility for the WEA following an inspection is a Danish regulatory innovation, namely the so-called deal-based inspections scheme that is a service offered to companies, where the WEA suspects that an inspection will unearth working environment issues, such as PSR-related ergonomic issues or other OSH issues. It was introduced in 2020. In these cases, the inspector in charge can offer the company a deal, whereby the company must take specific action within an agreed period, during which it will receive advice from the WEA. At the end of the period, the company must present a report to the WEA with the results of the improvements. The WEA can check the report submitted to it, and if the problem persists it can issue a notice to the company in question.

The WEA conducted a pilot experiment with a focused inspection campaign in the period 2020-2022. The aim of the focused inspections was to prevent PSRs in a range of different entities, that is, the criminal justice system, day care centres and public schools. Unlike typical inspections, this initiative included meetings with higher-level management to address issues and share solutions across organisations.

The goal was to help workplaces understand the challenges and adopt effective practices, fostering better internal collaboration on working environment efforts. For individual workplaces, the initiative provided a platform to discuss challenges and successes at a higher level, encouraging inspiration and knowledge sharing around mental working environment improvements.

### 3.2.2 Information and campaigns

The WEA is also responsible for communication initiatives, such as campaigns and information meetings (as described in the context of the current strategy in section 3.1).

Several campaigns with various types of content about chosen subtopics in relation to PSRs have been organised. Two recent examples are:

- ‘Tag Snakken’ (Talk it over!<sup>19</sup>) about harassment and violations in the workplace, with a special focus on ways for managers to communicate and talk about the issues. The campaign was based on background information material, as well as more practical documents such as guides and talking points for managers to use in meetings.
- An anonymous hotline, which managers can call to get help to deal with PSRs in the workplace. It is staffed by WEA workers and is free (as described in section 3.1.3, bullet point 8 under the working environment agreement).

Moreover, the WEA has a thematic section on its website for all PSRs that are defined in Executive Order 1406 and the corresponding guidelines (see section 3.1.1, National PSR legislation):

- high workload and time pressure;
- unclear and conflicting demands at work;
- high emotional demands when working with people;
- offensive behaviour, including bullying and sexual harassment; and
- work-related violence.

In addition, there are further sections on stress and night work. All the thematic sections contain descriptions of the PSR in question, guides on how to ‘spot’ it in the actual workplace and lastly, how to prevent it. Furthermore, in the case of ‘unclear and conflicting demands’, ‘high emotional demands’, and ‘high workload and time pressure’, there are videos and infographics on how to prevent such risks.

### 3.2.3 Tools and guidelines

Finally, the WEA manages a website with tools and guides for the implementation of PSR prevention in the overall OSH management system. There are concrete guidelines on how to detect and assess

<sup>19</sup> Own translation (not literal, but approximately same content).

problems, and how to elaborate action plans to combat PSR problems, aimed at both managers and workers' representatives on the working environment committees.

The tools that were developed as part of a research project (Limborg et al., 2020) all build upon the Plan-Do-Check-Act circle, which is the cornerstone of all management systems, including ISO 45001 on OSH. These tools include 'dialogue aids' to help managers establish a constructive dialogue on PSRs, as well as two different tools that structure the problem identification process. Finally, there is a tool that helps to plan the next steps in implementing preventive measures.

### 3.2.4 National and sectoral goals

In 2020, the Minister for Employment and the social partners finalised the results of the so-called 'tripartite agreement on national goals in the working environment efforts'.<sup>20</sup> In this agreement, the Ministry of Employment and the employers' and the workers' organisations agreed on several concrete quantifiable goals for reducing various risks and hazards, and for making improvements in terms of preventive efforts at company level. The national goals then had to be translated into concrete sector goals by the BFAs.

In terms of PSRs, there are two overall national goals:

1. a safe and healthy psychological working environment, and
2. fewer people should be exposed to significant psychological stressors.

They have been translated by the relevant social partners (represented on the BFA boards) into tangible goals for selected industries. The goals are based upon several indices that were formulated as a part of the overall tripartite agreement. There are three indices that are based on the NSWE survey, as follows:

**Table 1: Proposed indices to measure national goals<sup>21</sup>**

Index name	Items from NSWE
Imbalance between tasks	How often do you fail to complete all your tasks?
	How often do you receive unexpected tasks that put you under time pressure?
	How often do you have deadlines that are difficult to meet?
	Do you fall behind with your work?
	Is the work pace so high that it affects the quality of your work?
Influence and development opportunities	Is it necessary to work very quickly?
	Do you have influence over how you complete your tasks?
	Do you have sufficient authority relative to the responsibility you have in your work?
	Do you have the opportunity to make significant decisions about your work?
	Do you have influence over the order in which you complete your tasks?
	Does your work provide opportunities for you to develop your skills?
	Do you have opportunities to learn something new through your work?

