



## SPRING NEWSLETTER 2008

### A look at the Quality of Working Life

There would appear to be a growing feeling that there are insufficient strong measures in place to ensure that all workers enjoy an acceptable quality of working life here in the UK. The concept of Quality of Working Life legislation [QWLA] was first proposed discussions at the Institute of Employment Rights conferences.

A report of that conference is posted separately on the [Work-Stress Network Website](#) and this article sets out the basic premises for a programme of work to precede a Bill being brought before Parliament to secure enforceable improvements in health and safety and related provisions across the board. The benefits of a Quality of Working Life Act would seek to:-

- Clarify and strengthen duty of care through lines of responsibility under Directors' Duties.
- Determine employer roles in health and safety performance.
- Look at mutualisation and regulation of employers' liability insurance.
- Recognise workers' emotional and family needs through work-life balance, flexible working and removal of opt-out of Working Hours Directive legislation.
- Ensure a duty to provide rehabilitation for workers with long-term sickness absence and related problems.
- Ensure freedom from fear in the workplace, providing security at work.
- Rights to full disclosure on change, re-organisation, extending rights of Safety Reps and ensuring the use of Roving Reps.
- Dignity in the workplace for all, protecting workers from abuse and harassment

### More disgraceful boasting from Hazards...

We've just won the Work-world Media Award for online journalism for an unprecedented second straight year. BBC was again runner up, in a record field of entries.

The citation for the online award said: 'For the second year running, the judges decided to give the award to Hazards for its use of the medium, its depth and seriousness, and its spiky determination to campaign for those at the rough end of working life.'

In the Hazards acceptance speech we also got to be rude about guest speaker, Mrs Thatcher's bagman, Sir Bernard Ingham. I think we should probably stop now while we are ahead?

Cheers, Rory O'Neill

#### Network Comment

**We extend our hearty congratulations to the Hazards Magazine team for their continued excellent work.**

Log on to the website to see what you are missing? <http://www.hazards.org/>

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## Convenor's Report

Ian Draper (Network Convenor)

We have moved into another year, and still there is no really visible action on the part of many employers or more particularly the enforcement agency HSE to tackle work-related stress effectively.

Despite the appearance last year, of [yet more] guidance by the Institute of Directors, we still have no really effective tools that require employers and individual managers to act to prevent stress, and to protect their employees from its ravages.

Much is said about the effectiveness of the HSE Stress Management Standards – but they are clearly not working when it becomes necessary for HSE to lay on yet more workshop sessions to guide employers into their use and implementation. The current series of workshops across the nation, when advertised became all too quickly filled with applicants. It is patently obvious then that many either do not know about their existence or still do not understand their obligations to examine their working practices and then protect their workforce.

We regularly get enquiries from people with a terrible story to relate about their work bringing them to an impossible position, and their health (and their lives) have been virtually destroyed. Several of the enquirers who seek advice from our website, or direct from the Convenor.

We report on one man's struggle against his managers, and the legal system, only to discover that his evidence is lacking. It has to be remembered that detailed medical and other supporting evidence is always central to success in a personal injury claim.

*Ian Draper*, Network Convenor

### Diary Dates

#### Hazards Campaign

- March 20<sup>th</sup>, Campaign Meeting
- June 19<sup>th</sup>, Campaign Meeting
- July 18<sup>th</sup> to 20<sup>th</sup> Hazards Conference, Keele Univ.
- October 10<sup>th</sup> to 12<sup>th</sup> European Hazards Conference, Bologna

### Network Steering Group Meetings

- April 19<sup>th</sup>, July 5<sup>th</sup> & September 12<sup>th</sup>, Hillscourt Centre, Rednal 10.00 a.m.
- November 15<sup>th</sup>/16<sup>th</sup> Stress Network Conference

## “Well for work” Certificates?

In the last week or so of February '08, the Government seems poised to launch yet another attack on those who are for whatever reason unable to be at work. The message seems to be yet again that Disability Benefit is a major target, and that many of those who find themselves on the register, are really capable of work, but are swinging the lead? But this new venture could be even broader than just the 2 million or so of permanently unfit to work.

