

UK National Work Stress Network Conference

November 2011

*From Recession to Depression –
destroying much of the fabric
of this nation*



WORKstress

The UK National Work-stress Network • workstress.net

Stress is not about Wimps

- ▶ It does not affect everyone
- ▶ It is often about **perceptions**
- ▶ It affects **different** people **differently**
- ▶ It is **not** in itself an illness
- ▶ It is **not** about personal weakness
- ▶ It **IS** about recognising that some people cannot always cope, and it includes **home-based pressures**
- ▶ It should be **recognised** and **respected**

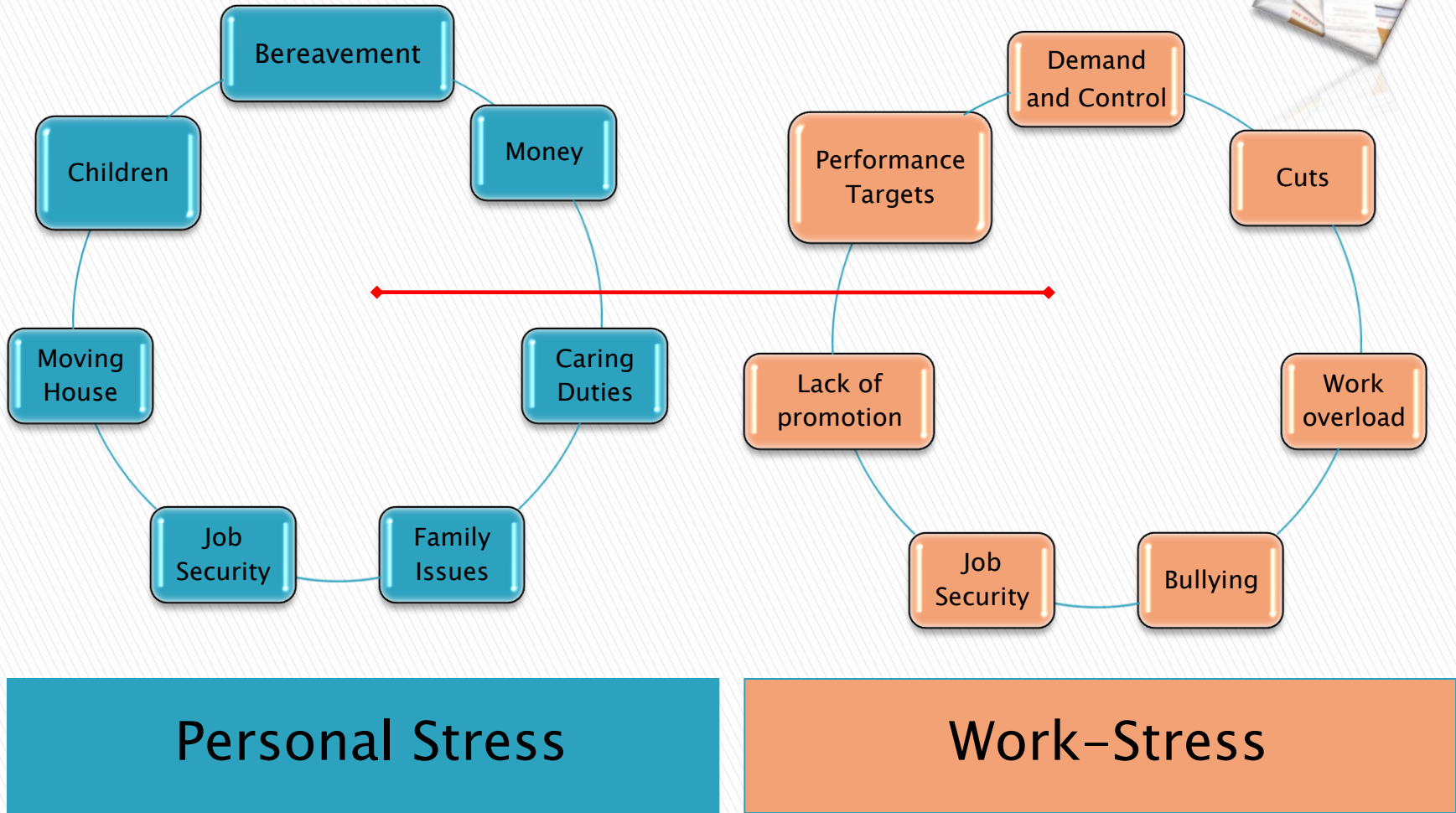


How is your work affecting you?



