

With the evolving legal status of medical cannabis in the UK, many employees find themselves facing complex questions around **medical cannabis employment**. One recurring concern is whether they must disclose their medical cannabis use to their employer. Add into that the reality of workplace drug testing, stress as a health and safety hazard, and employers' duties under UK occupational legislation, and the situation becomes even more nuanced.

In this article, I'll break down what you need to know about workplace disclosure of medical cannabis, drug testing, and your rights under the *Equality Act 2010*. I'll also explain how stress risk assessments under HSE Management Standards tie into this and what that means for both you and your employer.

Before we dive in, don't forget: if you find this useful, share it with your colleagues or friends via WhatsApp, Facebook, Instagram, TikTok, Twitter/X, YouTube, Telegram, Viber, or Pinterest!

Understanding Medical Cannabis and Employment

Medical cannabis is legal in the UK when prescribed by a specialist doctor under strict conditions, but recreational cannabis remains illegal. This creates a tricky dynamic for employees who use cannabis medicinally about their workplace rights and responsibilities.

Can I be penalised for medical cannabis detected in a workplace drug test? Possibly, but context and legality matter. Often, employers' drug policies do not distinguish between recreational and prescribed cannabis, which can lead to misunderstandings or unfair disciplinary action.

Workplace Drug Testing and Medical Cannabis

Many UK employers, especially in safety-critical sectors or those with strict health and safety obligations, use drug testing to detect substances including cannabinoids.

- **Random drug testing:** Sometimes used but must be lawful and proportionate.
- **Reasonable suspicion testing:** Triggered by behaviour or incidents.
- **Pre-employment testing:** Legal but must comply with discrimination laws.

However, a positive test for cannabis does not always mean an automatic fail – the presence of THC metabolites can reflect past use, not impairment at the time of work.

Importantly, **there is no statutory right to test in the UK**, so employers must carefully consider if drug testing is appropriate and how medical cannabis is handled.

Do I Have to Tell My Employer About Medical Cannabis?

The keyword here is disclosure, or *workplace disclosure*. There is no automatic legal obligation that says you must tell your employer you are taking medical cannabis, unless it directly affects your ability to do your job safely or your role has safety-critical requirements.

Still, choosing whether or not to disclose your medical cannabis use is a personal decision – here are some pros and cons, in a nutshell:

Pros of Disclosure Cons of Disclosure

- Employer can make reasonable adjustments under the *Equality Act 2010*.

- Reduces risk of disciplinary action due to unexpected drug test results.
- Can help safeguard your health and safety at work.
- Potential stigma or misunderstanding of medical cannabis use.
- Concerns about confidentiality and data protection.
- Risk of discrimination despite legal protections.

Equality Act 2010 and Medical Cannabis

If your medical cannabis use relates to a condition that meets the disability definition under Section 6 of the Equality Act 2010 (i.e., a physical or mental impairment with a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities), then you are protected against discrimination.

This protection extends to all aspects of employment, including recruitment, remuneration, training, and dismissal. It also creates a positive duty for employers to make reasonable adjustments—for example, flexible working arrangements or amendments to policies.

Stress at Work: A Health and Safety Hazard

Stress is often downplayed as a "personal resilience issue," but the Health and Safety Executive (HSE) is clear: **work-related stress is a health and safety hazard.**

Employers carry duties under the *Health and Safety at Work etc. Act 1974* to protect employee health, safety and welfare, which includes managing stress risks.





HSE Stress Risk Assessments and the Management Standards

The HSE has developed comprehensive Management Standards which provide a benchmark for tackling work-related stress. These standards address six key areas:

1. Demands
2. Control
3. Support
4. Relationships
5. Role
6. Change

Employers, even at micro and small business level, are required to carry out stress risk assessments to identify and address stressors affecting employees.

Medical cannabis may be part of an employee's strategy to manage stress or other health conditions impacted by workplace demands. Understanding this, employers should incorporate thoughtful risk assessments and support measures.

Your Rights and Practical Advice

If you're navigating this terrain as an employee, here's a practical checklist for how to manage **medical cannabis employment** issues thoughtfully:

1. **Know your prescription:** Keep documentation handy from your doctor showing that your cannabis use is lawful and medical.
2. **Review your contract and drug policy:** Many small employers lack formal drug policies; where they exist, understand their stance on medical cannabis.
3. **Assess your role's safety criticality:** If you work in safety-sensitive jobs (e.g., driving, machinery operation), disclosure is usually advisable.
4. **Plan your disclosure email:** Keep it factual, relate it to maintaining your health and performance, and request a confidential conversation if needed.

5. **Know your rights:** Research your rights under the *Equality Act 2010*, especially if your condition qualifies as a disability.
6. **Perform a personal stress risk assessment:** Document any work factors triggering stress and discuss adjustments with your manager.
7. **Seek professional advice:** Your GP, a specialist medical cannabis prescriber, or an employment rights advisor can help.

Template: What to Email Your Manager About Medical Cannabis

Here's a brief checklist for a disclosure email that's clear, professional, and keeps things actionable:

- State the purpose — disclosure of prescribed medical cannabis use.
- Refer to your health condition briefly, emphasising its management with medical cannabis.
- Reassure your commitment to safety and performance at work.
- Offer to provide medical documentation if needed.
- Request confidentiality and a meeting to discuss any adjustments.

Example:

Subject: Confidential: Medical Cannabis Usage Disclosure
Dear [Manager's Name], I am writing to disclose that I have been prescribed medical cannabis by my specialist doctor to manage [condition]. I want to assure you that I am fully committed to performing my duties safely and effectively. I am happy to provide medical documentation and discuss any reasonable adjustments that may support my wellbeing at work. I would appreciate it if this information remains confidential. Please let me know a convenient time to discuss this further. Best regards, [Your Name]

Final Thoughts

Medical cannabis in the workplace remains a complex and <https://brightonjournal.co.uk/health-at-work-what-brighton-employees-should-know-about-their-rights-and-wellbeing/> evolving matter. As an employee, you are not automatically obliged to disclose your medical cannabis use, but openness may help protect your rights and wellbeing—especially when stress and health safety intersect.

Employers must remember their legal duties — under the *Health and Safety at Work etc. Act 1974*, the HSE's Management Standards, and the *Equality Act 2010* — to manage stress risks and accommodate disabled employees.

If you're a manager or business owner with no dedicated HR support (typical in small creative agencies, cafes, and venues), taking time to educate yourself on these issues is not optional. It will save headaches, support your team, and keep your business legally compliant.

Questions or experience with medical cannabis at work? Share your thoughts below or reach out on our social channels!

And please share this article via WhatsApp, Facebook, Twitter/X, and more!