And now any other worker who is temporarily not fit for work could face the possibility of being sent in on 'light duties' – only to have that misinterpreted or even totally ignored by their line manager. With this could come an expectation of 'continue as normal', especially with peer pressure where team outcomes affect take home pay, might lead to bullying approaches by work colleagues.

Whilst it may well be that someone could be in work and doing certain light duties, thus not having to take on the full normal load, the worry is that such an approach may be deemed impossible in the work situation.

The problem is that it is fine to think of a positive supportive culture in the workplace where employees' needs are recognised, but where is the compulsion to follow the medical advice? How willing will employers be to adjust workload, when they are often unwilling to do it under the provisions of the DDA?

To secure an effective and successful approach to this concept, employers must be put under an obligation to make the necessary adjustments to work for temporary periods, whilst maintaining full pay. In addition, there will be the problem of how to ensure that the employee's health and well-being are protected under National Insurance and other related cover.

## Steve's case of work-related stress and serious ill-health

Dear Editor,

I would like to share my experiences of working for a well-known national business – their actions as you will see have taken a great toll on my health and well-being, as well as actually taking the life of a former colleague.

I was a Concrete Plant Supervisor for a well-known company from 1981 and was based in Barrow-in-Furness. Once my 2<sup>nd</sup> man was made redundant in 1996 my workload virtually doubled. This left me with an almost impossible task and would often result in my doing three jobs all at once. During busy periods I would request help but this was not always forthcoming, which led to rows with the Management.

These issues drove a wedge between us whereby I began to be bullied. I was followed to work for a week, denied pay rises, disadvantaged and was even videoed via the perimeter fence. I was also badmouthed by managers and subject to numerous unjust disciplinary attempts whereby, they charged that "I was frightened". I am actually an ex-soldier, and veteran of 2 Northern Ireland tours, so I know about fear! I was now experiencing high levels of stress and was signed off work upon four occasions. These stress levels were mostly created by the lack of control I had over my work, as well as an unsupportive management team.

I complained bitterly about my situation, but to no effect. I requested support from my Union regarding stress and told them I was unwell. Unfortunately the Union Solicitor replied there was nothing he could do. (The Law Society categorised their failures as significant to serious, and ordered them to compensate me.)

Shortly after this I collapsed across my desk caused by a huge pain in my chest during a visit by a senior manager. He chose to ignore me, answering the telephone instead. He left, telling me I should settle down. At 2.00 a.m. the following day I suffered a massive heart attack that almost killed me.

After recovery I returned to work but was ordered off again following a stress-related breakdown. I contacted the HSE, as I knew my employer had no ideas about stress in their workplaces. HSE investigated and justified my complaint. They ordered the company to install a Stress Policy, which eventually appeared in November 2004.

Subsequent to this, I was dismissed, as I had expected. However, I was so psychologically ill that I could not explain the detailed issues surrounding public interest disclosure. I subsequently discovered that I had actually made a valid complaint that was directly relevant to my case. Sadly the employer got away with this although I was able to prove a case of Unfair Dismissal in the Employment Tribunal. After the Tribunal I actually lost my memory for an entire year.

In Sept 2003 I had been subject to a 4-way bypass operation at the age of 49.

I had also written three times to HSE about a friend and colleague who was also very highly stressed. HSE included my fears in their report but otherwise did nothing.

This close work-friend subsequently died of a heart attack on his 40<sup>th</sup> birthday some months later whilst off ill with work-related stress – he had been put under the same stresses - unable to cope.

I subsequently took my former employers to Preston County Court Jan 2008 with a personal injury claim. In the build up to this however, it became very apparent that stress is almost as impossible to prove as is asbestosis.

