

WORK stress

The UK National Work-stress Network • workstress.net

**Hazards
Campaign**

Newsletter January 2010

2009 Conference Report Edition

Stress, the 21st Century Epidemic

NASUWT once again very kindly supported our most recent Conference through the provision of their excellent and recently upgraded Hillscourt Conference Centre facilities. As always we are most grateful to NASUWT for their continued support. We welcomed 86 delegates from a wide range of backgrounds including delegates from UNISON, UCU, NASUWT, GMB, UNITE, PCS, Probation Service, Police Federation as well as from other backgrounds.

Brian Robinson, UK National Work-Stress Network co-founder member and one time Convenor declared the conference open and chaired the plenary proceedings. Brian Commented, "It was a great pleasure for me to front this year's conference, and to meet so many interested delegates once more."



1 THE NEWLY REFURBISHED CONFERENCE HALL



2 BRIAN ROBINSON OPENS CONFERENCE

This was the second year that our conference had been residential, and clearly the format of speaker session, followed by question and answer and then two workshop sessions with plenty of networking time is recognised as effective and popular.

The Saturday morning programme consisted of short presentations by **Ian Draper** who gave an outline of the causes, effects, symptoms and costs of stress with some recent information about the current Mental Health at Work focus, as well as a short investigation of the HSE Management Standards. Ian's presentation as followed by that from **Isabelle Schoemann** of the ETUI in Brussels. Isabelle outlined the work of the ETUI in conjunction with the

European Commission's policies on ensuring that work and well-being are considered by all EU member states. She outlined some of the progress in EU states whilst highlighting the difficulties of working with some employer groups and those who follow the de-regulation agenda.

Following a coffee break, we heard from **Emma Donaldson-Feilder** who outlined the recent research project on Management Competencies. This project, jointly funded by HSE, CIPD and IIP has opened up a useful measurement procedure of workplace managers' effectiveness in personnel management, through self, peer and vertical assessment. The measurement tool consists of 66 questions and feedback falls into a range of categories.



3 BRIAN AND ISABELLE SCHOEMANN

The concluding presentation was a jointly delivered session on the success of a UNISON branch in NW England at an NHS Health Trust. **Maggie Seraj** and **Sean Duignan** outlined their work in fighting against employer imposition of new working practices without consultation.

UK National Work-Stress Network

Faced with a major problem affecting nursing workers in the facility, a successful campaign brought a withdrawal from management of their proposal and detailed consultation on a range of Stress related issues in the workplace. The HSE Management Standards were now being implemented.

The Saturday morning session concluded with a period of discussion involving delegates from the floor and platform speakers. There were two workshop sessions, enabling delegates to select different topics and with the first three of the subjects being repeated on the Sunday morning which was popular.

PowerPoint Presentations from the keynote speakers are available as .pdf files on the Conference 2009 Report page of our website.

Workshop Topics:-

- Supporting members with stress-related problems – Brian Robinson borrowed previous work on the Network at Hazards Conferences to examine through case studies, how individual casework can be approached
- Management Styles and raising issues of Manager Competence in handling worker stress – referring to the morning presentation and with consideration of the assessment tool, Ian Draper used this workshop to study approaches that could be made in securing better management style and effectiveness
- Audit Tools and raising issues from the workplace – using their UNISON case study described in the plenary gave Maggie Seraj and Sean Duignan a chance further to consider how specific problems can be raised in the workplace
- Mediation and Stress – John Usher developed the current thinking on how mediation may be an alternative to legal action
- Negative Behaviours – as a development from her contribution to 2008 Conference, Rachael Pope explored her further research work and examined how in-house negative behaviours can lead to high levels of stress. A further questionnaire survey provided considerable feedback, copy of her report can also be found on the web-page.
- Management Standards implementation – Dave & Dianne Jones looked at the six standards and how their existence together with the whole workplace assessment tool



[A detailed report on the workshops, together with papers presented can be found on the Network Conference Report 2009 web-page.](#)

Feedback comments from some delegates:-

"I have really enjoyed this conference – thank you to all who have put so much work into it to make it such a great success."

"The conference more than met my expectations and I look forward to the next one!"