<sup>20</sup> See: <https://amr.dk/media/15538/aftale-om-nye-nationale-maal.pdf>

<sup>21</sup> See: <https://bm.dk/media/15560/bilag-2-aftalt-opfoelgning-paa-nationale-maal-for-arbejdsmiljoeindsatsen.pdf>



Index name	Items from NSWE
Index for harassment, violence or threats of violence	Have you been subjected to bullying in your workplace in the last 12 months?
	Have you been subjected to sexual harassment in your workplace in the last 12 months?
	Have you been subjected to physical violence in your workplace in the last 12 months?
	Have you been subjected to threats of violence in your workplace in the last 12 months?

### 3.3 Impact of the COVID-19 pandemic and digitalisation on approaches to PSRs

The WEA guidelines on violence and threats were updated in November 2020 to include psychological violence and threats carried out via SMS, emails, social media and other forms of digital communications as a distinct risk that workplaces have to be aware of and prevent.

Likewise, the guidelines on offensive behaviour were updated in 2020 to include digital forms of transmission as distinct risks.

Simultaneously, various actors started a coordinated campaign to focus on digital harassment and violence. The WEA published a campaign section on digital harassment<sup>22</sup> where factsheets, legal definitions, guidelines and examples were made available. The campaign section also provides links to a host of other sectorally focused initiatives, with a specific focus on the ways digital harassment appears in particular sectors:

- 'Prevent digital harassment' from the BFA public administration;<sup>23</sup>
- 'Prevention and handling of digital harassment' from BFA finance;<sup>24</sup>
- 'Questionnaire and interview guide when dealing with the victims of digital harassment in your workplace' from a civil society organisation from Digitalt Ansvar (Digital responsibility);<sup>25</sup> and
- '12 tips for you as a manager' from Digitalt Ansvar.<sup>26</sup>

This was not solely driven by the COVID-19 crisis and the migration to digital customer or citizen interactions that the pandemic entailed. Already in 2017, a new set of laws called the 'respect-package' increased protection for public servants and employees and imposed penalties for violations. Among other things, digital harassment and digital psychological violence were specifically targeted by the new set of laws.<sup>27</sup>

### 3.4 PSR prevention activities implemented by the social partners

The WEC has developed a campaign site<sup>28</sup> that addresses various PSR issues. It provides information, case examples, guidelines for employers on 'good conversations with workers' and a tool to combat sexual harassment.

The BFAs have developed a range of information with regard to specific sectoral PSRs, as presented below.

<sup>22</sup> See: <https://at.dk/arbejdsmiljoe/psyisk-arbejdsmiljoe/vold-og-trusler/digital-chikane/>

<sup>23</sup> See: <https://www.godtarbejdsmiljo.dk/trivsel/vold-og-trusler/digital-chikane-vold-og-trusler-paa-nettet/chikanen-skal-frem-i-lyset>

<sup>24</sup> See: <https://bfafinans.dk/alvorlige-haendelser/digital-chikane>

<sup>25</sup> See: <https://www.digitalchikane.dk/vaerktoejer/sporgeschema-og-interviewguide>

<sup>26</sup> See: <https://www.digitalchikane.dk/>

<sup>27</sup> See: [http://www.justitsministeriet.dk/sites/default/files/media/Pressemeddelelser/pdf/2016/Publikation\\_Justitsministeriets\\_Respekt\\_ikke.pdf](http://www.justitsministeriet.dk/sites/default/files/media/Pressemeddelelser/pdf/2016/Publikation_Justitsministeriets_Respekt_ikke.pdf)

<sup>28</sup> See: <https://amr.dk/raadets-indsatser/psyisk-arbejdsmiljoe/dingraense>



The **‘welfare and public administration’** community has a range of specific PSR topics:

- One is ‘feelings’, which is about preventing high emotional demands, or how to deal with such demands so as to ensure that workers are not affected negatively by this risk factor. The page contains various elements: podcasts, explanatory texts about what ‘high emotional demands’ look like in a workplace, guidance for managers on how to handle them, ‘four tips to prevent high emotional demands’, etc.
- This BFA also has a team of six consultants who are available to visit the workplace to help address a wide array of OSH problems, mainly in relation to ergonomics and PSRs. This initiative is supported by government funds, as part of a tripartite agreement to boost the recruitment and retention of workers in the Danish public sector. The initiative that was launched in 2020 is set to expire at the end of 2024. No evaluations regarding the success of the initiative have yet been published.

