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1. Academic stress still on the increase

Following hard on the heels of CIPD research that stress-related illness is now the number one reason for absence from work, the latest UCU biennial survey of stress in F&HE shows another increase in the numbers of people experiencing conditions at work that cause stress. The survey is based on the HSE Stress Management Standards of Demands, Control, Support, Relationships, Role and Change with some additional questions factored in. The report, released to coincide with Anti-Stress and Bullying Week shows that in FE, 84% of respondents found their job stressful in 2010 compared to 80% in 2008. In HE there was a bigger increase reported, from 74% in 2008 to 81% now. That clearly demonstrates that this is a collective problem that affects the membership of UCU as a whole, and not a case of an individual's weaknesses. Download the report from

http://www.ucu.org.uk/media/pdf/5/8/Work-related_stress_report.pdf

The main factors putting pressure on employees in both sectors were workloads, lack of time and unreasonable expectations, and in FE, Change. In HE, the responses for Change actually met the HSE's target, but failed to achieve a satisfactory standard for the 5 other stress management standards factors. FE failed in all 6. Even though the Change responses in HE were at HSE standard respondents from both sectors reported that, for example, they were rarely consulted about change at work; were seldom clear about how change would work-out in practice, and had few opportunities to question managers about change.

Excessive time spent working or at work and poor life-work balance were other major factors.

The target for the HSE's Stress Management Standards (SMS) guidance is for around 80% of the responses to the SMS questionnaire to be positive, and score green on their colour-coded analytical spreadsheet. Our survey shows that this isn't being achieved in tertiary education.

One more time - what do employers have to do?

- conduct risk assessments to identify the hazards in the workplace; the purpose of the HSE stress management standards and toolkit is to help the employer do this;
- evaluate the risks they pose to the health of staff; the analytical tool does that for them;
- devise and introduce measures to protect staff from those risks; they really should be working with us to devise and implement appropriate and suitable control measures;
- give employees information about the risks and controls; that appears to be a serious weakness across both FE and HE, and if you don't believe me, go and ask your employer for the risk assessment information on your job;
- keep the assessments under review; UCU reps should be involved in that review process, and
- consult with and involve trade union H&S reps in this process – that's both the HSE's advice to employers, and forms part of the duty on employers to consult with UCU reps set out in the Safety Reps Regulations.

Despite HSE management guidance to inspectors, only three Improvement Notices have been issued to employers for failing to comply with the risk assessment duty in relation to stress; two NHS trusts, and Liverpool Hope University. It is clear, even more so now that our sector is defined as low-risk and no longer subject to pro-active HSE inspections, that if we don't put pressure on employers to comply, **nobody else will**. If we don't, the upward trend (or more correctly downward in the case of employee health and welfare) in our survey results will almost certainly continue. The remedy is firmly in our own hands; we have to deal with it at the workplace level. That means a strong workplace organisation; active, enthusiastic and determined members; lots more active UCU health and safety representatives; constant demands on the employer to comply and to work with us to achieve the positive results necessary to protect our members' health and welfare.

Every Branch and LA should have this as a standing item on executive committee and Branch meeting agendas. Every Branch and LA should be pushing these issues in JNC negotiations.

HSE enforcement guidance to Inspectors on stress

<http://www.hse.gov.uk/foi/internalops/fod/inspect/stress.pdf> clearly demonstrates the limitations of the HSE approach.

HSE enforcement guidance to Inspectors on worker involvement

<http://www.hse.gov.uk/foi/internalops/fod/inspect/workerinvolve.pdf> very weak guidance to inspectors; technically flawed as well. Not inspiring.

2. Insight into ill-treatment in the workplace

This is the title of a report produced by researchers at Cardiff and Plymouth Universities, funded by the Economic and Social Research Council.

Led by a team from Cardiff University, the study has found that half of British workers have been ill-treated in the last two years. The survey collected data from face-to-face interviews with 3,979 workers. Some key findings are:

- 40% of employees experienced incivility or disrespect over a two year period.
- 29% reported they were given unmanageable workloads or impossible deadlines
- 27% said they felt their views and opinions were ignored
- 23% reported being shouted at or someone losing their temper with them
- 22% said they were treated in a disrespectful or rude way
- 14% reported being insulted or subjected to offensive remarks
- 4.9% of workers had been victims of violence

Over two-thirds of the incidents of incivility and disrespect towards staff were committed by employers, managers or supervisors, but this kind of ill-treatment is also meted out by co-workers, and by customers and clients.

The 4 case studies make interesting reading, and challenge some conventional wisdom. For example, most people understand the NHS to be an organisation that cares for people, and would expect staff to be treated fairly and justly in such an organisation, but that's not what this study found. The financial services case study chimes with our experience in education – there a shift took place that refocused the priority to sales of products aimed at generating income and profits and away from giving clients what was appropriate and what they really needed – sound familiar? The other case study that should give people pause for thought is the one that identifies systematic ill-treatment of employees who are disabled or have chronic health problems. So being a victim already isn't enough for some employers.....