Our thanks go to all who contributed, attended and made the weekend such a great success. We look forward to seeing you again!

Stress Stories

BISHOPS FACE CALLS TO RESIGN OVER BULLYING

The Unite union has called for the resignation of two Church of England bishops, claiming they allowed a Worcester vicar to suffer years of abuse, as Reverend Mark Sharpe and his family left their rectory after eviction proceedings were instigated.

Unite called on Archbishop of Canterbury Rowan Williams to investigate what it described as a four-year campaign of harassment and called for the resignation of Bishop of Worcester John Inge and Suffragan Bishop of Dudley David Walker to step down immediately. The union accused them of "washing their hands like Pontius Pilate."

Unite claimed that the bishops had allowed Rector Rev Sharpe and his family to suffer a campaign of intimidation from parishioners when they moved to the rectory in Worcestershire in 2005.

Unite's Rachael Maskell said it was a "disgrace" that Rev Sharpe and family had been forced to leave their home at the pinnacle of the Christian year. It was "a dark stain on the church's reputation," she stressed.

Rev Sharpe's parishioners allegedly subjected the family to a campaign of abuse and intimidation after he exposed long-standing irregularities in parish affairs.

The reverend is appealing to an employment tribunal, arguing that the church should have warned him of the nature of the parish and its problems before offering him the post.

"My career has been ruined, my health and that of my wife and children has been shattered, and my family has suffered terribly from all the strain," he said.

DIRECTORS DUTIES - PROPOSALS FOR NEW LEGISLATION

In 2000 the Government published its strategy on health and Safety '*Revitalising Health and Safety*'.

The strategy called for HSE to develop a code of practice on Director's responsibilities and secondly that 'The Health and Safety Commission should also advise ministers on how the law would need to be changed to make these responsibilities statutory so that Directors and responsible persons of similar status are clear about what is expected of them in their management of health and safety. It is the intention of ministers, when parliamentary time

allows, introducing legislation on these responsibilities.'

Since then we have had voluntary guidance but, almost ten years after the strategy was launched, *we are still awaiting the promised legislation*. The Health and Safety Commission was never able to reach a consensus on how to change the law.

In addition to calls for action from trade unions and victim support groups, many safety professionals and safety journals have backed the call for legislation.

In July 2009 the independent inquiry into construction, chaired by Rita Donaghy, recommended '*that there should be positive duties on directors to ensure good health and safety management through a framework of planning, delivering, monitoring and reviewing*'. Four days later the Work and Pensions Select Committee also called for a legal duty on directors to be introduced as soon as possible.

The current position

The Health and Safety at Work Act says '*it shall be the duty of every employer to ensure, as far as is reasonably practicable, the health, safety and welfare of all his employees*'. It also places a duty on employers to conduct their business in a way that does not expose the public to risks to their health or safety. These are positive duties, and the courts can prosecute them not just because of something they have done, but where they have failed to do something. Most prosecutions take place because of that. Employees also have a duty to take reasonable care of themselves and others '*who may be affected by his acts or omissions*'.

Most prosecutions for breaches of the HSW Act are against employers. However in the case of most workplaces, the employer is not an individual but a company or public body. So the prosecution is of the body. In some cases individual managers are also prosecuted, but in most cases the prosecution is of the company or organisation that is the employer.

Under the HSW Act, unlike employers, directors have no positive duties imposed on them. Section 37 of the act does say that a director can be prosecuted if an offence committed by the company or other body '*is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate*'. This is very different from the situation of employers who have a positive duty to protect the health and safety of their workforce.

Therefore a director can only be prosecuted for something they have done, or if they have neglected to carry out a duty that they had. This means that while it may be possible to prosecute a director who is given responsibility for health and safety or who has specific duties that relate to safety as part of their role, directors who choose to take on no responsibility cannot be prosecuted unless it can be shown that they specifically did something which contributed to a death or injury. This is more likely to be able to be demonstrated in small organisations where directors have a day to day involvement in operational issues, than in large organisations where the role of directors is seen as strategic.

If a death takes place a director can be prosecuted for manslaughter but only if they are shown to have been criminally negligent.

