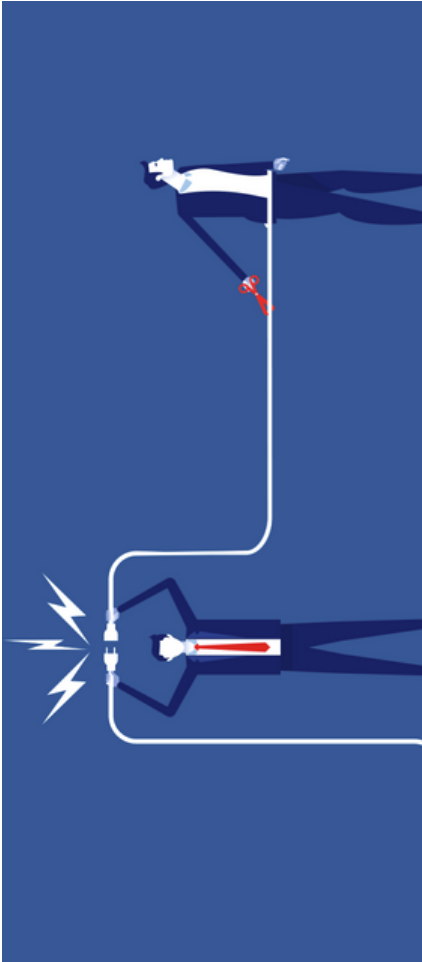


Introducing a UK Right to Disconnect: Strengthening Worker Protection in the Digital Age

By

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Executive Summary

Remote and hybrid work have reshaped the UK labour market, increasing flexibility while normalising constant digital availability. More than 60% of employees work during holidays.[1] The average worker leaves five days of annual leave unused, and 63% display at least one sign of burnout.[2][3] Yet, the UK has no statutory Right to Disconnect. Existing legislation does not cover digital contact outside contracted hours. With the proposed “Right to Switch Off” now withdrawn from the Employment Rights Bill, workers lack meaningful protection.[4] The UK has reached a critical moment in which reconsidering a statutory Right to Disconnect is both necessary and overdue.

This policy brief outlines three reasons why the UK Government should commit to implementing a statutory Right to Disconnect. First, digital work has expanded employer control beyond contracted hours, normalising “digital presenteeism”. Secondly, the erosion of working time boundaries poses a growing health and safety risk, with stress and disrupted rest becoming widespread. Finally, the harms of constant connectivity fall unevenly across the workforce, disproportionately affecting women, disabled workers, younger, and precariously employed individuals. These issues are followed by recommendations introducing a statutory Right to Disconnect, stronger enforcement mechanisms, and an equality-focused approach to ensure fair implementation.

[1] ‘Most UK Employees Work While on Holiday. Is It Time for “right to Disconnect” Laws?’ (BHSF, 20 May 2025) <<https://www.bhsf.co.uk/news-insights/opinion/most-uk-employees-work-while-on-holiday-is-it-time-for-right-to-disconnect-laws>> accessed 9 December 2025.

[2] Scowcroft E, ‘The State of Annual Leave - Statistics for 2024 & 2025’ (Timetastic, 6 June 2025) <<https://timetastic.co.uk/blog/the-state-of-annual-leave-statistics-for-2024-2025/>> accessed 9 December 2025.

[3] ‘Poor Mental Health Costs UK Employers £51 Billion a Year for Employees’ (Deloitte, 17 May 2024) <<https://www.deloitte.com/uk/en/about/press-room/poor-mental-health-costs-uk-employers-51-billion-a-year-for-employees.html>> accessed 9 December 2025.

[4] Clark E, ‘Employment Rights Bill Scraps Right to Switch Off’ (Startups.co.uk, 15 May 2025) <<https://startups.co.uk/news/right-to-switch-off-scrapped/>> accessed 9 December 2025.

Issue 1: Digital Surveillance as a Mode of Control

The adoption of “boss-ware” by a third of UK employers illustrates the institutionalisation of digital surveillance as a central mode of workplace control.[5] By monitoring keystrokes, emails, screen activity, and login patterns, employers create a disciplinary environment in which visibility becomes a proxy for productivity.[6] Workers internalise monitoring and modify behaviour even when not formally at work, effectively expanding the employer’s control into the private sphere.

