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1. **Beware behavioural safety**

Some trade unions are reporting a rise in behavioural safety initiatives by employers. Behavioural safety is the name given to a variety of management programmes that focus on worker behaviour as the cause of injury and ill-health at work, rather than the system of work and managerial weaknesses in the way work is organised and managed. Behavioural safety proponents claim that over 80 percent of accidents are caused by unsafe acts by workers (One consultant who promotes behavioural safety claims almost 100 percent). They argue that to prevent these unsafe acts, management should target specific behaviours and aim to change them by observing and monitoring workers. And we all know what happens when workers are observed and monitored closely – they often end-up being criticised, disciplined or losing their jobs.

We know from both research and our own experience that workplace hazards and unsafe and unhealthy conditions lead to injury and illness. The main cause of injury and illness in the workplace is the employer's failure to manage health and safety correctly, not in the failings of workers. It is our members who face the workplace risks and who often get the blame as well, even when behavioural safety schemes are not present. Active UCU safety reps, identifying workplace hazards and getting them fixed is the real route to safer and healthier workplaces. When the hazards are properly identified and removed at source, injury and illness decreases. The behavioural safety argument starts to fail very quickly when you consider psycho-social hazards – do workers bully themselves, or set themselves up to be abused and assaulted? Do workers deliberately self-impose excessive workload, or decide on job-threatening changes, or allocate themselves work outside their capability or training?

Not only do these schemes try to shift the blame for injuries, incidents and poor health from employers to workers, they are hostile to, and deliberately designed to undermine, trade union activity around health and safety and reduce the role of joint health and safety

committees. We can't emphasise enough that UCU safety reps must be involved in all decision making processes around health and safety so that they can bring their members views and expertise to any discussions on what is needed to improve workplace conditions. It is important that workers and unions achieve some fundamental goals by reducing the risks our members face, and establishing healthier, safer, and hazard-free workplaces. A focus on behavioural safety will not achieve these objectives.

Nancy Lessin is the health and safety co-ordinator for the Massachusetts AFL-CIO and is an international union authority on Behavioural Safety Schemes. Her briefing in Hazards, at <http://www.hazards.org/bs/hazardsbriefing.htm> is a guide to the principles and underlying philosophy, even if the examples she quotes tend to be industrial rather than educational. But then, so are the case studies in the UCEA guide for VC's and governing bodies "Leading health and safety at work" http://www.ucea.ac.uk/objects_store/leading_health_and_safety.pdf Worth a read to see how your employer matches up – and as relevant to FE as HE.

A comprehensive TUC briefing is here <http://www.tuc.org.uk/workplace/tuc-17940-f0.cfm>

2. NEC Stress and Bullying Working Group

Two of the original members of the group, Phillip Burgess and John Murphy didn't seek re-election to the NEC this year. We'd like to record their contribution to the deliberations of the working group, and extend a sincere thanks to both of them for that work. Phillip has retired, but will stay on the Recourse council; and John aims to work towards establishing a network for UCU safety reps in the North West region.

The next priority for the working group is to ensure that both are replaced, and then work towards the organisation of the UCU anti-stress and bullying week planned for 7th – 11th November. More information will be circulated to Branches and in this newsletter as plans develop. Branches and LA's are encouraged to run some activity during the week.

3. New Guidance on fire regulations

The Chief Fire Officers Association has issued a comprehensive new guidance document on the enforcement of the Regulatory Reform (Fire Safety Order) 2005. The document aims to provide regulators and enforcers with a user-friendly guide on the meaning and interpretation of the provisions of the Fire Safety Order, in order to promote consistency of enforcement. It brings in lessons learned since the introduction of the legislation nearly five years ago.

You can download a free copy from <http://www.cfoa.org.uk/12002> Safety representatives are trade union enforcers, don't forget, so guidance for the official enforcement agents will be useful for us too. It needs to be read in conjunction with the provisions of the Order itself, and the "official" guidance issued by the Department for

Communities in 2007: download from

<http://www.communities.gov.uk/documents/fire/pdf/guidance1enforcement2005.pdf>

For fire precautions and risk assessment guidance to employers in the education sector, see

<http://www.communities.gov.uk/documents/fire/pdf/150865.pdf> More general

advice for employers at

<http://www.communities.gov.uk/documents/fire/pdf/144647.pdf>

4. Work Stress network conference; UCU sponsored delegates

UCU sponsors 4 delegates to this conference. As usual, the 2011 conference will be held at the NASUWT Hillscourt Conference Centre, Rednall, Birmingham, on Saturday 26th and Sunday 27th November 2011. Download the conference information and booking form for information

<http://www.workstress.net/downloads/110321%20%20booking%20form%20v4%202011.pdf>

Usual practice: first come – first served; but please don't complete or send-off any booking forms. Make sure you have the support of your branch as a delegate, then e-mail James Taylor (jtaylor@ucu.org.uk) with your confirmation of support, your UCU membership number and your employers name. We will send you an official UCU-sponsored booking form when James confirms that you are one of our delegates.

