

REST BREAKS AT WORK

MANAGING RISKS, WORKLOADS AND WELLBEING

Taking a break isn't a luxury – it's a legal entitlement and a vital part of protecting your people and your business. This guide explains your obligations around rest breaks, why employees might skip them, and how to tackle the issue in a supportive and legally compliant way.

Whether you're dealing with one team member or reviewing your wider culture, this resource will help you manage rest breaks with confidence, care and clarity.



WHY REST BREAKS MATTER

The foundation of sustainable, healthy and legal working practices

Rest breaks are not a perk or a bonus. They are a fundamental part of how people work safely, legally and effectively.

When staff take regular, uninterrupted breaks during the working day, it supports:

- Concentration and accuracy – reducing errors and costly mistakes
- Physical and mental health – helping to prevent burnout and stress-related absence
- Long-term productivity – people return from breaks more focused and energised
- Positive team culture – reinforcing that wellbeing is valued, not sacrificed

Conversely, when breaks are routinely skipped – whether due to workload, pressure, or poor practice – it increases legal risk, undermines morale, and often leads to long-term inefficiencies.

Supporting proper breaks is one of the simplest and most effective ways to protect your people and your business.

THE LEGAL FRAMEWORK

Rest Breaks Are a Statutory Right

Workers are legally entitled to:

- A 20-minute uninterrupted rest break if their working day is longer than six hours
- A break that should ideally be away from their workstation
- A workplace environment that allows them to take this break meaningfully

Legal Framework Deep Dive:

- Working Time Regulations 1998: Mandatory 20-minute uninterrupted break for shifts over 6 hours
- Health & Safety at Work Act 1974: Duty of care to protect employee wellbeing
- Employment Rights Act 1996: Right to rest breaks cannot be waived

The employer's responsibility goes beyond stating that breaks are available – they must take positive steps to ensure staff are taking them.

Failure to comply can result in:

- Tribunal claims for breach of working time rights
- Health and Safety Executive enforcement
- Potential penalties: Unlimited fines, tribunal awards, HSE enforcement action
- Potential personal injury claims linked to overwork or fatigue

THE HIDDEN COSTS OF SKIPPED BREAKS

The Cost to your Business

- Increased errors & accidents
- Higher staff turnover
- Burnout leads to sick leave
- Reputational damage
- Legal liability

The Business Case:

- Productivity loss: 23% decrease in afternoon performance without breaks
- Error rates: 50% higher when working through lunch
- Turnover costs: £3,000-£30,000 per replacement employee
- Sick leave: 40% increase in stress-related absence
- Insurance implications: Potential policy voidance for duty of care breaches

HOW TO RAISE THE ISSUE

The Conversation Starter

If you notice someone regularly skipping breaks, address it promptly but supportively.

Here's an example of how to raise it:

"I've noticed you've been working through your lunch breaks recently. I need to ensure you're taking the rest time you're entitled to – not only because it's important for your wellbeing, but because it's a legal obligation on me as your employer. Is something making it difficult to step away during the day?"

Why this works:

- It clarifies that this is about duty of care, not discipline
- It frames the issue as organisational, not personal
- It opens up space for dialogue and insight

EXTENDED CONVERSATION FRAMEWORK

Opening Approach:

- Choose a private, relaxed setting
- Use *"I've noticed"* rather than *"You always"*
- Frame as legal requirement, not personal preference
- Ask open questions to understand barriers

Follow-up Questions:

- *"What would help you feel comfortable taking your full break?"*
- *"Are there specific times that work better for you?"*
- *"Is there anything about the workload that's making this difficult?"*

Tone Guidelines:

- Supportive, not disciplinary
- Collaborative problem-solving
- Acknowledge their commitment while reinforcing boundaries

WHY STAFF SKIP BREAKS

Understanding the Root Causes

If staff aren't taking breaks, it's rarely a case of simple forgetfulness.

Common underlying reasons include:

- Unrealistic workloads or tight deadlines
- Cultural norms that discourage stepping away from the desk
- Lack of appropriate space to take a break
- Pressure from peers or managers to “keep going”
- A belief that taking breaks is lazy, weak or not permitted

Managers must avoid assumptions. The first step is to ask – with genuine curiosity – why a break is being missed.

WORKLOAD ISSUES

Balancing Capacity with Compliance

If an employee says they're skipping breaks because of workload, that's a clear indicator that something needs to be rebalanced.

Suggested actions:

- Reassure them their effort is seen and acknowledge their dedication
- Review deadlines and priorities together
- Reinforce expectations: "Taking a break is part of working responsibly – not something to squeeze in if there's time."
- Adjust tasks or timelines where needed, even temporarily

You may also need to review how work is allocated across the team or whether there's a resource issue that needs addressing at a structural level.

WORKLOAD ASSESSMENT PROCESS

Step 1: Immediate Actions

- List current tasks and deadlines
- Identify what can be delegated, delayed, or dropped
- Agree on realistic daily priorities

Step 2: Root Cause Analysis

- Is this a temporary spike or ongoing issue?
- Are there skills gaps that need addressing?
- Is the role properly scoped?
- Are there process inefficiencies?