My cardiac Consultant found my attack had been accelerated by about 18 years because of significant stress levels. A Forensic Psychologist assessed diagnosable psychological illness, via reactive depression that had existed for 8 years prior to the assessment but peaking after the Tribunal culminating in "major depressive episode". This period was profoundly distressing for me, and the medical staff told me I was in the area where suicide is common. The employer's Occupational Health specialist composed an extremely damning report, ending with the comment that he "was horrified to hear" what I had told him. This report made very detailed and explicit points about my ability to return to duty, but clearly not under the same pressures as before.

At the Trial however, the issue of foreseeability was raised. I had written to the employer on numerous occasions, making my complaints about work pressures, excessive workloads, bullying etc. Despite this, they were able to wriggle out of things, because it was felt that I had not shown enough specific detailed and appropriate medical evidence to support my claim.

Of course I was by this period extremely ill indeed, I could hardly talk also, it had not really

occurred to me just how ill I really was, or what the cause was until it was almost too late.

It was decided we would seek the opinion of the Judge "so far". His view was that I was not yet half way, there was much more evidence needed and it would not be a clear case to prove. Sadly I then felt I had to withdraw rather than lose the case which could have cost me my house.

The medical evidence however is without doubt about what actually caused my illnesses.

I personally feel the hurdles that have to be cleared are far too high, and do not take sufficient account of the specific psychological impacts applying to the individual. Therefore employers like mine, it seems, can overwork, stress and kill their staff with impunity. The Law is arranged more in the favour of the employer.

Yours truly, Steve A

#### ***Network Comment***

We are indebted to Steve for sharing his experiences with us.

In previous newsletters and in our [Information Pack](#), we make it clear that Personal Injury claims are never easy. The level of evidence, especially that of the foreseeability of a person becoming ill through work pressures cannot be over emphasised.

If you feel you have a case, you MUST also ensure that there is appropriate Consultant based medical evidence of a clinically defined illness.

## **Project to boost workers' health**

A two-year pilot project could be rolled out across Scotland with free health advice and support being offered to staff at small and medium-sized businesses across Dundee. The Dundee based Working Health Services project aims to reduce illness and cut the number of days people are absent. Help will be offered with common workplace difficulties, including back pain and skin conditions.

The scheme is a two-year pilot project with a team featuring a physiotherapist, occupational therapist, occupational health nurse, doctor, counsellor and complementary therapist. Figures suggest that across Scotland about 2.2m working days are lost every year because of sickness at a cost to employers of £1.2bn.

Rehabilitation Development Manager Kathleen Houston said: "The service will provide a support network to maintain people in employment and assist those who have been off work for some

time by providing them with advice, support and treatment best suited to their needs. For many, the workplace can be a challenging and stressful environment that can be the cause of many work-related ill conditions such as musculo-skeletal disorders, stress, hearing problems and heart disease.

"Small and medium-sized businesses are a key target for Healthy Working Lives because they have less than 250 employees and are often unable to provide dedicated work health services."

Marion McGee, who runs Central Blinds the firm featured in the recent project launch said: "We recognise that our most valuable resource is our staff and ensuring their health and well being is fundamental to the success of our business. As a business with 42 employees, we welcome the additional support which would be provided through an initiative of this kind which will provide them with access to a range of health professionals to help them stay or return to work."

If the pilot proves to be successful, it may be rolled out to other health board areas in Scotland.

## **Tube workers anxiety over lone working**

One of the safety concerns of Tube workers is lone working. The threat of industrial action on the Tube has moved a step closer after union leaders announced that workers would be balloted for action. The Transport Salaried Staffs Association said its 2,500 members would vote on whether to strike in a row over safety and staffing levels. Its workers will vote during March, and the Rail Maritime and Transport Union has yet to set a date. Transport for London (TfL) said threats of strike action were "unreasonable". Union leaders from the Rail Maritime and Transport Union (RMT) confirmed it is yet to set a timetable for balloting its 5,000 members working on London Underground (LU) but has warned of a strike vote unless the dispute is resolved.