UCU needs to ensure we have as many different delegates to these external events as possible. To ensure that, we are unable to accept an application for sponsorship to this event from anyone who has already been accepted as a delegate to the Hazards Conference this year. Branches and LA's can, of course, send delegates independently.

5. New LRD Stress Booklet

Labour Research Department have updated and expanded their work-related stress booklet. Now entitled "Stress and mental health at work" it includes information on "presenteeism" – where workers who are not fit to attend work still do, often to avoid getting involved with a punitive absence control procedure, and can then run into problems associated with poor performance.

There is a comprehensive guide to the guidance offered to employers by HSE and ACAS; and the pamphlet highlights the HSE's confirmation that there has been little if any detectable improvement in overcoming psychosocial hazards as a result of the management standards, as reported by their own 2009 report "Psychosocial working conditions in Britain". As LRD says, "if the HSE say it's too early to judge, for trade unions it may be too late". It draws

attention to the fact that the enforcement regime on stress-related problems is virtually non-existent; something UCU Health & Safety has been pointing out for years. See the HSE's management instructions to their inspectors in "Topic Inspection pack: Work-related Stress" at <http://www.hse.gov.uk/foi/internalops/fod/inspect/stress.pdf>

A useful addition to the resource base and some decent guidance to workplace trade union action, and a fine summary of the current state of play, with some useful history included. If your Branch or LA subscribes to LRD publications, you will already have access to it. If not, LRD can be contacted via www.lrd.org.uk or telephone **0207 928 3649**.

"Stress and mental health at work" LRD May 2011. It's £6.00 for a single copy if your Branch or LA isn't an LRD affiliate. Ask your employer to supply a copy; it is assistance you reasonably require to help you keep up-to-date, so falls under SRSC Regulation 4A(2).

6. Back to basics: dealing with training

The Safety Representatives & Safety Committees Regulations 1977 require employers to consult with safety reps over the planning and organisation of training [SRSC Regulations: Reg 4A(1)(d)]. The guidance to safety committee functions recommends the committee keep "a watch on the effectiveness of the health & safety content of employee training" [Guidance Para. 76(g)]. The Regulation as written is a very narrowly defined and limited duty; and the Guidance reference to "employee training" reinforces that narrow interpretation; UCU believes that we should be involved in a much wider range of issues related to training. For example, the Regulation is interpreted by many employers and managers to limit the duty to consult to what might be described as "proletarian" training for the average worker, and thus limit our input to the planning and delivery of such training. But remember that managers are also employees, so any employer interpretation of what kind of training they talk to us about should extend to this. The local unions need to think in a wider context and negotiate a broader involvement, for example:

- We should discuss the content and delivery as well as the planning and organisation. Our members and reps are, after all, mostly engaged in the business of educating and training people, so we do know what we are talking about;
- We should include training for staff promoted to managerial or supervisory posts, so they understand their duties and responsibilities towards health & safety; (I'd argue for compulsory training before they were permitted to take the job and the increased salary)
- We should ensure training for managers includes information and understanding of industrial relations matters related to H&S, for example about safety reps functions; (that might help forestall their objections to safety reps taking time off to do their safety rep functions and be trained)
- We should insist on some training for members of governing bodies, so they understand their role and responsibilities in H&S as employers; (employers really SHOULD know what legal and other duties they are responsible for)

- We should be negotiating for UCU safety rep involvement in training events, so that the role of safety reps and the union can be explained, and be clear to all;
- We should be discussing and establishing what level of training is appropriate for which staff;
- We should discuss what further training employers provide for safety reps outside the UCU and TUC reps training programme, [on specific hazards in their workplace; on the risk assessment process so we can check what the employers risk assessor do; on gaining some professional qualification like a NEBOSH or IOSH qualification etc to improve our technical knowledge], and
- We should be involved in the evaluation of training programmes and events – again, as educators we know what we are talking about.

7. Long hours increase heart attack risk

Reported in the current issue of Hazards magazine, researchers at University College London suggests that people who work for 11 hours a day increase their risk of a heart attack by 67%, compared to staff who work an 8-hour day. This confirms an earlier study based on data from the same cohort, and published in the European Heart Journal that identified an increased risk of coronary heart disease linked to overtime working.