Work should not damage your health and well-being

What causes stress?



Recognising stress - here are some symptoms

Behaviour

- Irritability
- Indecision
- Loss of sense of humour
- Feelings of anger
- 'Rushing' from one thing to another
- Withdrawn/ feeling of being victimised
- Feeling unable to cope
- Tearfulness
- Lack of interest in doing things after work
- Constant tiredness

Physical

- ☞ Loss of appetite/craving for food under pressure.
- ☞ Indigestion/heartburn
- ☞ Constipation/diarrhoea
- ☞ Insomnia
- ☞ Tendency to sweat/Nervous habits
- ☞ Headaches/Cramps muscle spasms
- ☞ Nausea, Breathlessness
- ☞ Fainting spells
- ☞ Loss of libido
- ☞ Eczema
- ☞ Cardio-vascular illness and cancers

Do you recognise any of this in yourself or others?

Stress and the Recession



Pay freezes
Pensions attacks
Job losses
Longer hours
Reduction in Public Sector services
Tighter controls and expectations in private sector
Attacks on Benefits
Continued highly inflated salaries and bonus payments
Excessive work pressures and demands on those left in post

- Low and falling Morale at work?
- Employers shying further away from duty of care on basis of cost?
- Never a better time for more support?
- Enforced presenteeism to 'keep up with the team', and to protect your job?
- Inappropriate self-support measures?
- Bad managers having a field day?
- More opportunities for workplace bullies
- Never a better time for the Management Standards to be applied and enforced?
- Background of rubbishing Health & Safety as ridiculous, bureaucratic, burdensome and unnecessary

TUC Safety Representative Surveys

Stress Listed	66%	56%	58%	61%	60%	62%
Stress Factors	2000	2002	2004	2006	2008	2010
Workload	74%	80%	79%	76%	73%	70%
Staffing Cuts	53%	50%	49%	57%	58%	62%
Change	44%	52%	47%	53%	50%	54%
Long Hours	39%	41%	37%	34%	35%	33%
Bullying	30%	28%	27%	33%	40%	37%

Legal Requirements



- Employers' duties to provide safe and healthy working environment and practices
- Statutory requirement to risk assess and apply control measures
- HSE Stress Management Standards – voluntary but expected
- Equality Act 2010 [DDA etc] requires reasonable adjustments to work
- Stress and Bullying Policies should be in place and regularly reviewed
- Common law duty of care – moral and legal duties *not* to cause harm
- More difficult to prove, but where damaging harassment has taken place then it needs to be shown to have had a detrimental effect

The Legal Precedents

- ▶ **1995 – Walker vs.. Northumberland CC** – the 1st really successful case where the 2nd breakdown was deemed to be employer responsibility
- ▶ **2002 – Hatton and other cases** – 4 cases taken together where judgments were overturned on Appeal leading to closer focus on foreseeability and causation and setting out the “*Hale 16 principles*”
- ▶ **2004 – Barber vs. Somerset CC** – one of the group of Hatton cases further appealed, established need for employer to look at employee’s condition and to make appropriate adjustments
- ▶ **2005 – Hartman vs. S Essex MH Trust** – further reinforced the Hale 16 principles
- ▶ **2007 – Hiles vs. S Gloucs PCT and Daw vs. Intel Corp UK** – both claimants had broken down emotionally at work and employers were found wanting in respect of failure to investigate causes
- ▶ **2008 – Dickens vs. O2** – reinforced that employers have a duty to investigate once they become aware of employee health problems

The Legal Obstacles

- ▶ In order to succeed there has to be clinical evidence of psychiatric illness or injury;
- ▶ The work undertaken must be shown to have caused psychiatric/physiological illness
- ▶ The employee must have advised the employer of any problems
- ▶ Given the foreseeability of risks and prior knowledge of the exposure of employee[s] to that risk, the employer must be shown to have failed to take appropriate actions
- ▶ The post-Hatton 'Hale 16 points' should be consulted

What's in your armoury?