The ballot has been called due to a lack of progress regarding a range of safety issues including the closure of ticket offices, lone working and the use of agency staff.

#### ***Network Comment***

The employer needs to acknowledge that there are times and situations which may be highly stressful for workers.

The Tfl network is a vast complex provision, and workers are frequently at risk particularly in unsocial hours. For some groups of workers, particularly women, and perhaps the older staff, they are especially vulnerable to attack and abuse.

## Forces' stress figures released

Defence Minister Derek Twigg has reported to MPs that five troops out of every 1,000 suffered from some mental disorder. Post-traumatic stress disorder (PTSD) was found in 26 UK service personnel who served in Iraq or Afghanistan in a three-month period, figures suggest.

Statistics from the Defence Analytical Service Agency reported one in 3,000 personnel were diagnosed as suffering from PTSD during the second quarter of 2007.

The Royal British Legion said the numbers represented a "wider problem". Director of Welfare Sue Freeth acknowledged there had been improvements in the diagnosis of PTSD within the forces. But she added: "Research has shown that the culture of the Armed Forces is such that military personnel do not come forward for diagnosis, and may instead use alcohol to cope with their problems."

In addition, the report suggested that seven cases of PTSD among troops who had not served in Iraq or Afghanistan and five where records could not identify whether sufferers had visited the conflict zones.

Mr Twigg told the House of Commons that although service personnel deployed to Iraq and Afghanistan were more likely to be assessed with PTSD, the number of diagnoses were "very low."

He added: "We take very seriously the risk of service personnel developing mental illness and attach a high priority to ensuring that individuals have access to the appropriate advice and, if needed, treatment at the right time."

### **Network Comment**

Many people are opposed to the use of troops in the several conflicts that are to be found across the world. Whether you oppose that or not, what is essential to acknowledge is that the effects of serious trauma on individuals can never be predicted. This is also true of workers in the emergency services.

What is important is that the employer recognises that PTSD is a reality, and that it will affect people in a range of ways, be they long or

short term. Whilst the causes may not be directly preventable (save by not getting involved in the first place), then all that can be done to mitigate the effects is an essential.

The stresses will of course extend into the immediate family, and support measures are essential there too.

## Work stress 'changes your body'

Stress is known to produce biochemical changes. Research has indicated that stressful jobs have a direct biological impact on the body, raising the risk of heart disease.

The study reported in the European Heart Journal focused on more than 10,000 British civil servants. Those under 50 who said their work was stressful were nearly 70% more likely to develop heart disease than the stress-free. The stressed had less time to exercise and eat well - but they also showed signs of important biochemical changes.

The studies of Whitehall employees - from mandarins to messengers - started in the 1960s, but this particular cohort has been followed since 1985.

As well as documenting how workers felt about their job, researchers monitored heart rate variability, blood pressure, and the amount of the stress hormone Cortisol in the blood.

They also took notes about diet, exercise, smoking and drinking. Then they found out how many people had developed coronary heart disease (CHD) or suffered a heart attack and how many had died of it.

Lead researcher Dr Tarani Chandola, of University College London, said: "During 12 years of follow up, we found that chronic work stress was associated with CHD and this association was stronger both among men and women aged under 50.

"Among people of retirement age - and therefore less likely to be exposed to work stress - the effect on CHD was less strong."

### **Biological factors**

On the one hand, those who reported stressful jobs appeared less likely to eat sufficient amounts of fruit and vegetables, and were less likely to exercise - although problem drinking did not emerge as a significant problem in this study. Lifestyle, the researchers concluded, was nonetheless a key factor in the development of the disease.

But the team also say they are now confident they understand the biological mechanisms that link stress and disease, a connection widely held to exist but which has been difficult to prove.

These mechanisms held true regardless of lifestyle.

Stress appeared to upset the part of the nervous system which controls the heart, telling it how to work and controlling the variability of the heart rate.