In the **‘construction and rail’** community there are several PSRs or wellbeing-related elements, including:

- Descriptions of known PSRs, how they appear in the sector and a short guide on how to address them.
- Furthermore, there are several ongoing campaigns with specific webpages, with infographics and explanations. One of these campaigns focuses, for example, on raising awareness and providing advice with regard to sexual harassment through guidelines and tools.
- Another example is a campaign called ‘Build on welcomes’, which deals with onboarding new workers on building and construction sites. The text focuses mainly on relations and behaviour with regard to young employees, and how to promote safe behaviour. As such, it is relevant for PSRs as well as physical wellbeing issues.

In the BFA for the **manufacturing sector** there are also materials on a wide array of PSR-related issues:

- The 19 different guidelines are grouped into four categories: ‘wellbeing and PSR’, ‘stress, conflicts and uncertainty’, ‘difficult conversations’, and, finally, ‘prevention and handling of sexual harassment’.
- The BFA also has six consultants who visit companies and help them with a number of different OSH themes. It is to be noted that one of the consultants is specialised in PSR prevention.

In a new campaign the **BFA for commerce, finance and offices** has addressed the need for concentration to ensure efficient working in the sector.

- Its website contains advice and tips on how to perform ‘deep work’, and how to structure the workspace and working day in order to minimise disturbances.

In addition, the site contains descriptions and small reflection tools on PSRs in the sector, covering topics such as ‘conflicts with customers’ and ‘psychological safety’, among others.

### Counselling services supported by bargaining funds

There are several examples of sectors where the social partners earmark some of the collective bargaining funds for free counselling or advisory activities. Two of these are directly relevant for PSR prevention:

- TEKSAM is a collaborative effort between the industry’s social partners. They have several consultants who support the cooperative committees at companies covered by the industry bargaining agreement. The consultants help solve conflicts and provide support to companies in dealing with bullying, harassment, workplace social capital<sup>29</sup> and other PSR issues.
- SPARK counselling services for municipal workplaces with the aim of providing guidance to cooperative committees comprising managers, safety representatives and shop stewards in

<sup>29</sup> A measure of the level of trust and interconnectedness between employees in a workplace — developed by Danish researchers and widely disseminated through, among other things, the COPSOQ-questionnaire (Burr et al., 2019).

municipal workplaces. All seven consultants are trained organisational psychologists or have other relevant experience.

- The professional capital initiative is an initiative by the Danish Public School Teachers' Association. For a number of years, the association has arranged programmes in Danish municipalities, centred around the theoretical concept of 'professional capital' that has been translated from the works of two American experts in the teaching profession (Hargreaves & Fullan, 2012). Together with a professor emeritus from the NRCWE, the association has developed a questionnaire based on the Fullan and Hargreaves approach. The local committees of the association and their corresponding municipalities decide whether they want to procure the professional capital initiative for all the public schools in the municipality. A survey is then conducted for all workers at the schools and subsequently all of the school's principals, shop stewards and working environment representatives are invited to a two-day workshop where they hear lectures on professional capital-related issues. Then, jointly with the union consultants, they learn how to improve their schools in the areas where the survey has pinpointed shortcomings. There is a similar counselling service in the construction sector funded by the social partners. However, they do not deal directly with psychosocial issues but offer PSR prevention counselling services provided by specialised external advisors.

In 2008, a tripartite agreement between the government, the municipalities, the regions and all the unions that represent public sector workers was finalised.<sup>30</sup> One of the most visible innovations of the agreement was the establishment of the so-called Strengthened Effort, which established an advisory service of knowledge brokers that visited workplaces in the public sector with research-based tools and measures to combat PSRs and enhance wellbeing. A website called 'from stress to wellbeing' was established as a part of the campaign and provided various tools for workplace representatives and managers to help with PSR prevention. The campaign is now defunct but subsequent approaches to PSRs in the public sector have in many ways built upon this campaign (i.e. the SPARK counselling service mentioned above).