There is a power to disqualify a director for health and safety failures under the Companies Directors Disqualification Act 1986, but that is very rarely done. Many companies have been prosecuted on several occasions for breaches of the HSW Act but no application has been made for their disqualification.

Need for change

Many directors of both public bodies and private companies do in fact take an interest in health and safety. 65% of larger companies claim that health and safety appears on the agenda for board meetings, and 58% have a nominated member to champion health and safety at board level. Both of these are key recommendations in the current voluntary guidance.

However that means that 35% of companies have boards that never have health and safety on the agenda of their board. This is despite guidance stating that they should. Additionally, only 31% of boards set targets for health and safety – another recommendation within the voluntary guidance.

So those who set the strategic direction of an organisation, allocating resources and overseeing operations often have no awareness of the health and safety implications of their decisions. They often make decisions on resources, or staffing, without considering the health or safety of those that they employ. This can have serious implications as the report into the management of BP after the Texas City disaster showed.

Currently, if a board of directors refuses to have any involvement in health and safety, however bad the record of the company, there is almost nothing that can be done to force them to take

responsibility beyond disqualification (which is almost never done).

The voluntary approach has clearly failed to ensure that directors in all organisations, public and private, take responsibility for the health and safety of the staff they employ. Even if it has led to a majority of boards of organisations receiving regular reports on health and safety, or appointing a 'champion' at board level, there is still nothing that can be done about those companies that do not. It is because of these organisations that we need a specific legal duty on directors. Directors of companies who are already complying with good practice will have nothing to hear from such a duty. It is only those who think they can continue to get away with ignoring the call for corporate responsibility that would be at risk if they continue to run organisations that put the lives of their workers at risk.

The TUC would prefer a new general duty on directors, under the HSW Act, as recommended in 2006, but to be backed up with an Approved Code of Practice spelling out exactly what directors should do, which could be based on the current voluntary guidance. It would mean that directors, individually and collectively would have to take steps to assure themselves that their organisation was ensuring health and safety, but through the provisions of an Approved Code of Practice it would be made quite clear to directors what this means in practice.

Network Comment

We have long held the view that HSW legislation and enforcement need to be beefed up. Where it can be shown that stress related illness and bullying actions are common, then Directors have a duty of care under the act to prevent such damage to employees.

We believe that All Directors should be held accountable for HSW issues and especially for those related to health and well-being.

RADICAL OVERHAUL OF SUPPORT FOR PEOPLE WITH MENTAL HEALTH CONDITIONS

New specialist coordinators and dedicated advice lines for small businesses are part of a radical overhaul of support for people with mental health conditions. Increasing job opportunities for people with mental health conditions and improving the well-being of workers is part of a wide-ranging new Government vision to enhance mental health services and boost the well-being of the whole population.

People with mental health conditions can now rely on new support to help them manage their conditions so they can stay in work or get back

to work as quickly as possible if they lose their job or have never worked.

The new support includes:

- The launch of a new network of mental health coordinators in every Jobcentre Plus district to better coordinate health and employment support at a local level and improve the employment chances of Jobcentre Plus customers;
- The launch of nine occupational health advice line pilots to give small businesses in Britain the support they need to keep people in work when health issues arise. This advice line will give employers direct access to occupational health professionals and direct employers to the advice and services they require;
- Ministers are also looking at ways to extend the highly successful Access to Work programme to specifically help more people with mental health conditions to get and stay in work.

Ministers from the Department for Work and Pensions (DWP), the Department of Health (DH) and the Cabinet Office outlined the Government's vision.

Secretary of State for Work and Pensions Yvette Cooper said: "The vast majority of people with mental health conditions work, but for some people it can be very hard to stay in a job. If people fall out of work and onto benefits it is even harder for them to get back into work as it can be a real knock to their confidence.

"We know that *[good]* work is good for people and that's why we want to give everyone the support they need to stay in a job, or get back to work. Today we are giving people with mental health conditions this support. We are also helping employers understand what they can do to help people stay in their jobs and manage their condition so that they don't have to leave work and fall onto benefits at all."