- ▶ The Safety Reps regulations and your rights to inspect, investigate, report failings etc
- ▶ The Statutory requirement to carry out all relevant and appropriate risk assessments and to implement relevant control measures
- ▶ The application and review of the employer's Safety Policy, Stress, Bullying and associated policies
- ▶ Equality Legislation and employer's duty to make adjustments
- ▶ The HSE Stress Management Standards – although voluntary there is an expectation that they will be implemented

Taking up your case?

- ▶ Log, record and report all instances of work overload, stress-inducing situations and bullying
- ▶ Keep all emails, letters etc., make notes of all conversations and of meetings
- ▶ Medical Certificates must say “*Work-related Stress*” Keep copies of them all
- ▶ Keep copies of all risk assessments or failures of employer to carry out such assessments
- ▶ Keep copies of all OH reports and return to work discussions
- ▶ Make sure that you are involved in return to work procedures and sickness absence monitoring

Simple internal Audit?

RISK FACTOR	LOW	MEDIUM	HIGH
Work Demand			
Targets & Deadlines			
Job Security			
External forces			
Team-working			
Management Style			
Work-life Balance			
Aggression/Abuse			
Colleague Absence			

Higher scores will show increased stress hot spots. Collate totals. Then consider causes and effects and apply control measures. Totally anonymous.

Taking the message out

Spreading the news to members

Branch Audits

Raising the issues with Management

Health & Safety Committee

Bulletins – websites

- Health & Safety and especially Stress policy/action is a good recruitment tool
- Use of material from today, also from Stress Network, Hazards, Trade Union and legal advice Websites
- Highlighting employers' support
- Low level simple branch level audits
- Stress regularly on the H&S Agenda with management
- Regular reviews of Attendance records
- Newsletters regularly remind members of stressors and available support
- Posters on stress
- National or regional websites

HSE Approach post recession

- ▶ *March 2011 – JH saying ‘we fully recognise your concerns we want to put all the issues into context’ ...We continue to place H&S at the top of our priorities’*
- ▶ *Our view is that whilst the Government is busy slashing and burning the economy, peoples’ livelihoods, health , well-being and family stabilities are seriously at severe risk*
- ▶ *Lives, work and families are being affected with increased intensity*

HSE Approach post recession

- ▶ **March 2011 JH saying that priorities have not changed despite the 35% cuts in HSE budget**
- ▶ *HSE cannot retain the status quo with the levels of cuts imposed*
- ▶ *Reduced inspections and enforcement means health and well being and lives are at greater risk*

HSE Approach post recession

- ▶ March 2011 JH saying that low risk areas may exist but there is no intention to declare that ALL offices fit this description as suggested by Lord Young
- ▶ *For Stress, there are no low risk areas – it is clearly evident in many workplaces and continues to increase as a result of post recession strategies*

Top bosses pocket 32% pay rise

Tuesday 31 May 2011

Mental health experts warn against pace of incapacity benefit cuts

New MPs 'struggle' with long hours and workload

A report suggests some
MPs have struggled to
adapt to their new roles

Coalition's jobs plan to exploit the vulnerable

June 2011

The government launched a new scheme today that will force people back to work and line the pockets of private companies at the expense of society's most vulnerable.

Employment Minister Chris Grayling (said the "revolutionary" Work Programme would support around 2.5 million people back to work in the next five years.

Longer hours but no compensation

Wednesday, June 01, 2011,
ALMOST three quarters of people are
working longer hours in 2011 than they
were a year ago, according to a firm of
accountants and business advisors.

Tory war on safety 'will mean more deaths'

"Inspectors' powers will be spread
so thinly that they no longer pose a
credible threat to employers,"

Younger workers are
more stressed in their
jobs and feel under
more pressure to work
long hours than their
older colleagues.