Only 20% of employers actively discourage out-of-hours contact, which illustrates how digital surveillance extends managerial control beyond working hours, producing a culture of “digital presenteeism”.[7][8] This is not merely a matter of convenience or flexibility; it reflects a structural expectation that workers remain available, blurring the boundary between work and rest, and creating pressures that traditional labour protections are ill-equipped to address.

The reliance on informal managerial prerogative to enforce extended availability amplifies inherent asymmetries of bargaining power. Workers rarely exercise genuine choice in resisting out-of-hours expectations, as non-compliance may be perceived to threaten job security. Digital surveillance, therefore, functions as a mechanism for reproducing subordination, exposing the limits of current legal frameworks in regulating temporal control and protecting workers’ autonomy.

[5] Robert Booth, ‘A Third of UK Firms Using ‘Bossware’ to Monitor Workers’ Activity, Survey Reveals’ (*The Guardian*, 14 September 2025)

<<https://www.theguardian.com/world/2025/sep/14/uk-firms-bossware-monitor-workers-activity>> accessed 5 November 2025.

[6] Ibid.

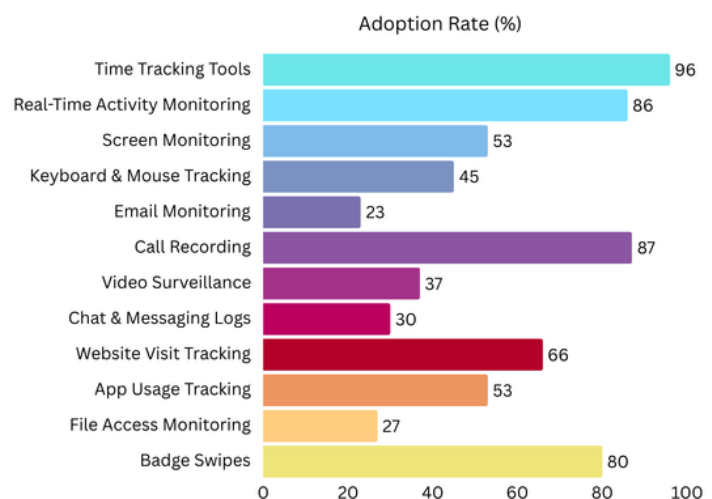
[7] Yoanna Cholteeva, ‘Just One in Five Employers Discourage Staff from Sending Out-of-Hours Emails, Poll Finds’ (*People Management*, 5 April 2022)

<<https://www.peoplemanagement.co.uk/article/1752570/just-one-five-employers-discourage-staff-sending-out-of-hours-emails-poll-finds>> accessed 5 November 2025

[8] Laura Jarvis-King, ‘Digital Presenteeism: The Pressure to be Seen in the Virtual Office’ (ESRC Centre for Digital Futures at Work, 21 February 2023)

<<https://digital-research.org/blog/digital-presenteeism-the-pressure-to-be-seen-in-the-virtual-office/>> accessed 9 November 2025.

Adoption Rates of Employee Monitoring Methods



Apploye, ‘Employee Monitoring Statistics: Shocking Trends in 2025’ (Adoption Rates of Employee Monitoring Methods (graph) <<https://apploye.com/blog/employee-monitoring-statistics/>>.

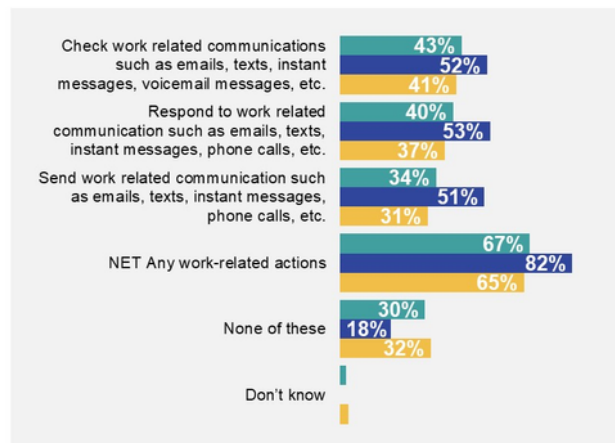
Issue 2: Health, Safety & Working Time

An “always-on” digital culture now constitutes an emerging occupational health and safety risk. Evidence from the Royal Society for Public Health and the CIPD indicates a regulatory deficit. Over 40% of UK employees check emails outside standard hours at least five times a day, reflecting a pattern of anticipatory stress driven by implicit expectations of constant availability.[9] This pattern undermines psychological detachment, which occupational health research identifies as essential for lawful rest and recovery.[10] 56% of workers struggle to switch off, and 38% report sleep disruption - clear indicators that statutory rest periods are being compromised in practice despite remaining intact in law. [11]