Secretary of State for Health Andy Burnham said: "Life-threatening conditions like cancer or heart disease prompt sympathy and understanding. But mental health is all too often shrouded in mystery, stigma or simply forgotten. Depression is a huge public health challenge – it affects one in six people and causes one of the main disabling conditions in this country.

Needless deaths from suicide are the second most common cause of death in men aged 15–44. We are determined to tackle this by bringing forward a radical new approach to mental health. New Horizons follows a decade of record investment in mental health services - there are

now more consultant psychiatrists, more clinical psychologists and more mental health nurses than ever before.

"This strategy includes a national roll out of our successful talking therapies programme, NICE guidelines, new action on suicide prevention and a plan to tackle the stigma shrouding mental illness. Good mental health services are a vital part of a modern, preventative and people-centred National Health Service."

New Horizons: A Shared Vision for Mental Health, launched recently, is the Government's new over-arching vision for mental health in England to improve services and help prevent people developing mental health illness. It will tackle depression for people of all ages; work to reduce suicides; improve outreach to help excluded groups access support; and tackle the stigma around mental illness.

Dr Rachel Perkins, researcher commissioned by DWP said: "People with mental health conditions remain among the most excluded within the workplace. We know that work improves mental health and well-being and most people with a mental health condition would like to be in work and pursue a career. The recommendations are wide-ranging and challenging for Government. However, at their heart they set a vision for how employment, health and social services can better work together to provide co-ordinated support for people with mental health conditions."

The UK Government and the devolved administrations in Scotland and Wales are also setting out a vision and support to help well-being at work for everyone through the following publications:

- **Working Our Way to Better Mental Health: a Framework for Action** is the first GB-wide Mental Health and Employment Strategy, and sets out commitments from Government and expectations of employers, healthcare professionals, organisations and individuals.
- **Realising Ambitions: Better Employment Support for People with a Mental Health Condition** is a review commissioned by DWP and led by Rachel Perkins of South West London and St George's Mental Health Trust, supported by Paul Farmer of Mind and Paul Litchfield of BT. The review offers recommendations for improving employment, health and wider support for people with mental health conditions.

In addition the Government is launching:

- **Work, Recovery and Inclusion** a cross-government delivery plan for England to support people in contact with secondary mental health services into work. It sets out a long term vision radically to increase the number of people from this group in employment by 2025, and to narrow the gap between their employment rate and that of disabled people generally

Mental ill-health costs the economy between £30bn and £40bn through lost production, sick pay, NHS treatment as well as the personal and financial costs that result from being out of work. One in six people have a mental health problem and it is the second most common cause of death in men ages 14-44.

England Health for Work Advice-line –

0800 0 77 88 44 www.health4work.nhs.uk
(website for England went live on Weds 9 December 2009).

Scotland Healthy Working Lives Advice-line

0800 019 2211

www.healthyworkinglives.com

Wales Health at Work Advice Line Wales; Llinell

Gymorth Iechyd ar Waith Cymru - 0800 107

0900 www.healthyworkingwales.com

THE VALUE OF UNIONS TO WORKERS AND THEIR EMPLOYERS

With the recession putting pressure on Britain's workers, the TUC has published new materials to help unions attract new recruits and demonstrate the value of unions to employers.

Alongside a new leaflet aimed at encouraging workers who've never thought about joining a union to do so, and a guide to show union reps how to research the employers they deal with, the TUC has also released a new report looking at the positive advantages unions bring to the UK economy.

The Union Advantage says that union members get higher wages, better sickness and pension benefits, are much more likely to be able to take advantage of flexible working and are able to take more annual leave.

The report cites official statistics showing that workers in a union earn 12.5 per cent more an hour than employees in a non-unionised workplace, taking home average hourly earnings of £13.07 compared to £11.62.

The presence of a union is likely to push training up the workplace agenda, encouraging members to take up courses to improve their skills which their company can then benefit from in the form of improved productivity. Over 230,000 workers

were helped into taking up some form of learning by their union last year, says the report.

Unions and their safety reps help make workplaces safer and reduce the chances of employees becoming ill because of stress, bullying and other workplace hazards. And as well as winning a better deal for their members, unions can also save the employers a lot of time, hassle and money, says the TUC.