The results are based on the long-term study on over seven thousand civil servants – the aptly named “Whitehall Study”, which has been tracking the health of a cohort of civil servants since 1985. The lead researcher suggested that GP’s should always ask patients about their working hours, which might help them identify the potential for heart disease, especially where there are other risk factors present. A Medical Research Council spokesperson also suggested that “This study should make us think twice about the old adage ‘hard work never killed anyone’, and it’s not just diet and exercise we need to think about”.

Excessive workload is the most commonly stated cause of stress in our sector. This is a timely reminder to UCU members that long hours are a potential health risk, and provides an incentive to do more to tackle the workload problems that exist in many colleges and universities.

Hazards 114, page 10. Subscription information from sub@hazards.org or telephone **0114 201 4265**

8. HSE to investigate wood dust and nasal cancer link

This is of interest to our members working in joinery, furniture and other woodworking areas. The HSE has confirmed that funding has been secured for research to be commissioned into the relationship between the woodworking industry and nasal cancer.

The work is due to start this month and should be completed by the end of the financial year. It will build on the previously published paper 'Occupational Exposure to Wood Dust in the British Woodworking Industry in 1999/2000'. The cost of the work is estimated at this stage to be around £26,000.

The study will look at:

- checking known poor performers from the previous survey and looking for improvements e.g. implementation of Face Fit Testing and provision of airflow indicators;
- identifying new business areas where there are woodworking risks not covered in the previous study;
- whether there are any changes in the industries currently at risk and
- whether there are any trends in enquiries that HSE has received about woodworking that might be relevant.

It will also carry out some pilot visits to businesses to see if further survey work would be useful at a later date.

A spokesperson for HSE said: "The relationship between wood dust and nasal cancer is well known and there are an estimated 50 cases per year. It is reportable to HSE under RIDDOR when it occurs in someone who has worked in a building where wooden furniture is manufactured, and is a Prescribed Disease giving entitlement to compensation through the Industrial Injuries Disablement scheme in a number of woodworking occupations."

9. On-line marking

We have had a few enquiries recently about on-line marking. We'll do a factsheet soon; meanwhile, here are a few key points worth remembering if your employer raises this.

First, it is a significant change in the way you work, and is a new way of working – a new technology. There are known risks associated with the use of Display Screen Equipment (DSE), and a set of Regulations with associated Guidance set standards to control the risks and help to prevent injury. This all means your employer **must** consult with UCU safety reps before making any decisions. This duty is imposed on your employer by Regulation 4A(1)(a) & (e) of the Safety Representatives & Safety Committees Regulations. SRSC Guidance Paragraph 41 spells out for employers in simple terms what that means.

Secondly, there is the thorny question of "user designation". UCU suggests that all academic staff should be designated as "users", and that is a matter for negotiation. We would argue that staff have no choice but to use DSE, because:

- most work-related information comes via e-mail;
- most university and college resources are on the intranet;
- student records and registers are in databases;

- student reports and assessments are required on-line;
- staff have to keep diaries and timetables which enable employers to keep tabs on them;
- lecturers write teaching materials themselves since secretarial support disappeared;
- the WWW is an essential research and materials tool;
- students submit essays and other work, and now,
- increasing numbers of staff are expected to mark on-line

We say having little choice puts them firmly in the “user” category. The DSE guidance (Paragraph 15) says:

Where use is less continuous or frequent, other factors connected with the job must be assessed. It will generally be appropriate to classify the person concerned as a user or operator if they:

- (a) normally use DSE for **continuous or near-continuous spells of an hour or more** at a time; and
- (b) use DSE in this way **more or less daily**; and
- (c) have to **transfer information quickly** to or from the DSE;

and also need to apply high levels of **attention and concentration**; or are **highly dependent** on DSE or have **little choice** about using it; or need **special training or skills** to use the DSE.

Some universities already designate academics as users, many resist. When UCU suggested this to the chair of USHA (the Universities Health & Safety Association – the collective body for university H&S officers and managers) a couple of years ago, he “pulled his kite”, as they say where I come from – and denied that academics should be designated as users. In practice, the real benefit of user status is the right to request free eye tests and be provided with any necessary spectacles free of charge; the other provisions of the DSE Regulations apply wherever a computer is being used.

Finally, UCU Branches and LA’s should ensure that employers conduct workstation assessments anywhere staff use computers, even if they use them for as little as an hour a day. Checking staff workstations and computer use is a good workplace inspection activity. The DSE Guidance booklet from HSE has a useful checklist that we can use for an inspection, and with a few well thought out questions for staff will help to highlight problems with furniture, especially the work chair; lighting, and the appropriateness of software programmes, their operation and use.

Download the DSE booklet from <http://www.hse.gov.uk/pubns/books/I26.htm>

10. Training in 2011

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)
<http://www.ucu.org.uk/index.cfm?articleid=2132>