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## Updated HSE stress website

HSE launches its updated work-related stress website on 25th February. It will include all you need to know about how to tackle stress at work using HSE's Management Standards approach. There will be updated guidance and advice, new case studies and a brand new self-assessment tool for line managers.

Those of us who subscribe to the HSE's Stress bulletin have been given a first look at the brand new line manager tool before the site is launched. The tool is available at the link below so go and have a look at the questionnaire for line manager self assessment. You need quite a low level of internet security to download the spreadsheet, but even if you don't want to "drop your guard" the questionnaire on its own is informative and thought-provoking.

The HSE say they would appreciate any reviewer's thoughts on its usefulness. If you have any comments (although any comments are not likely to lead to it being changed now) go to the stress solutions discussion forum to leave them:

### Links

**Find out more about tackling stress at:**

[www.hse.gov.uk/stress/coming-soon.htm?ebul+stress/feb-09&cr=1](http://www.hse.gov.uk/stress/coming-soon.htm?ebul+stress/feb-09&cr=1)

**Stress management competency indicator tool**

[www.hse.gov.uk/stress/mcit.htm?ebul+stress/feb-09&cr=2](http://www.hse.gov.uk/stress/mcit.htm?ebul+stress/feb-09&cr=2)

**Stress solutions discussion group**

[webcommunities.hse.gov.uk/inovem/inovem.ti/stress\\_solutions?ebul+stress/feb-09&cr=3](http://webcommunities.hse.gov.uk/inovem/inovem.ti/stress_solutions?ebul+stress/feb-09&cr=3)

## Asbestos campaigner dies

Many long standing UCU safety representatives and members will be sorry to hear that Nancy Tait died on Friday 13<sup>th</sup> February, aged 88. Nancy was one of the earliest campaigners on the dangers of asbestos. Nancy's husband, Bill, a telecommunications engineer with the Post Office died of mesothelioma, a rare cancer for which exposure to asbestos is the only known cause, at the age of 61. Asbestos fibres were found in his lungs, even though he had never worked with it. All he had done was to visit installations where asbestos was used as insulation.

Her initial campaign for recognition of her husband's illness as an industrial disease widened into a 40 year long campaign for justice for the thousands who developed an asbestos-related illness - victims of years of employer negligence and government indifference, and a major slice of Britain's industrial heritage that few museums record.

Nancy set-up The Society for the Prevention of Asbestosis and Industrial Diseases (SPAID), which later became The Occupational and Environmental Diseases Association (OEDA), a registered charity which built on the pioneering work of SPAID.

For years the asbestos industry ridiculed and tried to ignore her - and because of her sex, her age, and her lack of scientific credentials she had a long battle to be taken seriously. She taught herself the science, gradually winning medical and political support, and she had been repeatedly proved right. OEDA produced many scientific papers on asbestos and related diseases, and conducted research into electron microscopy as a tool for identifying fibre contamination in lung tissue and the pleura.

Nancy and OEDA were highly respected in academic, medical, legal and Governmental circles, and her tireless campaigning for a blanket prohibition on the use of asbestos in the UK was a major contribution to the banning of blue and brown asbestos in the mid-80's, and the final prohibition on chrysotile, white asbestos, in 1999.

Nancy was awarded an honorary doctorate and an MBE in recognition of her work.

The OEDA/SPAID archive has been deposited in the Andersonian Library Special Collections Department at the University of Strathclyde, and is available for researchers.

## **TUC survey on climate change**

The TUC and its affiliated unions have asked the Labour Research Department (LRD) to carry out a survey on climate change and the workplace. We hope to find examples of union workplace action on global warming and to identify the problems faced by union reps and activists in this area. The survey will contribute to union campaigning and publications on the environment. Please spend a few minutes and complete the questionnaire.

### **Links**

The survey is on LRD's website: [www.lrd.org.uk/surveys/climate/](http://www.lrd.org.uk/surveys/climate/)

## **Guidance for VC's and Governors in Higher Education**

Following the introduction of the Corporate Manslaughter and Corporate Homicide Act in 2007, the HSE asked the Institute of Directors to produce some guidance on individual director's and board member's responsibility for workplace health, safety and welfare in the private, public and third sectors. Trade unions had wanted this aspect to be included in the original corporate manslaughter bill. HSE concluded that some guidance was necessary because the Act did not make any provision in respect of any duty on individual directors and senior decision-makers, something that trade unions have been campaigning for years.

