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## OU breakthrough on display screen equipment

Lesley Kane, associate lecturers officer of the OU UCU branch and UCU NEC member writes:

'Hourly paid staff are often not considered when institutions are putting together their policies, including those on health and safety matters.

'A year ago the OU branch of UCU started making representations to our management asking for recognition that part-time associate lecturers, (most of whom now mark students' assignments by computer, respond to emails, and a carry out administrative tasks by computer), should be recognised as users of DSE (Display Screen Equipment) for health and safety purposes.

'We have now been told that associate lecturers will be recognised as users of DSE, and (amongst other things) should get free eye tests as a consequence of this. We are also going to have an associate lecturer as a UCU branch health and safety rep attending the OU's Health and Safety Committee for the first time this year.

'If anyone has to make out a case that part-time or hourly paid staff should be recognised as users of DSE, you may find that the document at [www.lhk.me.uk/DSE.doc](http://www.lhk.me.uk/DSE.doc) is useful, as well as the Health and Safety Executive publication it refers to.

'Health and Safety reps have a right to paid time for attending Health and Safety Committee meetings, and for carrying out other responsibilities. If you are part-time and become a health and safety rep, you should be paid for the same amount of time as full-time colleagues on similar work for attending Health and Safety Committee meetings and for certain other duties. If your salary varies according to the number of hours you work, you should be paid your normal / average hourly rate.'

## RSI – a major menace

RSI or work related upper limb disorders are a pain in the neck, arm and hands. They increased last year (06/07) up 52,000 to 426,000 cases and many of these are due to working with a computer. International RSI Day on 29 February, details at [www.hazards.org/strains/index.htm](http://www.hazards.org/strains/index.htm), is an opportunity for safety reps to make members more aware of the risks to their hands, arms and shoulders and to push employers at the very least to fully comply with the basic minimum standards in the Display Screen Equipment Regulations.

It's vital that employers in further and higher education carry out good work station assessments for all users, provide users with training in safe working, inform them of the early symptoms to watch out for and have good systems for reporting and remediating problems.

Work related RSI is a huge and increasing occupational health problem leaving many workers totally disabled: prevention is the best cure. However, recently some researchers have published papers claiming RSI is over reported, downplaying the link with work by calling it 'a common health problem' which is best handled by staying at work. Unfortunately, this has become part of the government's drive to get sick workers back to work and reduce the numbers on Incapacity Benefit. There is absolutely no evidence that all work is good for you as those on sick leave and IB can testify. What we need is good work for all workers, and preventing them being damaged by bad computer work is a first step.

Workplace repetitive strain injury likely to be significantly overestimated  
(Professor Palmer et al 'How common is repetitive strain injury?' Online First Occup Environ Med 2007; doi: 10.1136.oem/2007.035378.)

The Hazards Campaign response is at  
[www.gmhazards.org.uk/RSI%20Prof%20Palmer%202007.doc](http://www.gmhazards.org.uk/RSI%20Prof%20Palmer%202007.doc)

Fit for Work: Musculoskeletal Disorders and Labour Market Participation at  
[www.theworkfoundation.com/Assets/PDFs/fit\\_for\\_work\\_small.pdf](http://www.theworkfoundation.com/Assets/PDFs/fit_for_work_small.pdf)

The Hazards Campaign response is at  
[www.gmhazards.org.uk/PR%20re%20Work%20Foundation%207.9.07.doc](http://www.gmhazards.org.uk/PR%20re%20Work%20Foundation%207.9.07.doc)

Management of upper limb disorders and the biopsychosocial model; HSE Research Report 596 at:  
[www.hse.gov.uk/research/rrpdf/rr596.pdf](http://www.hse.gov.uk/research/rrpdf/rr596.pdf)

See the UCU factsheets at [www.ucu.org.uk/hsfacts](http://www.ucu.org.uk/hsfacts).

## Risk assessments – new UCU guidance

An important new UCU fact sheet on risk assessments and how UCU safety reps should use them is now on the UCU web. You can download it at [www.ucu.org.uk/hsfacts](http://www.ucu.org.uk/hsfacts).

## March 14 – FE College in the dock

Following a serious accident, and improvement notices, City of Bristol College is being prosecuted by the Health and Safety Executive. The case is to be heard on 14 March. We will have a full report in the next UCU Health and Safety Newsletter.

## Foolish advice on lecturers' H&S responsibilities

The HSE web site [www.hse.gov.uk/myth/feb08.htm](http://www.hse.gov.uk/myth/feb08.htm) includes a rebuttal this month of the myth that 'if a pupil is hurt, the teacher is likely to be sued'.