These trends expose a critical weakness in the UK’s regulatory framework. The Working Time Regulations 1998, premised on a traditional work model, fail to regulate digital communication that extends work into protected rest time. Thus, remote-access tools effectively convert availability into de facto working time without triggering statutory protections. Similarly, the Health and Safety at Work Act 1974, designed to address physical hazards, is poorly equipped to manage psychological risks arising from constant connectivity. Together, these regulatory gaps allow employers to exert extended control over workers without breaching formal legal obligations, leaving occupational health and statutory rest provisions unenforced in the digital era.

4 in 5 UK working adults with a total household income of £55,000+ perform work-related tasks outside of official working hours

Which, if any, of the following do you ever do outside your official working hours, in a typical working week?



Base: 690 Online working UK adults 16-75, 4-5 February 2022, £55,000+ (151), up to £54,999 (501).

[9] CIPD, 'Logged On But Can't Turn Off? A Third of UK Employees Say Remote Access To Work Means They Can't Switch Off' (2017)

<<https://www.cipd.org/en/about/press-releases-archive/270417-remote-work-issues>> accessed 11 November 2025.

[10] Ibid.

[11] CIPD, 'Two-Thirds of Employees Feel Less Connected Working From Home, Survey Finds' (2021)

<<https://www.cipd.org/uk/about/news/two-thirds-of-employees-feel-less-connected-working-from-home/>> accessed 11 November 2025.

Issue 3: Equality and Inclusion

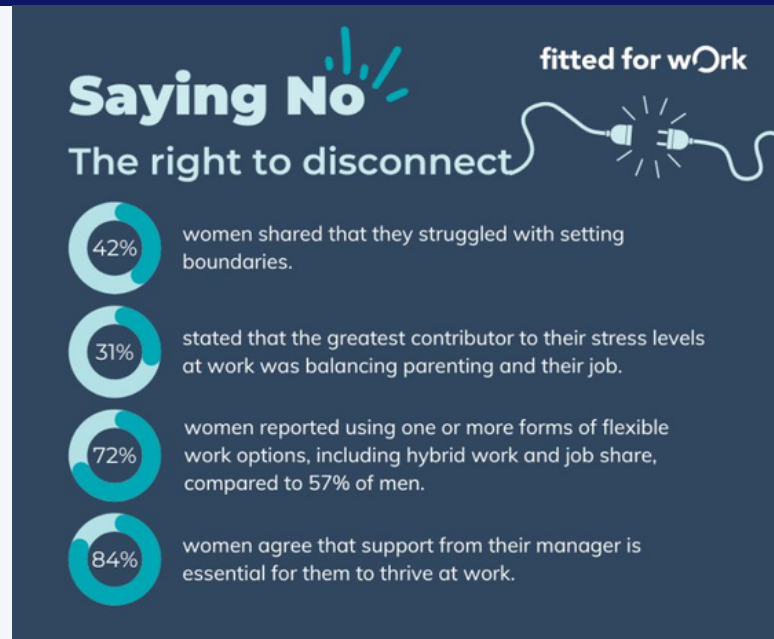
The burdens of constant connectivity and after-hours expectations do not fall evenly across the workforce.

Women are disproportionately affected by the “always-on” culture, a dynamic rooted in the UK’s gender pay gap and the unequal distribution of unpaid domestic work.[12] The erosion of boundaries between work and home reinforces the structural disadvantage faced by women.

72% of women in the UK say they perform more daily unpaid work than men.[13] This “second shift” means that when online work demands exceed their working hours, it is predominantly women who are affected.[14]

For disabled workers, the “always-on” expectation can directly undermine essential accommodations, such as flexible working arrangements, that are essential to their productivity and health.[15] Over half of disabled workers who requested reasonable adjustments had only some of their needs met, and many wait months or years for implementation.[16] This failure to provide timely support leaves workers vulnerable in an environment of constant digital demand.