UCEA picked this up, and decided to draw-up similar guidance aimed specifically at HE institutions. This document, entitled "Leading Health and Safety at Work: Leadership actions for vice chancellors and members of university governing bodies" was published in July 2008, and is posted on the UCEA website at

In a very low-key press release issued a couple of days before Christmas, (so low key that most people missed it - so did we) the HSE revealed that research commissioned by them shows that only 25% of employers surveyed were aware of the guidance. The HSE press release records that the HSE find it 'pleasing' that a quarter of employers knew about it. That's not a bad spin on bad news.

When construction union UCATT recently pointed out what many unions had said all along, that guidance was not sufficient and would not necessarily be heeded, and legislation on directors

duties was necessary, the construction employers responded in despicable fashion and claimed that it was the unions who were responsible for workplace injury and deaths in construction because they hadn't promoted the guidance!

There is no reason to suspect that universities are any different to any other collection of employers, so we recommend that all Branches and local associations in HE ask their employer if they are aware of the "Leading health and safety at Work" guidance, if copies of it have been distributed to all senior managers and board members, if it has been discussed by governing bodies, and ask what they have done in terms of management structures and decision-making to implement its suggestions and recommendations.

#### **Links**

**That guidance was published as a joint HSE/IOD document in October 2007 at [www.hse.gov.uk/pubns/indg417.pdf](http://www.hse.gov.uk/pubns/indg417.pdf)**

**UCEA guidance at [www.ucea.ac.uk/objects\\_store/leading\\_health\\_and\\_safety.pdf](http://www.ucea.ac.uk/objects_store/leading_health_and_safety.pdf)**

**HSE press release at [www.hse.gov.uk/press/2008/e08069.htm](http://www.hse.gov.uk/press/2008/e08069.htm)**

## **Another case of violence against a teacher**

A young teacher who was assaulted by a pupil has been awarded £280,000 after suffering physical and mental injuries that will stop her ever returning to teaching. 31 year old Sharon Lewis was attacked in 2004 while working as a special needs teacher at Woodlands School, Aspley, Nottingham. A 13-year-old boy jumped on her and put her in a headlock, compressing her spinal chord and damaging nerves around her shoulder. She also suffered post-traumatic stress disorder and has been told she will never be able to teach again. She continues to be withdrawn and has constant physical pain in her neck and back, making day to day activities very difficult. The pupil involved had a record of violent behaviour and had previously attacked another member of staff. The £280,000 payout from the Criminal Injuries Compensation Authority was secured with support from her union, the NASUWT.

Chris Keates, NASUWT general secretary, said: 'Every day some teachers are at risk because pupils who have a history of violence and aggression are not properly risked assessed and preventative measures are not put in place.' She added: 'Regrettably there is still a culture in some schools, particularly where pupils have serious behavioural problems, that being assaulted is all part of the job. No one should ever have to go to work with the expectation of being assaulted.'

UCU knows that there is a potential for violent acts against lecturers in the tertiary sector, and we recently produced some guidance to help safety reps find-out about members experience, as a pre-cursor to taking the issue up with employers.

UCU wants to see high quality risk assessments undertaken, and effective control measures implemented by employers where the risk of violent behaviour against staff is identified. Prevention, not compensation, is our goal.

#### **Links**

**The case was reported in "Risks" No 393; the NASUWT press release is available at [www.nasuwt.org.uk/Templates/Internal.asp?NodeID=76502](http://www.nasuwt.org.uk/Templates/Internal.asp?NodeID=76502)**

**UCU factsheet [www.ucu.org.uk/media/pdf/o/g/hsfacts\\_violenceatwork.pdf](http://www.ucu.org.uk/media/pdf/o/g/hsfacts_violenceatwork.pdf)**

## **Asbestos compensation victory for Turner & Newall victims: Government shows it has a heart**

The Government has announced its intention to allow a group of Turner and Newall (T&N) workers with asbestos related diseases to keep their full Government compensation alongside that paid by the company.

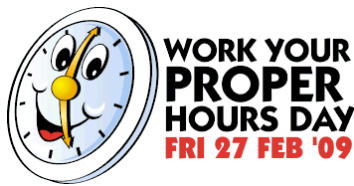
T&N sold-out to Federal Mogul, an American company who put the organisation into bankruptcy. This meant that claims for compensation have been severely limited. Most victims will only receive about 20% of what would be the current award, as their exposure will be prior to 1969.