## 4 Success factors and challenges addressing PSRs

### 4.1 Assessment of the impact of PSR measures on PSRs

#### 4.1.1 Assessment of the overall PSR development

The interviewees overall reported that awareness of PSRs had increased, leading to more openness on the subject as well as in discussions on the working environment. Furthermore, there is now a more open and prevalent discourse on sexual harassment, particularly following the #MeToo movement, which has raised awareness of this issue in the media and public sphere. Emotional demands of work are also becoming more legitimate topics of discussion, with more people acknowledging them.

One interviewee believes that this increased awareness leads to more openness and the feeling of a more legitimating discourse. These issues are understood to have contributed to the rise in worker complaints to the WEA about PSRs. The same point was reiterated by another interviewee, who also stated that they believe that a new openness towards PSRs has developed over the last five years, especially since COVID-19.

Another interviewee also noted that discussions around PSRs have become more open, with stress, workplace relations, management and lack of quality of work now being widely acknowledged. The respondent highlighted that PSRs play a larger role today, as reflected in their inclusion in national legislation since 2013. The interviewee mentioned an increase in workplace stress, which is evident in survey data from the NSWE and the former Work and Health questionnaires. These surveys show that

<sup>30</sup> See: <https://www.foa.dk/~media/faelles/pdf/pjecerfoldere/arbejdsmiljoe/faktakampagnenpdf.pdf>

PSRs are a leading factor in preventing people from working until retirement age, potentially leading to more disability pension applications.

However, one interviewee also mentioned that there is increasing pressure on workers, with many workers feeling they have to work harder and faster than ever before.

#### **4.1.2 The role of regulatory actors in PSR prevention**

The interviewees confirmed that the social partners play a significant role through the WEC in terms of policy regulatory innovations and subsequent amendments. In this regard, one interviewee gave as a recent example the 2020 discussions on the executive order on PSRs. The WEC was involved in lengthy discussions on the definitions and delineations of where issues stopped being management issues and where they became PSR-related.

Furthermore, one interviewee underlined the importance of the role of the NRCWE in the official system of OSH actors in Denmark since the social partners mainly rely on its research findings. In the interviewee's view, for the social partners to agree to a new regulation, there must be evidence from the NRCWE on the health consequences for workers of a particular PSR. PSRs, like other occupational risks, require extensive specialised knowledge regarding exposure limits, health outcomes and causality. This function is performed by the NRCWE, under the authority of the ministry.

One interviewee pointed to limited use in the WEA system of authorised counsellors. They consider that even though the authorised counsellors play an important regulatory role and are thus part of the 'executive function' of the OSH system in Denmark, they are under-prioritised and mostly ignored by other actors, such as the ministry and the WEA, and not used to their full potential. The role of the authorised counsellors was also mentioned as an important actor by another interviewee.

#### **4.1.3 The BFAs**

The interviewees from the social partners and the WEA agreed that the five BFAs are generally efficient translators and knowledge brokers. They translate the somewhat authoritative regulatory language of the ministry and WEA into useful information that is more in sync with the wishes and competencies of companies and workplaces. The WEA representative specifically praised the public sector BFA for its efficient communication on PSRs. The interviewee from the employers' association emphasised the role of the BFAs in 'translating' legislation as particularly effective in reaching out to SMEs. This supportive approach contrasts with the more authoritative tone often associated with regulations. An evaluation was carried out to assess the impact of the activities of the predecessor of the BFAs, namely the BAR (Sector-Specific Work Environment Council), by surveying user perceptions of selected activities. The evaluation showed that the workplaces generally viewed the activities as relevant, with positive feedback on how the information was conveyed (Ourø Nielsen et al., 2014).

#### **4.1.4 The WE-Act and related executive order and guidelines**

Overall, the interviewees were positive about the regulatory changes, including the 2020 executive order and guidelines. One interviewee explained that Denmark had operated for over 40 years under a framework without clear definitions of PSRs. With the new more precise definitions and requirements, many of the uncertainties have disappeared, which makes it easier for inspectors not only to control PSR aspects but also to take the necessary decisions. Furthermore, the new regulations have eased most of the tensions that previously existed between the social partners vis-a-vis PSRs.

One interviewee welcomed that the regulation only specifically mentions PSRs where there is scientific evidence from the NRCWE that the risk can have negative consequences for the health of workers, on the grounds that the regulation respects workplace needs and does not impinge upon the management's primary responsibility for health and wellbeing. Another interviewee emphasised that the law specifically defines the most urgent PSRs, but that the definition still means that other PSRs can be recognised even though they are not specifically mentioned.