Those who reported stress were also recorded as having poor "vagal tone" - the impulses which regulate heartbeat.

A major part of the neuroendocrine system - which releases hormones - also seemed to be disturbed by stress, evidenced by the fact that anxious workers had higher levels of the stress hormone Cortisol in the morning.

### **Worker status**

While the younger worker seemed to be more at risk, the findings were the same regardless of the status of the worker. Previous studies had suggested those of lower employment grades may be more at risk. "We did not find strong evidence that the effect of work stress on heart disease is worse for those in lower grades - the effect of stress was pretty much the same across different grades," said Dr Chandola.

"However, later on in the study, some parts of the civil service underwent considerable change in their working environments, including privatisation.

"We are currently exploring whether the effects of these changed work stress levels, partly brought about by privatisation, are particularly deleterious for those in the low grades of the civil service."

The British Heart Foundation said the research added to the understanding of how stress at work may alter the body's chemistry.

"The study also reinforces what has been identified by previous research, that stress at work is often associated with unhealthy behaviours such as smoking, lack of exercise and a poor diet - all which can impact on heart health," said June Davison.

"There are many ways that we can help ourselves by learning how to cope with stressful situations. Keeping fit and active also helps to relieve stress and therefore reduce the risk of heart disease."

## **Charity warns on bullying at work**

A third of workers say employers turn a blind eye to stress levels. Bullying at work is "endemic" in the UK, affecting 80% of employees, the Samaritans charity has warned. A third of those it surveyed were so unhappy they had considered leaving their job.

The research identified young employees as the group most vulnerable to stress, and the least able to discuss concerns with managers or colleagues.

The findings are published as part of the charity's campaign to highlight the importance of mental health at work. "Job-related stress has a serious and unrecognised impact on the health of the nation and the economy, affecting concentration and efficiency," said Samaritans spokesman Joe Ferns.

"Thirteen million working days were lost to stress, depression and anxiety in 2005 at a staggering cost of £3.7bn to UK plc. Positive workplaces are a big factor in keeping everyone emotionally healthy," he added.

The survey spoke to 2,600 adults in the UK and the Republic of Ireland. Half of those questioned admitted they were worried about the impact stress was having on their health - and the same proportion said they had seen a colleague reduced to tears at work. A third felt employers ignored the problem, while just under half felt their bosses were prepared to put them under pressure to get as much work out of them as possible, regardless of the consequences.

According to the survey, young employees aged between 18 and 24 found it most difficult to tackle the problem. In addition, a majority of IT workers, retailers, caterers and engineers interviewed reported feeling unsupported at work. In contrast the majority of people working in health, education, banking and finance said they received "adequate" backing.

The charity designated 1 February as "Stress Down Day" as part of its efforts to encourage a greater awareness of the importance of good mental health at work.

### **The TUC backed the findings.**

"Workplace bullying can take many forms but it always causes stress and anxiety for victims," said TUC general secretary Brendan Barber. "If bullies are allowed to dominate a workplace, staff morale and productivity will suffer, so employers have a clear incentive to stop bullying," he added.



The UK National Work-Stress Network

**WorkStress.Net**

## Annual Conference

### **Eradicating Workplace Bullying, including Cyber-Bullying *The Case for Dignity at Work***

Hillscourt Conference Centre, Rednal Nr Birmingham

Courtesy of NASUWT

Saturday, November 15<sup>th</sup> 9.30 a.m. to 5.00 p.m. and  
closing at 12.30 p.m. Sunday, 16<sup>th</sup> 2008,

*This conference is aimed at Trades Union Shop Stewards, Health & Safety Representatives, Health & Safety and Human Resources Specialists, Stress Management Consultants*

### **What is Bullying?**

The persistent use of offensive, abusive, intimidating, malicious and insulting behaviour; the abuse of power or unfair penal sanctions which makes the recipient feel upset, threatened, humiliated or vulnerable, thus undermining their self-confidence and causing them to suffer stress. More recently the use of electronic means has been used to intimidate and victimise workers by members of the public. The issue of Workplace Bullying and the lack of Dignity at Work is a growing problem and many hundreds of workers are affected by it daily – often without recourse to sympathetic hearings and attitudes. Over 35% of Stress at work cases are caused by Bullying.