Step 3: Solutions Toolkit:

- Redistribute work: Among team members
- Extend deadlines: Where commercially viable
- Simplify processes: Remove unnecessary steps
- Additional resources: Temporary or permanent support
- Training needs: Identify skill development opportunities

Sample Scripts:

- *"I can see you're committed to getting everything done, but I need you to be sustainable in this role"*
- *"Let's work together to find a way to manage your workload that doesn't compromise your wellbeing"*
- *"Your health and legal compliance are non-negotiable - let's find solutions that work"*

CULTURE ISSUES

Addressing Normalised Overwork

Sometimes, employees aren't skipping breaks because they're overloaded - they're doing so because the workplace culture makes them feel like they shouldn't take them.

This could include:

- Senior staff never visibly taking breaks
- Unspoken rules that break-takers are 'less committed'
- Lack of suitable space to take a break away from work
- Pressure to always be available for clients or colleagues

Before trying to change individual behaviour, pause and reflect:

- Do leaders model good break behaviours?
- Are people celebrated for working long hours?
- Are workload expectations realistic across the team?
- Are breaks seen as part of the job - or as optional?

If the wider environment discourages people from stepping away, interventions must address the culture as a whole, not just the individual.

This leads into the next section - how to create a break-positive workplace culture.

CREATING A BREAK-POSITIVE CULTURE

Beyond Initial Conversations

Team-Level Strategies:

- Visible leadership: Managers take their own breaks
- Scheduled coverage: Ensure phones/emails are covered during breaks
- Break spaces: Provide comfortable areas away from workstations
- Flexible timing: Allow some choice in when breaks are taken
- Team communication: Regular reminders that breaks are expected

Policy Updates to Consider:

- Clear break entitlement statements
- Consequences for consistently skipping breaks
- Manager responsibilities for ensuring compliance
- Process for reporting break-related concerns

Environmental Factors:

- Physical space: Dedicated break areas
- Technology: Out-of-office messages during breaks
- Workload planning: Build break time into project timelines
- Meeting scheduling: Avoid booking over typical lunch periods



COMMON SCENARIOS & SOLUTIONS

Real World Challenges

Scenario 1: *"I'm Too Busy"*

Response Strategy:

- Acknowledge the pressure they're feeling
- Explain that breaks actually improve productivity
- Work together to identify time management solutions
- Consider if workload is genuinely unsustainable

Script:

"I understand you feel under pressure, but research shows that taking breaks actually helps you work more efficiently. Let's look at your schedule and find a way to make this work."

COMMON SCENARIOS & SOLUTIONS

Real World Challenges

Scenario 2: *"I Don't Want to Let the Team Down"*

Response Strategy:

- Reinforce that taking breaks is part of being a good team member
- Explain the impact of burnout on team performance
- Create team culture where breaks are normalized

Script:

"Taking your breaks actually helps the team - we need you at your best, not exhausted. Let's make sure the whole team understands this is expected, not optional."

COMMON SCENARIOS & SOLUTIONS

Real World Challenges

Scenario 3: *"I Prefer to Work Through and Leave Early"*

Response Strategy:

- Explain legal requirements don't allow flexibility on breaks
- Discuss alternative arrangements if possible
- Clarify difference between break entitlement and flexible working

Script:

"I appreciate you want flexibility, but the law requires you to take breaks during your shift. Let's talk about other ways we might be able to accommodate your preferences within the legal framework."

FOLLOW-UP ACTIONS

Making It Stick

- ✓ Document the conversation
- ✓ Weekly check-ins for first month
- ✓ Address root causes
- ✓ Lead by example
- ✓ Update policies if needed

Comprehensive Follow-Up Framework:

Week 1-4: Intensive Monitoring

- Daily casual check-ins: "How did your lunch break go today?"
- Weekly formal review: Assess progress and barriers
- Document compliance and any ongoing issues
- Adjust support as needed

Month 2-3: Consolidation Phase

- Bi-weekly check-ins
- Monitor for regression
- Celebrate success and positive changes
- Address any new challenges promptly

Ongoing Maintenance:

- Monthly team meetings: Include break compliance as standard agenda item
- Quarterly policy reviews: Ensure practices remain effective
- Annual training refresh: Keep break requirements visible

DOCUMENTATION & RECORD KEEPING

Protecting your Business

Essential Documentation:

- Date and time of conversation
- Employee response and any concerns raised
- Actions agreed by both parties
- Follow-up schedule established
- Any adjustments made to workload or processes

When to Escalate:

- Employee continues to skip breaks after intervention
- Workload issues cannot be resolved at team level
- Employee raises concerns about workplace culture
- Health and safety implications become apparent

FINAL THOUGHTS

Rest Is a Responsibility – Not a Reward

Ensuring your staff take breaks isn't about being strict - it's about being a responsible employer who protects both their people and their business. The conversation might feel awkward, but the legal and business risks of not having it are far greater.

Taking this seriously protects your people, your productivity, and your reputation.



**“ALMOST EVERYTHING
WILL WORK AGAIN IF
YOU UNPLUG IT FOR A
FEW MINUTES,
INCLUDING YOU.”**

Anne Lammott