UNISON bullying survey reveals real impact of Government cuts

The shock findings of a UNISON survey
shows that six in ten workers across the UK
have been bullied, or witnessed bullying,
over the past six months. The union is
warning that Government cuts are fuelling
workplace bullying and silencing workers
fearful of their jobs.

PM Cameron's linking the summer riots and looting to health and safety legislation

Following the statements made by PM Cameron yesterday, a Hazards Campaign spokesperson said: "Cameron's linking of the recent social unrest to "elf and safety gorn mad" is not only complete rubbish but completely crass and scraping the bottom of the daft ideas barrel.

Austerity measures 'may increase suicide rates' says Unite

October 2011

The prospect of an increased rate of suicide because of the government's austerity cuts has been raised by Unite, the largest union in the country. Unite, in its response to Preventing Suicide in England: a cross-government outcomes strategy to save lives, has drawn parallels with the Greek economic meltdown which has reported a 40 per cent rise in suicides in the first half of this year, compared with the same period in 2010.

The future looks bleak for women

September 2011

Shadow minister for women and equalities Yvette Cooper warned on Saturday that the coalition government were launching an "ideological" attack on women's rights. Ms Cooper told the Labour women's conference on Saturday that a "not so secret Number 10 memo" spelled out the way the coalition felt about women

Spending cuts damaging mental health

October 2011

On World Mental Health Day today (Monday), CWU is joining other unions and the TUC in warning that the government's spending cuts risk reversing vital progress made in the recognition and treatment of mental health issues in the UK.

Stress 'is top cause of workplace sickness' and is so widespread it's dubbed the 'Black Death of the 21st century'

October 2011

Stress has become the most common reason for a worker being signed off long-term sick, a report reveals today. Experts said the psychological condition had become so widespread that it was the '21st century equivalent of the Black Death'. Stress has even eclipsed stroke, heart attack, cancer and back problems, according to the report from the Chartered Institute of Personnel and Development.

Scrap unfair dismissal claims for lazy workers – report says

Currently, workers who feel they were unfairly dismissed can make a claim after 12 months in a job .

Unproductive workers should lose their right to claim unfair dismissal, a leaked government report says. The report, commissioned by the prime minister, argues this would mean more capable people would replace those sacked, boosting economic growth.

Youth unemployment level 'shocking'

November 2011

Unions and business groups today joined forces to call for urgent action after youth unemployment reached a "truly shocking" milestone of over a million. The number of 16 to 24-year-olds looking for work increased by 67,000 in the quarter to September to 1.02 million, the worst total since comparable records began in 1992.

'Needless' compensation payouts to be cut

Compensation payments for workplace accidents could be cut under a government drive to reduce the cost of red tape to businesses.

Business as usual: top directors get 49 per cent pay rise

October 2011

The directors of Britain's largest companies were last night condemned as "elite greedy pigs" for pocketing a 49 per cent pay rise in the past year, while average workers failed even to keep up with inflation.

Cardiff research finds half of workers are ill-treated

Just under half the British workforce experience unreasonable treatment over a two-year period. New research led by a team from Cardiff University has found that half of British workers have been ill-treated in the last two years. The survey found 4.9% of workers were victims of violence while 22.3% said they were treated in a disrespectful or rude way. 27% said they felt ignored.

What do we seek?

- ▶ **Improved legislation and realistic effective enforcement of H&S from an enlarged HSE**
- ▶ **Effective, meaningful consideration of the needs of the workforce**
- ▶ **A Government committed to getting the economy back on track without the massive slash and burn approach**
- ▶ **A reduction in the massive attacks on the public sector and its loyal devoted passionate workers**
- ▶ **True understanding of the realities of stress and its associated illnesses and a commitment to Duty of Care**
- ▶ **Trades Unions and their members willing to stand up and oppose the onslaught on Health & Safety**
- ▶ **Trades Unions protecting and supporting their own lay casework officers' health and well-being in supporting members**
- ▶ **A realistic LIFE-Work Balance for all**

www.workstress.net

WORK *stress*

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