It points out that *'the main legal duties lie with the employer, not the teacher – or even the head teacher, unless they own the school and employ the staff. We can't find a single instance in the past five years of a teacher being personally sued for compensation.'*

In fact UCU's health and safety advice centre has dealt with two enquiries relating to lecturers' responsibilities for health and safety.

One of the enquiries was to ask whether or not the union should advise its members to take out personal insurance against it! **No we don't!**

The other enquiry arose from, the line-manager in a pre-term staff meeting, telling departmental lecturers that they would be responsible if a student was injured while they were in their lecture, for example if the chair they were sitting on collapsed. We told the branch that if that advice was not changed then the union should ask management to carefully inspect every chair for weakness and stick a label on it saying when it had been inspected, and that they should demand that all chairs be re-inspected daily to ensure they remained safe. That bit of nonsense managed to help the UCU branch have the advice withdrawn.

## **'Well-being' agreements – be careful!**

We have recently been asked to comment on a university 'well-being policy' that is fundamentally flawed. There appear to be an increasing number of such policies being proposed. We would strongly advise safety reps to take advice to signing up to what may seem like an innocuous document but can (in this case would have) lead to the institution ducking some crucial health and safety responsibilities.

You might want to skim (or even read in full) our response and the TUC's response to the Carol Black inquiry on this issue at [www.tuc.org.uk/h\\_and\\_s/tuc-14004-f0.cfm](http://www.tuc.org.uk/h_and_s/tuc-14004-f0.cfm).

**UCU's Equality Committee has decided to hold a full discussion on the equality implications of these policies at its next meeting.**

## **Occupational and environmental cancer prevention**

As a contribution to the global trade union zero occupational cancer campaign, this international conference will address a major threat to public health: the toll taken by occupational and environmental cancers. The 25 April 2008 event to be hosted by Stirling University, Scotland and supported by unions in the UK and across the world, will feature top union, campaign and academic experts from Australia, Belgium, Canada, France, Finland, the UK and USA.

Union safety specialists and safety representatives will have the opportunity to make contact with top international experts on occupational cancer causes and incidence and on prevention strategies.

**Occupational and Environmental Cancer Prevention - from research to policy to action at international, national and workplace levels**

TU branch workplace reps fees are £100. Lawyers, TU FTOs, and researchers coming from Universities are £300. Please note that **UCU is not able to fund delegates.**

## **Stress and heart disease link reported**

One of the UK's longest-running health surveillance projects, the Whitehall Study, reports that the incidence of coronary heart disease (CHD) amongst white-collar workers who suffered stress in the 1980's is far higher than for those who didn't. The study report concedes that perhaps up to one third of the correlation between CHD and stress could be attributed to poorer health behaviours (sic) such as poor diet and less physical activity, but for the rest measurable physiological effects amongst those who reported high stress levels was the main causation factor.

Go to <http://eurheartj.oxfordjournals.org/cgi/content/full/ehm584v1> for both the abstract and full report.

This second phase of the Whitehall study began in 1985, and as its name implies, it is a study of (then) 10,000 civil servants. This has declined to around 4,000 still employed in the civil service, and the results reported here are from that 4,000. For a more general over-view of the study, and the 2004 report issued by the project team at UCL who conducted it, go to [www.ucl.ac.uk/whitehall/III/research/Whitehallbooklet.pdf](http://www.ucl.ac.uk/whitehall/III/research/Whitehallbooklet.pdf).

The Wikipedia entry for the Whitehall Study is a good outline of the main trend discovered. [http://en.wikipedia.org/wiki/Whitehall\\_Study](http://en.wikipedia.org/wiki/Whitehall_Study) As with many aspects of health, safety and well-being, it is class-related. Far from stress and related illness being an 'executive' problem, it is predominantly lower status employees, working long hours and unable to exercise control over their working lives that are the most at risk.



**28 April 2008**

**MOURN**  
for the Dead  
**FIGHT**  
for the Living  
Workers Memorial Day • April 28

**Workers Memorial Day**  
International Workers Memorial Day march and rally  
supported by several unions  
at **10.30am**

Meet at Holland Street, London SE1 (beside the Tate Modern.)

March to the Health and Safety Executive (HSE) headquarters in Southwark Street,  
then to City Hall, London SE1 for rally with speakers.