### 4.1.5 Inspections

One interviewee reported that the quality of inspections has improved owing to the new regulation. However, another interviewee expressed their frustration with the lack of fines during inspections related to PSRs, except in cases involving violence. The interviewee pointed out that issues such as harassment or unclear demands require time-consuming observations and interviews, making them harder to assess than physical accidents or risks, where possibilities for immediate action are facilitated because the evidence is potentially more clear-cut.

The new way of conducting inspections, including deal-based inspections and the sector-focused inspection campaign, are generally regarded as successful by both the social partner representatives and the WEA representative. In relation to this scheme, an evaluation has been commissioned and the findings that were due to be published in 2024 will most likely shed light on the effectiveness of the new inspection scheme.

One interviewee highlighted the work carried out within the Danish criminal justice system (*Kriminalforsorgen*), specifically the focus on the prevention of violence during prison inspections. Researchers have evaluated the initiative and overall consider that the approach has been a success. Four out of five of the workplaces reported that the initiative improved their organisational efforts to combat PSRs, and two workplaces reported that the initiative improved wellbeing (Møller et al., 2022).

According to the evaluation, participants found the initiative valuable, especially in fostering collaboration with the WEA, enhancing focus on mental health issues and facilitating knowledge sharing.

### 4.1.6 The list of occupational diseases

Some interviewees noted that the current list of occupational mental health issues in legislation does not fully capture the reality of workplace mental health challenges. They pointed out a bias in the system, where it is generally easier to get physical factors as opposed to PSRs recognised as occupational diseases. This discrepancy is due to the requirement for strong evidence, which tends to favour mono-causal problems rather than the more complex, multi-causal nature of mental health issues.

They suggested two potential approaches to improve the situation: either reduce the strictness of evidence requirements and expand the list of recognised diseases, or ensure that more cases are brought before the Occupational Diseases Committee, which will increase the likelihood of approval. However, they mentioned that current approval of occupational diseases and workplace accidents caused by PSRs is more common in male-dominated professions such as the military and police officers, while women, despite being exposed to greater risks in female-dominated sectors, such as healthcare and education, face greater difficulties in getting their claims approved. It is particularly challenging to get long-term exposure to PSRs recognised as occupational diseases. Furthermore, the system often attributes mental health issues to personal circumstances, such as divorce or family deaths, even when the doctor and patient believe work-related factors are the primary cause.

Another interviewee was more positive about the current set-up. They again underlined the necessity for scientific evidence behind every disease and maintained that it was still possible for other forms of diagnoses to be recognised through individual assessments. However, an academic who was interviewed supported the idea of a more expansive list of diseases and advocated in particular the inclusion of 'burn-out' on the list, given that there is fairly strong evidence that it is related aetiologically to work.

### 4.1.7 The social partners' preventive efforts

One interviewee mentioned the range of counselling services initiated by the social partners in sectoral bargaining agreements, such as SPARK and TEKSAM, as a successful measure. An evaluation of Danish work environment counselling services from 2016 (Hasle et al., 2016) evaluated the TEKSAM approach as follows: 'The collaborative approach is beneficial as both parties—consultants and company representatives—work together in advising company leaders and employees, fostering unified support for improvements' (Hasle et al., 2016, p.22; translated from Danish by CHU). In another evaluation from 2020, not only SPARK and TEKSAM but also a third service, BAMBUS (a construction sector initiative focused on the physical work environment and, therefore, not within the scope of this report), were praised by the authors: 'The three services share a common goal: building a unique

knowledge base on work environment conditions within their targeted sectors. Their expanding insights into sector-specific challenges and solutions set them apart from other work environment stakeholders. However, they differ in how they apply this knowledge more broadly. All collaborate with the relevant BFA for using BFA materials. BAMBUS and, to a lesser extent, SPARK also contribute feedback to BFA's informational development efforts. Their collaboration with researchers and consultants is limited. TEKSAM occasionally partners on research projects, SPARK invites relevant researchers to their competence days, and BAMBUS has initiated development projects for specific solution strategies ...' (Uhrenholdt et al., 2020, p.42; translated from Danish by CHU).

## 4.2 Assessment of success factors and challenges

All interviewees emphasised the complexity of evaluating PSRs and their prevention, as they are difficult to attribute to a single cause and often involve multiple factors, such as management, organisational changes or economic crises. This complexity makes it challenging to assess the success of interventions solely on the basis of statistics, such as absenteeism numbers. This is seen as one of the main challenges related to PSRs and respective preventive approaches.

