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1. More encouragement for employers to ignore

Assess and improve health and well-being in your organisation

The Workplace Well-being Tool is a free resource designed to help you understand the specific health and well-being issues within your organisation.

The tool is divided into four sections:

- What are my costs? - measure the cost of poor health and well-being
- How do I compare? - compare your absenteeism and turnover rate against those of other organisations
- How can I improve? - practical ideas to help you reduce health and well-being costs
- What's the benefit? - estimate the costs and benefits of investing in well-being

If you're looking to implement a new workplace well-being project, the tool features powerful diagnostic tools to help you build an informed business case for action. The tool also provides tailored guidance and best-practice ideas to improve your existing procedures.

<http://www.businesslink.gov.uk/bdotg/action/detail?itemId=1084516235&type=PIP>

YOU look at it. Just how much more advice do employers need?

2. Bog standards

Toilet advice aimed primarily at schools, but is a useful addition to your inspections checklist toolkit. <http://www.bog-standard.org/bogtoolkit.pdf>

Remember, although this is aimed at schools, and is underpinned by the Education (School Premises) Regulations 1999, the protection it provides is for the children using the toilets. With many 14 – 16 year olds now regularly coming into FE, our advice is that the standards for school toilets should be in place for those toilets in colleges used by children under the normal school leaving age. Such standards can be “borrowed” for implementation in another sector, something that HSE Inspectors have been able to do for years.

3. Fox still failing to reach grapes

Cognitive dissonance rules as the great unhappiness debate continues (but see Item 5(b) below). Another report, this time by recruitment consultant Badenoch & Clark reveals that almost a quarter of UK workers are unhappy in their current job, and a further third were ambivalent, reporting feeling neither happy nor unhappy. A quarter of lawyers said they were highly unlikely to recommend their organisation as a place to work

Figures from Badenoch & Clark’s survey last year said that then 78% of UK workers reported high levels of happiness at work. But as we reported in the January issue, it seems that workers are more fatalistically resigned to their lot than happy. So like Aesop’s fox, they have probably convinced themselves that the grapes would be sour anyway.

This seems to be coming mostly from the professional sectors such as finance and law, with over a third of lawyers, and a quarter of finance professionals saying they are unhappy in their current role. Could this also apply to college and university lecturers?

A spokesperson with an MA in stating the bleeding obvious commented that:

“Economic uncertainty over the past year has put tremendous pressure on employees. This trend is particularly evident in professional services, which has resulted in heightened intensity in the workplace and increasingly poor morale. Employers need to foster an environment where their employees are able to develop a strong sense of self worth. Failure to do so may result in loss of talent, which in turn will lead to loss of potential revenue. Our findings demonstrate that happiness is high on the agenda for many UK workers and is emerging as the critical business issue of our time.”

4. 20th January – a good news day!

a) S’no joke

A lollipop man who cleared his elderly neighbour’s snow covered path was warned never to do it again – because of health and safety fears. But Michael Landers has vowed to ignore future edicts from landlords Walsall Housing Group, after helping 90-year-old Joyce Burt – who had been stranded in her home for a week. ‘I’d do it all again,’ said the obviously truculent 60-year-old from Willenhall. ‘I was taught by my parents to help others and that’s what I did.’ *Reported on Page 11 of the Metro on January 20th 2011*

Wake up Cameron – the forces of darkness in Walsall are reclaiming their 'elf 'n safety' already and Lord Young's impact diminishes daily.

b) Is everybody happy? You bet your life we aren't!

Meanwhile, council staff in West Oxfordshire District Council, part of David Cameron's Whitney constituency are being sent on a course costing £30,000, when the council has been forced to make £755,000 of cuts in this year's budget. The course aims to teach staff how to be nice and to score themselves on a happiness index. The 316 employees – including bin men and street cleaners – are being asked to move pebbles around a table to indicate who they do and don't get on with at work. They are also asked to rate their work colleagues at West Oxfordshire District Council by writing words on large placards, such as "professional", "supportive" and dare we suggest, even "rubbish", "unshaven" and "scruffy".....

Attendance at the monthly one hour sessions is compulsory for all staff and they must keep a "happiness log" throughout the course. Entitled 'An Even Better Place to Work' it was piloted last year and introduced across the board in mid-January. In a burst of "We are all in this together" enthusiasm, the council's chief executive took part in a session recently and described the course as a good investment "to raise staff motivation and morale", and to support staff in these difficult times.

The aims for the course seem quite appropriate given the current focus on "happiness" and "niceness". Last November, the prime minister defended plans to measure the nation's happiness as part of an Office for National Statistics' survey later this year, while criticising wasteful public expenditure and the use of consultants. (So are you really happy with this move, David?) The HSE and other employer advisors seem to have taken a one-dimensional approach to resolving stress related issues by dropping everything apart from exhorting managers to be nice to their staff.