One major conclusion is that a requirement to promote fairness and respect needs to be embedded in all managerial roles; good leadership and a positive culture are essential, and manager behaviour modification and more effective control of individual manager behaviour is key to a successful solution to the problems. But even this can fail. It may be that there are aspects of ill-treatment that require a more co-ordinated and systematic response from law-makers and enforcers, but the report leaves that open-ended.

<http://www.cardiff.ac.uk/socsi/resources/insight11.pdf>

3. Stress risk assessment: alternative tools

In Scotland, the health board has taken a different approach, partly based on health outcomes, rather than enforcement and compliance. There is a debate here about the appropriateness of that approach, but this isn't the place or time to have it. What is important is that they have built on the HSE's Stress Management Standards toolkit. The SMS questionnaire has been extended with an additional 32 questions, plus a write-in option at the end.

UCU health & safety thinks that what's good about the extended questionnaire is that it includes a number of other work-related factors; and this highlights the links between what is essentially a health issue, and the whole range of factors involved in work, and which are inter-related. Issues like the working environment, job security, remuneration and other benefits are as important to consider as the questions put together by the HSE. It also asks questions about the effects of stress on respondents. All in all, we think the additional information makes this a useful alternative to the HSE questionnaire. If you aren't in Scotland, you may need to negotiate this approach if you are doing a joint activity with the employer; alternatively you can run it as a UCU safety reps inspection activity. See our guidance http://www.ucu.org.uk/media/docs/7/d/hsfact_workinspect_approach.doc

Risk assessment questionnaire is a free download from the Scottish health department <http://www.healthscotland.com/documents/4221.aspx> and for the linked analysis tool <http://www.healthyworkinglives.com/documents/4222.aspx>.

4. HSE Website at risk?

The ConDem government has already started to "rationalise" its web based information into that dreadfully limited-in-scope site 'Direct – dot – gov'. Something like 'Direct – dot - guff' might be more appropriate. A recent Cabinet Office report shows that 444 central government websites are currently open, compared with 820 last year. The government claim they are just streamlining the process to reduce unnecessary spending and pave the way for a single government Web domain.

Our main concern is that the comprehensive HSE website will be dismantled, and a much more limited information source put into the .guff site. Now the InfoLine service has been sacrificed to protect funding for other HSE services like the website, this would be a further blow to information access.

Despite claims that there are no plans to close it down, and the secretary of state Iain Duncan-Smith requesting that the site be retained "for the time being", many of us are concerned it will go the way of other important sites like the Office of Public Guardianship, now reduced to a pretty useless rump on Direct.guff, or the valuable Teachernet site, now consigned to the national website archives – and consequently very difficult to access and search.

Perhaps not surprisingly, it was a "techie entrepreneur" – Martha Lane-Fox of "Lastminute.com" notoriety that recommended the huge expansion of Direct.guff as

a single site. So according to Martha size really does matter. Is it, one wonders, under consideration for privatisation? I wonder who might be interested in making a bid if it was?

You would have thought that the government had learnt something from the hugely expensive cock-ups with extravagant IT systems in the NHS, probation and offender management and others. This drive to put everything on one huge site just seems to mean that we get less and lower quality information, with predictable access problems. But then, perhaps that's the idea.

<http://www.shponline.co.uk/news-content/full/government-cagey-about-future-of-hse-website> for the full story.



5. A sense of déjà vue?

Like Dracula coming alive as night falls, Lord Young climbs out of his coffin for another bite at the jugular of "elf 'n safety" regulation. On the 7th November, the Prime Minister's Office announced that Lord Young has again been appointed as an adviser to David Cameron on enterprise. He's had a year off to sharpen his canines.

Lord Young resigned as enterprise adviser (Humpty Dumpty words, for which read "deregulator") in November last year after helping to trivialise the health, safety and welfare of workers in colleges and universities, then saying publicly that people had "never had it so good" as during this "so-called recession". At the time David Cameron said his comments were unacceptable. This gaffe followed his intellectually challenged advice on how to clear snow after years of telling us how "elf n safety had gorn mad". For this bit of "gorn madness", see Direct.Guff here http://www.direct.gov.uk/en/NI1/Newsroom/DG_191868

Cameron said Lord Young will work on "reducing the burden on business from health and safety regulations", and will work across departments on the implementation of his recommendations made in the Common Sense, Common Safety report. We obviously didn't drive the stake through the heart hard enough.

Young will use the unpaid role to conclude his report on removing what are seen as barriers to growth for small and medium sized enterprises, and ensure the government is doing all that it can to promote and boost enterprise. So the burden imposed on business that prevents employers harming and injuring staff will be removed, and the boost to enterprise will end up in the employer's pocket, while workers pay the price. We do live in the twenty-first century, not the eighteenth, don't we.

An opposition spokesman has been reported as saying the move showed the Government was "out of date" and "out of touch". Well, when they were in office,

their record on improving work-related health, safety and welfare wasn't the best, and they were hardly in touch with the views of workers generally. Does it really only take a year for unacceptability and crass stupidity to fade from memory?