The Government compensation scheme under the Pneumoconiosis etc (Workers' Compensation) Act 1979 has a fixed scale of payments, which are much less than a court would award in a personal injury compensation case. It will make a payment in lieu of a claim being settled, but if the victim later receives a successful settlement from the employer's insurance, the Government retrieves any compensation it paid from the claimant. Up to now, the state has recovered the lump-sum amounts paid out even for those T&N workers who have only receive the greatly reduced T&N compensation.

Now the Government has decided that those receiving only a fraction of their full compensation from T&N will no longer have their lump sum from the Government snatched back. A humanitarian bit of social justice. Well done.

## Work your proper hour's day

Don't forget that **Friday 27<sup>th</sup> February** is this year's "Work your proper hours" day. The TUC has said that, because of the recession, it will not be using its usual light-hearted way of promoting this, but still encourages all workers to avoid excessive hours at work using the day as a focus for a more long-standing campaign. UCU subscribes to the TUC policy, and wants to encourage all our members not to work excessive hours on the 27<sup>th</sup>. Workload issues continue to be a major health and welfare problem for UCU members, and long hours at work are one element of that, along with lack of control and the imposition of inequitable workloads.



**So let's draw the employer's attention to our commitment to do something about it!**

## New version of the SRSC Regulations booklet

Just to remind safety reps that the new version of the Brown Book, with the revised guidance, is now available. The guidance makes it clearer that it is for employers as well as safety representatives. It includes as 3 separate appendices lists of health and safety legislation that require employers to give information to employees, (Appendix 1); legislation that contains a training and information duty imposed on employers (Appendix 2); and requirements to consult with health and safety representatives (Appendix 3).

The official publication is "Consulting workers on health and safety" (L146) ISBN 978-0-7176-6311-8. Price £13.95 from HSE Books 01787 881165. This booklet also contains the Regulations and guidance that cover workplaces not organised by trade unions. That doesn't apply in those workplaces where UCU and other unions organise in tertiary education, because we represent all employees for the purposes of all statutory and advisory consultation on workplace health, safety and welfare issues.

The companion guidance to supplement the SRSC guidance, aimed at encouraging employer good practice is HSG 263 "Involving your workforce in health and safety: Good practice for all workplaces". ISBN 9-780717-662272 Price £10.95 from HSE Books 01787 881165

UCU will shortly produce a cover version of the SRSC Regulations, Approved Code of Practice and the new Guidance, with the 3 appendices for use on training courses.

## Another attempt to undermine H&S regulation?

A new report published by the Department for Business, Enterprise and Regulatory Reform (BERR) says that health & safety inspectors should exercise greater discretion when considering whether to prosecute SME's that have tried to comply with safety regulations. The report is the result of a 10 month enquiry commissioned by the government, called the Anderson review – named after small business person Sarah Anderson who conducted it – to examine the impact of H&S regulation on small and medium-sized companies.

The report recommends that, where SME's have tried to follow official guidance or advice, they should not be prosecuted or have punitive sanctions imposed on them.

Unsurprisingly, alongside a "Get out of jail free" card for employers, it also calls for the government to establish a free-of-charge advice service helpline small businesses can use; indemnify them from enforcement action where they have followed advice given; the provision of a compensation scheme to cover legal costs where court action is taken (paragraph 2.24), and that inspectors should be indoctrinated into the small business mentality (Recommendation 10).

This report is written by a non-independent person, making recommendations for special treatment for employers in a particular category of business. We'll be interested to see how the government responds to the recommendations made in this report, and compare it to the response to an equally partial report on health & safety regulation, worker representation and amelioration of work-related harm written by UCU members Professors David Walters and Phil James.

Regulating health and safety at work: an agenda for change; Revised edition 2005 - ISBN 0 9547562 7 4. Institute of Employment Rights. £12 for trade unions and IER subscribers; £30 others.

#### Links

More information from IER at 0151 702 6925 or <http://www.ier.org.uk/node/151>

Read the BERR report in its entirety at <http://www.berr.gov.uk/files/file49881.pdf>

## 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.

Telephone 0161 636 7558  
Email [healthandsafety@ucu.org.uk](mailto:healthandsafety@ucu.org.uk)  
Postal John Bamford  
UCU Health and Safety Advice Line  
Greater Manchester Hazards Centre, Windrush Millennium Centre,  
70 Alexandra Road, Manchester M16 7WD

Don't forget to visit the [UCU Health and Safety web page](#)