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South Thames branch targets bullying at work

South Thames College UCU branch is the latest group of members to highlight the unacceptable face of bullying within FE and HE with an excellent survey which has highlighted the scale of the problem locally.

One branch officer told us *"the survey confirms what everyone was saying as individuals – we have a collective, college wide problem and it must be addressed. This survey has given branch officers powerful arguments to use with college management."*

We agree. Surveys can be an excellent way of raising awareness and demonstrating that bullying is not just an individual problem but a workplace hazard that management must risk assess and control. The results of the survey are attached to this newsletter. If other branches have run similar surveys please let us have them and details of your local campaign.

UCU members encountering HSE inspector overwork – *the Select Committee would like to know*

UCU members in one FE college are encountering real difficulties in getting advice from an HSE inspector. This is not because the inspector is trying to be unhelpful. It is because the numbers of inspectors has declined due to cuts in staffing. In the case we are currently providing advice on, members want advice on conditions in a construction workshop.

The cuts in staffing were highlighted in UCU's recent evidence to the Work and Pensions Select Committee looking at the HSE and HSC. Our evidence which complemented the TUC's must have had some effect. The Committee has now announced a further more intensive look at resources for the HSE and we will be giving further evidence.

This is good news. If you have had experience of inspectors simply unable to give timely advice or make visits when you have asked, please let us know ASAP. Our evidence has to be in by 7 January so we need to start drafting ASAP. We do not need to name institutions.

Details to John Bamford at jbamford@ucu.org.uk

UK "not gripped by compensation culture" shock

http://www.tuc.org.uk/h_and_s/tuc-13957-f0.cfm

The number of workplace personal injury claims is low and falling fast, according to new research for the Health and Safety Executive (HSE).

The study by researchers from the University of Warwick's School of Law has undermined the popular view that UK citizens are engaging in a spiralling 'compensation culture' with ever increasing claims against allegedly negligent companies and organisations.

University of Warwick: A survey of changes in the volume and composition of claims for damages for occupational injury or ill health resulting from the Management of Health and Safety at Work and Fire Precautions (Workplace) (Amendment) Regulations 2003, RR593, HSE, 2007 [pdf]

The 38 Page Report can be found at:

<http://www.hse.gov.uk/research/rrpdf/rr593.pdf>

'Health and well being' -

tackling the roots of ill health at work or just Elastoplast?

We have received a number of inquiries about employers in FE and HE who are drafting 'health and well-being' policies. Sometimes these are not controversial but they are part of a wider Government strategy which can impact on:

- Occupational health services
- Sickness absence policies
- Treatment of staff with disabilities
- Treatment of staff with child and elder care responsibilities
- Stress policies

UCU will be producing guidance on responding to such policies in the New Year. In the meantime UCU has responded to a major consultation on such policies conducted by Professor Carol Black. You can read our response at <http://www.ucu.org.uk/index.cfm> and the excellent TUC response at http://www.tuc.org.uk/h_and_s/tuc-14004-f0.cfm

Institute of Employment Rights seminar on "health and well being"

The IER is organising a seminar on The Quality of Working Life: Promoting a Healthy Agenda in London on Wednesday 6 February 2008. We have three tickets for UCU delegates. If you are interested please email Linda Ball at lball@ucu.org.uk stating your institution and position held.

Consultation with, and facilities for, health and safety reps

Improving on the basic consultation provisions of the Safety Representatives and Safety Committees Regulations

In the factsheet attached to last months UCU newsletter, we set out the basic functions given to trade union safety representatives by the SRSCR 1977, and the duties imposed on employers to enable them to perform those functions effectively. A key element is consultation. Below we suggest some ways that local organisation can build on the basic consultation requirements.

SRSCR Regulation 4A – Consultation

- 4A(1) **The employer’s duty is consultation “in good time”.**
Local organisations need to agree a realistic timescale with the employer. UCU suggests consultation should begin at the point that the employer first begins to consider changes.
- 4A(1)(a) **the introduction of any measure at the workplace which may substantially affect the health & safety of the employees they represent**
“substantially affect” is open to conflicting interpretation. UCU recommends agreement with the employer to ignore the qualification “substantially”, so consultation is on all changes.
- 4A(1)(b) **the employers arrangements for appointing or nominating (competent) persons in accordance with the Management of Health & Safety at Work Regulations 1999, in Regulation 6(1) (risk assessors) and Regulation 7(1)(b) (those taking charge of emergency evacuations, e.g. fire marshalls)**
This is limited to the arrangements for appointment of competent persons – UCU says reps should to be involved in all aspects of appointments: drawing up person and job specifications, agreeing what knowledge, skills, qualities and qualifications are needed, sitting on interview or appointment panels, planning training etc.
- 4A(1)(c) **any health and safety information the employer is legally required to provide to employees**
The Regulation restricts this to what is legally required. There should be agreement that any information will be covered by this requirement.
- 4A(1)(d) **the planning and organisation of any health & safety training the employer is legally required to give employees**
UCU should consider being involved in negotiating more comprehensive; involvement in planning and organising training, including training for managers, determining course provision, resource allocation, delivery etc.
- 4A(1)(e) **the health & safety consequences for employees of any new technology (including the planning of it) being introduced into the workplace.**

Facilities

General TU Facilities	H&S specific facilities
<ul style="list-style-type: none"> * Secure storage place for documents and records * Somewhere to talk to members privately * Office space/use of a desk * Access to: <ul style="list-style-type: none"> • Telephone and fax • Photocopying • Internal mail • Trade union notice-board • Typing • Computer for data storage • E-mail 	<ul style="list-style-type: none"> * Access to monitoring equipment: <ul style="list-style-type: none"> • Noise meter • Wet/dry bulb thermometer • Light meter • Gas analyser • Dust sampling * Camera * Specialist information * Information from suppliers * Health and safety publications * Copies of regulations, ACoP’s and other guidance from HSE * Use of outside/expert advisors

Asbestos, related diseases and Regulation

We have had a second inquiry about asbestos at an English university. Contrary to some industry apologists, asbestos poses a range of risks to people who inhale its dust and fibres. We have produced a third UCU Fact Sheet on Asbestos at

<http://www.ucu.org.uk/index.cfm?articleid=2424> which explains the risks of disease and the

regulatory regime for controlling them. This Fact Sheet gives the background to tackling asbestos and two additional fact sheets are on the UCU web site.