Young, junior, and lower-paid workers are uniquely vulnerable due to a significant power imbalance and precarious employment status. This demographic holds less power to negotiate boundaries. Many are on casual or zero-hours contracts; this financial precarity makes them feel compelled to accept all work demands. A CIPD report found that workers aged 18-24 were more than twice as likely as older workers to feel pressured to be available outside their contracted hours.[17]



[12] Larice Stielow and others, 'Women in Work 2023' (PWC, 2023).

[13] Starling Bank, 'Who Does More At Home? Couple's Can't Agree - But Women Report Doing Nine Hours More Than Men Weekly' (2023) <<https://www.starlingbank.com/news/women-report-doing-majority-of-household-tasks-in-relationships/>> accessed 12 November 2025.

[14] Durham Business School, 'Women Who Work Remotely Have Greater Difficulty Separating Work and Family Than Men' (2024) <<https://www.durham.ac.uk/business/news-and-events/news/2024/august/women-face-greater-challenges-than-men-in-balancing-work-and-family-while-working-remotely/>> accessed 12 November 2025.

[15] Quinn Roache, 'Disabled Workers' Access to Reasonable Adjustment' (2025) Trade Union Congress Report, <<https://www.tuc.org.uk/research-analysis/reports/disabled-workers-access-reasonable-adjustment>> accessed 15 November 2025.

[16] Ibid.

[17] Vinous Ali and others, 'Hybrid Work Commission 2023' (Public First, 2023).

Fitted for Work 'Saying No: The Right to Disconnect' (graph) <https://www.linkedin.com/posts/fittedforwork_the-right-to-disconnect-bill-was-recently-activity-7181458001227128833-gHx3/>.

Recommendations

1. Limiting Digital Control

A statutory 'Right to Disconnect' should be introduced into the Working Time Regulations 1998, ensuring protection applies to both employees and workers. The new provision should include a clear legal definition of "out-of-hours" contact that reflects contemporary digital work, preventing employers from drafting broad or vague working hours to evade obligations. It should expressly limit the monitoring of workers' digital activity outside agreed working hours.[18]

2. Protecting Health and Rest

To put workers' wellbeing at the forefront, the Right to Disconnect must be consistently enforced, rather than relying on individuals to pursue tribunal claims. The CIPD notes that bodies such as the Health and Safety Executive currently lack the resources for robust enforcement.[19] Regulators should therefore be equipped to monitor digital communication patterns, require employers to adopt disconnection policies with measurable outcomes and impose penalties when these are not met.

3. Ensuring Equality

Implementation of the Right to Disconnect must acknowledge unequal burdens across the workforce. Awareness campaigns, targeted support, and equality-focused implementation should therefore prioritise certain vulnerable groups. Manager education and leadership accountability are essential to a shift in workplace culture. Proactive employer action is necessary, especially to ensure that the burden of enforcing the right does not continue to fall on the workers.

[18] Collins P M, & Golding G (UK Labour Law Blog, 4 October 2024). A right to switch off in the UK: Two options for implementation. <https://uklabourlawblog.com/2024/10/04/a-right-to-switch-off-in-the-uk-two-options-for-implementation-by-dr-gabrielle-golding-and-dr-philippa-collins/>

[19] B. Willmott, 'Would a 'right to disconnect' prevent 'always on' working cultures and stress?' (2022) CIPD <<https://www.cipd.org/uk/views-and-insights/thought-leadership/cipd-voice/would-right-disconnect-prevent-always-working-cultures-stress>>.

Glossary

Right to Disconnect: A right to disconnect is a legal or workplace policy that gives employees the protected ability to switch off from work-related communications and tasks outside their normal working hours. It ensures that workers are not expected to respond to emails, calls, or messages during their personal time and cannot be penalised for failing to do so.

Bossware: Digital monitoring tools employers use to track and measure employee activity, often in real time. These systems can record keystrokes, take periodic screenshots, monitor website usage, analyse productivity patterns, and track location data for mobile workers.

Digital Presenteeism: The expectation or pressure for employees to remain constantly online and responsive, even outside their normal working hours. It happens when workers feel they must stay connected - replying to emails, messages, or work notifications - to signal commitment or productivity, regardless of whether they are genuinely working or whether it is healthy or necessary.



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