UCU's resident cynic couldn't do better than this unnamed, disaffected member of staff at West Oxon council:

"It's a complete waste of time and money....very airy fairy....out-of-date....discredited management speak from the 1990s....completely daft....absolutely beyond belief....they're spending money on rubbish like this"

Perhaps using the money to help retain a few jobs would be a better way to improve staff morale, lift their spirits and reduce stress and depression. Three quarters of a million represents a lot of lost jobs, and a lot of stress for West Oxon council workers. We'd like to hear any nice, happy reports of such things happening in colleges or universities.

Reported in the Daily Telegraph 20th January 2011.

5. Phew - one of the FAQ's on the Teachernet website

Q) Is there any guidance about maximum/minimum temperatures in classrooms?

A) The Workplace (Health, Safety and Welfare) Regulations 1992, Regulation 7 (1) states: "During working hours, the temperature in all workplaces inside buildings shall be reasonable." High temperatures, heat stress and dehydration can be serious problems at temperatures above 35 degrees centigrade so that should be regarded as

the maximum reasonable temperature for prolonged periods of time in school classrooms.

This temperature is above comfort temperatures but healthy children should be able to cope with this if they are given generous supplies of cool water to drink. More sensitive children may experience problems at much lower temperatures and staff need to watch for signs of heat stress at temperatures above 28 degrees centigrade. Schools with inadequate supplies of drinking water need to make arrangements for children to drink enough water.

It should be remembered that the amount of water that can be delivered through drinking water fountains is small. Minimum temperatures are specified in the school premises regulations. 18 degrees centigrade is normal for classrooms.”

So Teachernet thinks that twice the normal temperature is “reasonable”, does it? And filling children up with water is a way to control that? They obviously haven’t heard about the Glasgow schools case; nor can they liaise with the HSE. Lord Young might usefully have made recommendations to protect our children and their teachers; but to do that would have given the lie to the proposition that classrooms are low hazard/low risk. Meanwhile, the state allows children and staff to simmer away gently in the classroom.

6. RIDDOR consultation (Part 1) published

The consultation document on the proposed review of RIDDOR was published on 31st January. It can be found at: <http://www.hse.gov.uk/consult/condocs/cd233.htm>

This came about as one of the recommendations made by Lord Young. In addition to the list of prescribed injuries or incidents that require employers to make a report under RIDDOR, there is a general requirement to report any injury that results in more than 3 days absence from work. The proposal is to increase this to 7 days absence before a report is required. Attached to the consultation document is a huge ‘Impact assessment’ which strangely makes no reference to the possible impact of this on an injured worker, or on the process of collecting accurate information about the extent of work-related injury in the UK.

This isn’t about health and safety; this is about letting employers off the hook. We already know there is a massive under-recording of injuries under the RIDDOR classifications, and this distorts our knowledge of the real situation in respect of workplace incidents and injuries. So where employers are already getting away with non-compliance; this will just make it worse. Employer non-compliance with the plus 3-day requirement was Lord Young’s reason for proposing this change. This look like a novel approach to changing the law – if those charged with duties don’t comply, don’t improve enforcement, just get rid of it. It’s not just us who think the approach should be different... A Better Regulation Executive/National Audit Office report in 2008 *‘Effective inspection and enforcement: Implementing the Hampton vision in the HSE’* concluded that the answer to widespread under-reporting should be better enforcement of the law.

We are in good company, then. Neither Hampton, the BRE or the NAO have shown themselves to be particularly friendly to workers and the issues that affect them – they generally make pronouncements more favourable to employers. UCU health and safety advice doesn’t think we should assist the government in this reduction in standards, or

be compliant in assisting such a reprehensible process. Perhaps our members who teach law and moral philosophy could help us out here.

The TUC is drafting a response; UCU will produce one soon, and circulate it. Please contribute to the consultation in some way, however briefly. It's open until 9th May. On previous HSE consultations, they have told us that all contributions count so long as you don't just submit the same thing, (if you do, they just lump it in with all the others that are the same and consider it as a single response) but I doubt it will have any effect. Experience from previous consultations suggests that employers contributions have a much greater value than those of workers or trade unions. On this one, given the government has already said it will implement Young's recommendations, I have no confidence that this is in any sense a "real" consultation. And having said that, let me just remind you of that great quote from "The Search for Signs of Intelligent Life in the Universe", where Lily Tomlin's character says "*No matter how cynical you become, it's never enough to keep up.*" I don't think I am keeping up.

7. Cuts 'threaten EH services'

Environmental Health News reports that EH services run by local councils are under severe pressure. A recent survey suggests environmental health departments have lost on average two full-time equivalent front-line staff in the last six months because of budget cuts.