By cutting down on accidents at work, unions could be saving employers as much as £371 million a year says the report, and because they feel involved and listened to, unions help workforces become more productive, benefitting the UK economy to the tune of between £3.4 and £10.2 billion a year.

Want Better Pay, Conditions and Benefits at Work? – This colourful fold-out leaflet is designed to show workers the value of union membership and why they should sign up.

TUC General Secretary Brendan Barber said: 'These are tough times for workers and unions alike and now more than ever workers need the protection of a union. Our leaflet sets out in simple terms just why workers should sign up and start to benefit from the wealth of advantages that membership brings.

'And it's not just employees who stand to gain from being involved with a union, employers who work closely with union reps know only too well the benefits of having experts in safety, learning and employment law at close call for advice and help should the need arise.'

HEART ATTACK RISK 'RAISED BY SUPPRESSING ANGER'

Men who do not openly express their anger if they are unfairly treated at work, double the risk of heart attack, Swedish research suggests. The researchers looked at 2,755 male employees in Stockholm who had not had a heart attack when the study began.

They were asked about how they coped with conflict at work, either with superiors or colleagues. The researchers say their study shows a strong relationship between pent-up anger and heart disease.

Writing in the *Journal of Epidemiology and Community Health*, the researchers called the various strategies for keeping things bottled up, 'covert coping'.

The men were asked what methods they adopted:

- whether they dealt with things head-on,

- whether they let things pass without saying anything,
- whether they walked away from conflict,
- Whether they developed symptoms like headache or stomach-ache or got into a bad temper at home.

Hospital registers

They were checked for smoking, drinking, physical activity, education, diabetes, job demands and their freedom to take decisions.

Blood pressure, body mass index and cholesterol levels were measured and they were aged 41 on average at the start of the study between 1992 and 1995.

"Men can't help how they behave in conflict situations – it's not something they think about, it's just how they react instinctively," said Dr Constanze Leineweber, Stockholm University.

Details of whether any of the men subsequently had a heart attack or died as a result of heart disease in the period up to 2003 were gathered from national registers of treatment and deaths. Up to 2003, 47 of the 2,755 men had a heart attack or died from heart disease.

Those who coped by walking away or by letting things pass without saying anything, had *double* the risk of heart attack or of dying from serious heart disease compared to men who challenged and dealt with the situation head-on.

Anger can produce physiological tensions if it is not released and that these lead to increases in blood pressure which eventually damage the cardiovascular system.

'Conflict situations'

Dr Constanze Leineweber said: "There has been research before pointing in this direction but the surprise is that the association between pent-up anger and heart disease was such a strong one.

Judy O'Sullivan, senior cardiac nurse for the British Heart Foundation, said: "If you are smoking and don't exercise you would be much more conscious of the risk.

"Stress itself is not a risk factor for heart and circulatory disease, but some people's responses to stress, such as smoking or overeating, can increase your risk. "We all find different things stressful and symptoms of stress can vary, but the important thing is that we need to find ways of coping with it in our lives in a positive way, whether at work or home."

STAFF GIVEN CYBER BULLYING GUIDE

Education and leisure staff in the Highlands are to be issued with guidance on how to deal with cyber bullying.

Children are among groups most vulnerable to abuse sent via mobile phones and the internet. Highland Council said its anti-bullying strategy, ***Respectme***, was unique among local authorities.

Teachers will be among the employees to receive the guidance on how to help those affected by cyber bullying.

Louise Jones, the council's health promoting schools manager, said: "Cyber bullying can have devastating impacts on the victims, some of which have been our own staff in recent times through teacher rating websites.

WORKERS SPEND NEARLY 22 MILLION HOURS COMMUTING EVERY DAY

UK workers spend 21.8 million hours travelling to and from work every day, according to a TUC analysis of official statistics.

The TUC research was published to coincide with the start of **Work Wise UK's Commute Smart** week (9-13 November) and found that £266 million worth of working time is spent travelling to and from work every day.

The Labour Force Survey has shown that workers spend on average 52.6 minutes commuting every day. Workers in London have the longest commute (74.2 minutes), followed by workers in the South East (56.4 minutes) and the East of England (56 minutes). Workers in Wales (41 minutes) and the South West (44.8 minutes) have the shortest journeys to work.