UCU has been asked to publicise this London march and rally initiated by construction unions but supported by others, noting that:

- There is an increase in the number of people killed at work of 11% to 241 in 2006/07 with a 28% increase in construction to 78 and a 16% increase in the service industries to 85.
- Government cuts to the budget of the Health and Safety Executive (HSE), our safety police, have resulted in fewer inspections, enforcement and prosecutions to the point where 9 out of 10 major injuries now don't result in an investigation.
- A massive increase in illness caused by work, an increase of 10% with 2.2 million people suffering from work related illnesses.
- Massive under-estimation of the extent of occupational illnesses including asbestos diseases, vibration white finger (VWF), chronic obstructive airways disease (COAD), work-related heart disease, cancer and musculoskeletal disorders. Under estimating the affect work has on women's health because of a failure to recognise gender differences. Also, with asbestos deaths increasing to between 4-5,000 per year the government has declared the non-fatal asbestos condition pleural plaques not liable for compensation
- New government initiatives now bully sick workers back to work or blame workers lifestyles rather than tackling bad employers and hazardous workplaces.

Workers Memorial Day events take place around the country, many in individual workplaces. We encourage any UCU branch or LA to talk to sister trade unions about the possibility of organising an event at their institution, or participating in something organised by the local trades council, regional TUC etc. The TUC website has a Workers Memorial Day page at [www.tuc.org.uk/h\\_and\\_s/index.cfm?mins=293](http://www.tuc.org.uk/h_and_s/index.cfm?mins=293) with links to an events-listing page.

This year's free posters are available from the national Hazards Campaign, based at Greater Manchester Hazards Centre. email [mail@gmhazards.org.uk](mailto:mail@gmhazards.org.uk), or telephone 0161 636 7557 for copies.

## ASDA fined again - inadequate risk assessment a major factor

On 21 January, supermarket firm ASDA, part of the US retail giant WalMart was fined £225,000 with £42,000 costs over the death of Kenneth Farr at the company's Cardiff Bay store in May 2002.

Mr Farr died when a raised car park barrier fell and smashed through the windscreen of his car. An earlier attempt to investigate the possibility of a manslaughter charge had to be dropped when the Crown Prosecution Service decided there was insufficient evidence to sustain that charge. This was despite a verdict of unlawful killing given by the inquest jury. At Mr Farr's inquest in 2006, Peter Axton, an environmental health officer with Walsall Borough Council, gave evidence of a previous incident that occurred in 1999 at ASDA's Bloxwich store. Mr Axton told the inquest: 'Asda had claimed the barrier was such an obvious hazard that it didn't need a risk assessment.' On that occasion, the company were prosecuted and fined £9,000 with £9,000 costs. At the inquest it was also revealed that John Eardley, owner of Bolton-based Ascot Industrial Doors who had installed the barrier, had asked one of his employees to retrospectively sign a method statement, a risk assessment and a computer-aided drawing of the barrier's construction a week after Mr Farr's death. See <http://news.bbc.co.uk/1/hi/wales/4783060.stm> for more details and links.

In 2001 there was a similar event in Bristol, which resulted in two elderly people being treated in hospital for cuts, bruises and shock. A key factor in the prosecution over Mr Farr's death was the failure of the company to have reviewed and updated risk assessments and ensured effective controls were in place to prevent such an incident. In court Keith James, a senior environmental health officer, said: 'There was a risk assessment signed on May 15 2002 - the day after Mr Farr's death.' The company also claimed the barrier was inspected daily, but staff were unaware of this. A cheap padlock that failed due to lack of lubrication caused the barrier to fall. A decent lock with proper procedure to secure the barrier would have prevented the death, at a cost of a few pounds. ASDA have now removed all such barriers, but too late for the Farr family.

All this points to the central importance being placed on risk assessments by the courts, as the principal tool employers must use to evaluate workplace hazards and risk levels. It also emphasises the importance of regular reviews and updating.

## Training

### Yorkshire & Humberside:

One-day workshop on safety reps functions, legal framework for health & safety, and workplace organisation to tackle problems and improve conditions. This is being held at Leeds University on 1 April 2008. More details from Regional Offices on 0161 772 7012 or 0161 929 7909, or e-mail [llawton@ucu.org.uk](mailto:llawton@ucu.org.uk) or [hsidlow@ucu.org.uk](mailto:hsidlow@ucu.org.uk)

### National Training - Health and Safety Stage 1 course

The UCU Health and Safety Stage 1 course consists of five 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**.

<b>March 17 &amp; 18</b>	<b>Module 2</b>	<b>Understanding Health and Safety Law</b>
<b>April 8 &amp; 9</b>	<b>Module 3</b>	<b>Using your rights as a Health and Safety Rep</b>
<b>May 13 &amp; 14</b>	<b>Module 4</b>	<b>Dealing with Accidents and Tackling Hazards</b>

May 20 & 21      **Module 1**      Health and Safety Induction  
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](http://www.ucu.org.uk/training) then click on national or contact Linda Ball at [lball@ucu.org.uk](mailto:lball@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 three 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](mailto: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

**Don't forget to visit the UCU health and safety web page at:**

[www.ucu.org.uk/healthandsafety](http://www.ucu.org.uk/healthandsafety).