So far, 25 councils have told EHN in the Cuts Watch column they have already lost environmental health staff, are expecting redundancies or have a recruitment freeze. Many manager, EHO and technical officer posts have been left vacant. Some EH teams are facing large-scale redundancies as services are merged or shared, such as at Rochdale MBC and authorities in Worcestershire. A total of 35 EHO jobs are at risk in Rochdale due to plans to merge environmental health with trading standards.

This is the tip of the iceberg. Merging H&S inspections with food safety and other trading standards can only mean a less thorough enforcement regime. And while few colleges or universities will experience EHO enforcement (but you may in a museum, city centre shop or remote training restaurant) this shows the likely impact of cuts generally across services, including the HSE. We'll bring you more news of HSE proposals to deal with the cuts as they develop.

<http://www.cieh.org/ehn/ehn3.aspx?id=35432> for the full article. EHN often has useful little snippets, so worth checking occasionally.

8. Driving at work

Lots of lecturers drive whilst at work, mostly between college or university sites but for other reasons as well – to visit students on work placement, college trips or attend a conference, for instance. ROSPA has estimated that about a third of the people killed on the roads are people at work in some capacity, although not all of these will be driving. Of those, the vast majority are not professional drivers, but like our members, have to travel to different locations during the working day in order to do their job. Figures for 2009 show that 2,222 people died in road incidents, so using ROSPA's reckoning, about 720 of those were at work in some capacity. That incident rate would also suggest that a similar proportion of those injured on the roads could also be at work; that's over 70,000.

Driving at work has been addressed by the HSE and by Government. In particular, the HSE has issued guidance on road risk, and the need for employers to identify, and deal with the risks posed to their employees; (<http://www.hse.gov.uk/pubns/indg382.pdf>) while the Government has focused particularly on one aspect - the dangers of using a cell phone when driving. (See ROSPA: http://www.rospace.com/roadsafety/info/mobile_phone_report.pdf)

A recent survey by motoring retailer Halfords suggests that more motorists than ever are driving illegally by using a cell phone to call, text and go on the internet while at the wheel. 41% of drivers admit to taking a phone call and almost three in ten (29%) have made at least one call in the last year. This compares with 31% and 22% in a similar survey carried out 12 months ago. Men are more likely to do this than women (35% male compared to 22% female). Despite tougher laws being introduced 4 years ago, the survey found that drivers are still putting themselves and other road users in danger, as well as risking a fine.

One respondent in ten admitted checking social media sites in the car. Just under 5% said they used their multimedia phones to read an email while driving, while 3% actually posted on Facebook or sent an email. Another 3% cent said they used the internet to check traffic reports or used the phone as a satnav to find directions.

Advice to employers from the Department for Transport states that they must not expect employees to make or receive cell phone calls while driving. This must be reflected in the company's health and safety policy and risk management strategy. While employers are not liable simply for supplying a telephone or for telephoning an employee who was driving, they must make it clear to employees that they are forbidden to use handheld cell phones while driving and they will not be expected to make or receive calls when driving.

Employers should instruct staff that, when driving, handheld cell phones should be switched off, or, if switched on, the calls should be left to go through to voicemail, and that a safe place to stop should be found to check messages and return calls. Employer policy should specify that using a handheld phone or similar device while driving is a criminal offence and will be treated as a disciplinary matter.

If no policy is implemented and employers are shown to have permitted or connived at the use of a handheld cell phone while driving, they may be:

- liable under the Road Vehicles (Construction and Use) Regulations 2003;
- vicariously liable if an employee causes an accident while driving on business;
- liable under the Health and Safety at Work etc. Act 1974 as employers are obliged to provide a safe system of work and to do what they reasonably can to ensure the safety of staff and others; and
- liable if there is a fatal accident involving the use of a handheld mobile phone while driving. Where this practice was well known and encouraged throughout the company, there could be the possibility of a corporate manslaughter prosecution against directors or senior managers.

Other risk factors include tight timetabling of classes at different sites without adequate time allowance for travel, which can lead to less care, excess speed and increased risk. The incidence of stress related symptoms, and increased workloads that lead to longer hours and tiredness are other major risk factors. These should also be considered as part of an employer's policy.

More from <http://www.hse.gov.uk/roadsafety/index.htm> and <http://www.rospa.com/>

9. Contact details and training reminder

Key dates and events for health and safety reps over the next twelve months are available here: <http://www.ucu.org.uk/index.cfm?articleid=3140>

Contact UCU Health & Safety Advice

UCU Health & Safety Advice is provided by the Greater Manchester Hazards Centre, and is available for 3 days each week during extended term times. The contact person is John Bamford: (e) jbamford@ucu.org.uk (t) 0161 636 7558

Visit the [UCU Health and Safety web page:](http://www.ucu.org.uk/index.cfm?articleid=2132)
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