Where is asbestos found in FE and HE?

All asbestos is dangerous, and there has been a total ban on asbestos imports or use in the UK since 1999. However, there is still plenty of it around in buildings. Anything built between around 1900 and the late 1970's will probably contain asbestos in some form. Most likely sources are asbestos cement rainwater and sewage pipes, asbestos board in walls, ceilings and partitions, asbestos in floor tiles; lift shaft fire protection, asbestos cement roofing sheets and even encapsulated insulation on boilers and old pipe-work serving heating and steam systems. Material disturbed during maintenance or refurbishment can escape to be inhaled by others, if the correct precautions aren't taken. Some experts also think that natural building movements due to temperature variations etc. can cause abrasion leading to the release of fibres into the atmosphere.

What does an employer have to do?

As we reminded UCU safety reps last year, the **2002 Control of Asbestos Regulations** introduced a duty on employers and controllers of premises to manage asbestos. More details in our Facts Sheets.

The **Approved Code of Practice to the Regulations** requires the employer to ensure they fully involve trade union safety reps in this process at all stages. Because of the potential danger posed to health, it is also an issue which falls within the consultation requirements under the Safety Reps and Safety Committees Regulations.

Any activity that is likely to disturb asbestos-containing materials needs to be undertaken with appropriate safety procedures.

Information about the Regulation of asbestos

TUC/HSE Guidance for safety reps: <http://www.hse.gov.uk/asbestos/repsguide.pdf>

HSE Asbestos site: <http://www.hse.gov.uk/asbestos/information.htm#dtm>

The three UCU Guidance fact sheets for reps are at
<http://www.ucu.org.uk/index.cfm?articleid=2424>

Climate change trade union conference 9 February 2008

UCU's last NEC meeting agreed to support the Campaign against Climate Change trade union conference on Saturday 9 February 2008 in London where a keynote speaker is Frances O'Grady TUC deputy general secretary. If your branch or LA is planning to send a delegate please let Sharon Russell know so we can get UCU delegates together at lunchtime.

<http://www.campaigncc.org/CCAC%20Trade%20Union%20Conference.pdf>

UCU National Training - Health and Safety Stage 1 course

The UCU Health and Safety Stage 1 course consists of 5 two day modules. All new UCU health and safety reps should undertake training as soon as possible after they take up post. Existing health and safety reps and potential reps are encouraged to attend the Stage 1 course to develop and maintain the skills needed to perform the job of a health and safety rep.

It is vitally important that your branch/LA be up to date with changes in health and safety law and that each branch/LA has a trained health and safety rep on site. A trained health and safety rep with an understanding of their role and their rights will be able to play a vital role in representing members effectively. The following national course are being **held in London**.

February 14 & 15	Module 1 - Health and Safety Induction
March 17 & 18	Module 2 - Understanding Health and Safety Law
April 8 & 9	Module 3 - Using your rights as a Health and Safety Rep
May 13 & 14	Module 4 - Dealing with Accidents and Tackling Hazards
June 19 & 20	Module 5 - Trade Union Action to Tackle Stress

For further information please visit the UCU website at www.ucu.org.uk/training then click on national or contact Linda Ball at lball@ucu.org.uk

Northern Ireland training

Two training events have been arranged to take place at the UTU Headquarters 94 Malone Road, Belfast (entrance in Cleaver Avenue.) They are:

Friday 18 January 2008

A one day briefing for Health and Safety Representatives led by Health and Safety Specialist, John Bamford. 10.00am - 4.00pm

Thursday 13 February 2008

Two half sessions morning session will cover Age Discrimination Legislation, afternoon session will cover Fixed Term Workers Regulations.

Members who are interested in attending should advise the official servicing their branch or local association that they will be attending at least two weeks in advance of the training event. This is necessary so that provisions can be arranged for catering and to facilitate travel arrangements for lead speakers at each event. Interested members should obtain paid release from their employer.

For further information please contact Lauren McCullough at lmccullough@ucu.org.uk

Scotland training

One day workshop on stress and improving UCU's workplace organisation is Wednesday 7 May 2008. For further details please contact Lesley Little at little@ucu.org.uk

UCU Health and Safety Advice Line

UCU's Health and Safety Advice Line for safety reps and branch officers offers information about health and safety legal standards, and how they can be applied and advice on dealing with health and safety issues/problems.

The Health and Safety Advice Line is for branch officers and safety reps only, not for individual members. The advice line will be staffed two days a week only. When you phone the advice line you will be asked to leave a message. You will then be contacted as soon as possible.

The **advice line number** is **0161 636 7558** **Email** healthandsafety@ucu.org.uk

Or by post to John Bamford, UCU Health and Safety Advice Line

Greater Manchester Hazards Centre, Unit 2.5 Windrush Millennium Centre,
70 Alexandra Road, Manchester M16 7WD

And a prosperous and safe Xmas and New Year to all our readers!



UCU South Thames College Staff Bullying Survey Summary Results

UCU generated **staff bullying survey** conducted amongst academic Lecturing staff (UCU members and non-members) from 30.10 to 6.11.2007 across 3 STC sites – Wandsworth, Putney and Tooting. 110 respondents.