The other main challenge that emerged in the interviews relates to the opinion that it can be hard to separate PSRs from 'wellbeing', which is an human resources area that is normally the sole responsibility of company management, and not within the scope of OSH regulation. An example of this was given by one interviewee who pointed out that it is legal not to ask your workers about their holiday preferences, adding however that while this is a question of wellbeing at work, it is not a question that falls under the PSR definition. This is, however, a constant tension in the regulation of PSRs in Denmark. This is evident from not only the statements from the social partner representatives mentioned in this report, but also from the historical development of PSR prevention legislation in Denmark.

These challenges are somewhat mirrored in the success factors that all interviewees pinpointed. First, an interviewee noted that one regulatory measure or one new piece of legislation rarely produce effects in terms of results because the issues are complex. On the contrary, because of the complex nature of PSRs, multiple and multifaceted regulatory measures and knowledge transfer exchange mechanisms are required in order to produce effects. This has been confirmed in studies of means and measures in the Danish OSH system. In one investigation of a broad range of policies and regulations targeting, inter alia, PSRs, researchers concluded that it would require an 'orchestration' of measures to succeed in regulating such complex problems (Hasle et al., 2017). Furthermore, the orchestration thesis was corroborated in a report commissioned by Directorate-General for Employment, Social Affairs and Inclusion on the regulation of complex OSH issues (Limborg, 2018).

This, in turn, is also evident in another success factor: context sensitivity in the implementation of measures. All the examples of successful measures mentioned by the interviewees from the trade union, the employers' association and the WEA (in section 3.1) are examples of context-sensitive measures. Whether it is the 'deal-based' inspections, the initiative aimed at improving working lives in the criminal justice system, the counselling services funded by the social partners or the 'strengthened effort' initiative, each of these examples shows how PSRs can be combated when preventive means and measures are provided to companies by external knowledge brokers, followed up by the implementation of tailored cooperative arrangements between local company representatives, managers and OSH professionals.

## 5 Conclusions

This report provides an overview of the measures Denmark has implemented to address PSRs in the workplace. It highlights both legislative and non-legislative approaches aimed at improving the psychosocial working environment for Danish workers.

Denmark, like all EU Member States, faces a significant challenge in the area of PSRs. There has been an increase in both the incidence of PSRs and related mental health issues over the past 12 years. Furthermore, data from the NSWE shows a continued increase in PSR exposure and mental health problems between 2021 and 2023.

Denmark has a comprehensive system of legislative and non-legislative measures designed to prevent and manage PSRs. The Danish WE-Act, originally enacted in 1975, forms the foundation of this system. Although the law did not specifically mention PSRs before 2013, and the particularities of PSRs were not specified in the regulatory framework before 2020, a series of regulations and guidelines have since been issued, clarifying the responsibilities of employers to ensure a healthy psychosocial working environment. At the same time, the policies implemented continue to address the issue actively.

A central element of the Danish approach is the involvement of the social partners during all phases of prevention efforts. This collaboration is embedded in the WE-Act and involves various bodies and initiatives, including the national WEC, the BFAs, and various advisory and counselling services funded by collective agreements.

Despite these efforts, it is evident that effectively reducing PSRs is still an elusive goal. One of the challenges is the complex and multifactorial nature of PSRs, which makes it difficult to identify simple solutions.

There is a need for ongoing evaluation and an improvement in efforts to address PSRs. It is encouraging that the current working environment strategy (2023-2026) includes requirements for evaluating both national and sector-specific goals. To ensure effective future prevention of PSRs at work, it is crucial that these evaluations lead to concrete adjustments and improvements.

The discussion on the recognition of occupational diseases due to PSR exposure also highlighted the complex and multifactorial nature of PSRs and their consequences. In this regard some interviewees pointed out that it is still easier to get an occupational disease recognised because of physical factors as opposed to PSR factors. It was further highlighted that the current approach favours male-dominated occupations, where the impact might be more a one-off action causing a PTSDs or similar, while more long-term exposure is more likely in female dominated occupations.

In conclusion, Denmark has an ambitious and comprehensive system for addressing PSRs. However, PSRs are a complex issue that requires sustained effort from legislators, employers, workers and researchers. It is essential to learn from both successes and failures in the Danish model to ensure a healthy and safe working environment for all.



## 6 List of references

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