Well paid workers such as managers and senior officials (68.6 minutes) and professionals (61.4 minutes) have the longest commute times while those in low-paid occupations such as cleaners and labourers and retail and customer services (c40 minutes) have the shortest travel times.

Part-time employees have shorter average commute times than full-time workers. Men working full-time spend 60.4 minutes commuting compared to 42 minutes for men working part-time. Women working full-time spend 52.8 minutes travelling to work compared to 38.6 minutes for women working part-time.

TUC General Secretary, Brendan Barber said: 'UK staff experience a double whammy of working some of the longest hours in Europe and then spending nearly an hour every day getting to and from work.

'All that wasted working time spent stuck on crowded trains and congested roads costs the economy over a quarter of a billion pounds every day, not to mention the stress it causes staff and the time it means they miss spending with friends and family.

'Gender, pay and the amount of hours worked all affect average commute times. It seems the more you earn, the longer you have to travel to earn it. Parents who can't do long commutes because of school or nursery runs often have to take lower paid work nearer home instead.

'With employers focused on getting through the recession, many will have taken their eye off the ball in offering flexible working. But remote working and flexible shifts can reduce commute times, save on office space and reduce energy costs - saving companies money and helping staff enjoy a better work life balance.'

Work Wise UK Chief Executive Phil Flaxton said: 'Commuting for long periods of time has become a part of the UK's working culture. The excessive time spent commuting is one of the main factors involved in the work-life balance issue.

'Not only is the amount of time commuting an issue, the 9 to 5 culture with its peak travel times generates congestion on the rail, underground and road networks and as a consequence, increases stress for commuters.

'The knock-on effect of reducing overall traffic congestion and public transport overcrowding by extending the rush hour and reducing peak demand through smarter commuting will make the daily commute more bearable for those workers that have no choice when and how to travel.'

STRESS IMPACT ON MALE FERTILITY

Exposure to a combination of excess stress hormones and chemicals while in the womb could affect a man's fertility in later life, a new study suggests.

Edinburgh University experts looked at the effect of stress hormones combined with a common chemical used in glues, paints and plastics.

They found the combination increased the likelihood of birth defects. These include cryptorchidism, when the testes fail to drop, and hypospadias, when the urinary tract is not aligned.

The conditions are the most common birth defects in male babies. Researchers believe the findings could help explain why rates of babies born with these problems are increasing.

Dr Mandy Drake, from Edinburgh University's centre for cardiovascular science, said: "What the study shows is that it is not simply a case of one factor in isolation contributing to abnormalities in male development but a combination of both lifestyle and environmental factors, which together have a greater impact.

"In most studies reproductive disorders are only seen after abnormally high levels of exposure to chemicals, which most humans are not exposed to.

"Our study suggests that additional exposure to stress, which is a part of everyday life, may increase the risk of these disorders and could mean that lower levels of chemicals are required to cause adverse affects."

Later life

The study looked at male foetal development in rats. It found that while exposure to the chemical compound dibutyl phthalate, found in products including glues, paints and plastics, had some effects on reproductive development, this was significantly increased with simultaneous exposure to stress hormones.

The stress hormones had no effect on male foetal development on their own, although raised levels led to lower birth weights.

The study, published in the journal *Endocrinology*, was carried out in collaboration with the Medical Research Council's human reproductive sciences unit based at Edinburgh University.

It follows studies which found that between eight and 12 weeks into pregnancy is a crucial period for male reproductive development.

During this timeframe, testosterone is produced which affects development of male reproductive organs and fertility in later life.

DIARY DATES FOR 2010

Hazards Conference, Keele University, July 10th/12th 2010

Hazards Campaign meetings, Manchester Hazards Centre, Thursdays 18th March, 10th June

European Work-Hazards Network Conference, Leeds University, September 10th/12th, 2010

Stress Network Steering Group Meetings, Hillscourt Centre, Rednal, Birmingham B45 8RS, Saturdays, March 13th, May 22nd 2010 (10.00 a.m. to 12.00 p.m.)

Stress Network Conference, November 27th/28th 2010, Hillscourt Conference Centre, Rednal, Birmingham