*The Conference will provide an opportunity to hear from and discuss issues with speakers, attend a range of workshops and participate in an additional session of Masterclass discussions on the handling of stress at work and related cases.*

### **Programme outline**

#### **Saturday morning – panel of speakers with Q&A session to follow**

- Prof. Charlotte Rayner, Portsmouth University - researcher for 'Working Together to Tackle Bullying and Harassment at Work' project
- Goldsmiths University HSE/CIPD Managing Stress Research project [TBC]
- An Employer's success in implementing Policy [TBC]
- Speaker from UNITE (AMICUS) - the trades union response [TBC]
- A speaker from one of the Bullying advice organisations [TBC]

#### **Saturday afternoon**

Workshops followed by Discussion forum – details to be confirmed in due course

- Bullying in the Workplace Policy
- Dignity at Work Campaign
- Management Style, Bullying/Relationships and HSE Stress Management Standards

#### **Sunday morning**

Masterclass/discussion/interactive sessions aimed at guiding Representatives in organising members, gathering evidence of Bullying, dealing with casework, looking at grievances with a follow-up closing plenary session and lunch – details to be finalised

*With an overnight stay in comfortable disabled friendly accommodation set in rural surroundings SW of Birmingham, that this weekend will provide a wide range of networking opportunities for delegates.*

**Don't delay – Book NOW to avoid disappointment and get the benefit of discounted delegate fees.**

**Please complete a separate form for each delegate and staple together if necessary. Photocopies are acceptable. Please type or write clearly.**

<b>NAME (BLOCK CAPITALS)</b>	
<b>CONTACT ADDRESS (BLOCK CAPITALS)</b>	
	<b>Postcode</b>
<b>TELEPHONE No.</b>	
<b>EMAIL</b>	
<b>ORGANISATION</b>	
<b>SPECIAL NEEDS</b> (Please specify)	

	<b>Totals</b>
<b>1 DAY DELEGATE</b> (SATURDAY 15 <sup>th</sup> November only) Full Rate <b>£70</b> Unwaged Rate <b>£30</b>	£
<b>RESIDENTIAL DELEGATE</b> (SATURDAY 15 <sup>th</sup> November and SUNDAY 16 <sup>th</sup> November)  <b>Includes accommodation on Saturday night</b>  Full Rate <b>£120</b> Unwaged Rate <b>£70</b> <i>Deduct £8.00 if sharing a room</i>	£
<b>Optional extra B&amp;B</b> FRIDAY 14 <sup>th</sup> November, if required Single room <b>£36</b> Shared room <b>£28 per person.</b> <u>NO SEPARATE UNWAGED FEE</u>	£
<b>SUB TOTAL</b>	£
<i>Less Early Bird discount of 10% (if booked before 30th September 2008)</i>	- £
<b>FULL TOTAL</b>	<b>£</b>

**COMPLETE THIS SECTION FOR SHARED ACCOMMODATION ONLY**

Name of person with whom you are sharing.		
Type of room	<b>TWIN</b>	<b>DOUBLE</b>
Is this person a delegate?	<b>YES</b>	<b>NO</b>
COMPLETED APPLICATION FORMS SHOULD BE SENT TOGETHER WITH CHEQUE (S) PAYABLE TO <b>UK NATIONAL WORK-STRESS NETWORK</b> TO:- LES ROBERTS, CONFERENCE SECRETARY, 33 OLD STREET, UPTON UPON SEVERN, WORCS WR8 0HN EMAIL ADDRESS: <a href="mailto:LESVROBERTS@HOTMAIL.COM">LESVROBERTS@HOTMAIL.COM</a>		