6. Asbestos

Following on from the three asbestos cases that were reported in two universities and a college last week it might well be worth all you UCU safety reps undertaking a workplace inspection of the asbestos management in your institution. Start by asking your employers for a copy of the management plan that is required under Regulation 4 of the Control of Asbestos Regulations 2006. The Regulations place a duty on employers to make this plan; it's a document, so UCU safety reps must be given a copy if they ask for it, under SRSC Regulation 7(1).

We have a inspection checklist on the website (that needs a little updating) at http://www.ucu.org.uk/media/docs/1/r/asbestosmanagement_hsfact.doc The main update relates to the kinds of investigation the employer may have undertaken, but it's fine for all other purposes.

http://www.ucu.org.uk/media/docs/j/6/ucu_asbestos_regs_facts_feb11.doc for more information on how employers should involve safety reps at all stages.

<http://www.hse.gov.uk/pubns/books/l127.htm> for the Regulation 4 duty to manage asbestos; and <http://www.hse.gov.uk/pubns/books/l143.htm> for the full Control of Asbestos Regulations and ACoP. Downloaded from the HSE site free, but for how much longer?.

Just to remind you, the reports are here:

- <http://thelincolnite.co.uk/2011/11/university-fined-22k-for-not-dealing-with-asbestos/>
- <http://www.sundaymercury.net/news/midlands-news/2011/11/13/aston-university-worker-died-after-being-exposed-to-asbestos-66331-29765708/>
On 3rd December 2010, Aston University was also convicted of breaches of both the Control of Asbestos and the Management of Health & Safety Regulations. They were fined £4,000 with £2,000 costs. See record of that case at http://www.hse.gov.uk/prosecutions/case/case_details.asp?SF=CN&SV=4204594
- <http://www.thisisgrimsby.co.uk/story-13852892-detail/story.html>

7. The Black Frost Report

I've only just got this – and at first glance it doesn't look too good. The Dark Dame and her businessman partner-in-crime want to remove your GP from the process of certifying long-term sickness, and put you in the hands of an "independent assessor", whatever that is. Probably that French company Atos, that has recently

been denying disabled people their benefit in droves – a huge proportion of whom have won an appeal. I'll read it and circulate a resume to the list next week, unless one of you wants to contribute? But be warned, it's a bit turgid. Let me know if you do. Prof Andrew Watterson from the Occupational and Environmental Health Research Group at Stirling University has already written this letter to the Independent, juxtaposing various elements of government policy:

These are curious times indeed. On the one hand, a 'work and health' initiative report apparently aims to get sick people back to work by creating a new independent agency. On the other hand, there have been swinging cuts of the government agency responsible for promoting health and safety at work and protecting employees from falling ill because of unhealthy work.

On the one hand, people are to be 'encouraged' to get back to work. On the other hand government announces record unemployment figures and in those places where most of the sick who can apparently return to work are located, there are often no jobs available at all.

On the one hand, we are told that markets must be deregulated freed up. On the other hand the most vulnerable in our society are apparently to be directed back to work by a new government-funded service.

On the one hand research shows that good work is good for you though bad work may be very bad indeed for you with various mental and physical illnesses. On the other hand, the few jobs that are being created all too often are 'bad jobs' - part-time, poorly paid and with poor conditions.

The old Greek saying that if all you have in your tool box is a hammer, then everything you see are nails seems to apply here. If all that is offered is a 'rehabilitation approach' then that's what you get. The Government appears to be applying a sledge hammer to the wrong nut. Regulating bankers and stimulating growth rather than penalising the most vulnerable in our communities makes a lot more sense.

Thanks Andy; that's what professors are for. On the other hand, Professor Loftstedt's report, issued at 11 a.m on the 28th November makes much more pleasant reading, and was a complete surprise. It seems that the Government had made the mistake of appointing an academic with independent thought who was nobody's poodle, (and he had some trade union input on his panel) so Prof. Loftstedt said surprising things like "We need to maintain regulatory protection for workers" and "The level of health & safety regulation is about right"; recommended some consolidation of regulatory areas (40 mining regulations into a single regulatory instrument, for example) and the repeal of some ancient regulations relating to cinematography and film, and a review of ACoP's. In a Radio 4 PM interview, he said that the HSE needed sufficient resources to do their job, and stated clearly that it wasn't his job to defend or justify the government's position on workplace health and safety – so ensuring the kiss of death for any

future invitations from Duncan-Smith or Grayling. Well done Ragnar, and thanks. We should give him complimentary membership. Read the report at <http://www.dwp.gov.uk/docs/lofstedt-report.pdf>, the Government's grudging response at <http://www.dwp.gov.uk/docs/lofstedt-report-response.pdf> and the TUC response, which was circulated earlier. Hear Ragnar's interview on PM at 17.46 on PM at <http://www.bbc.co.uk/iplayer/console/b017m14w>

8. H&S Courses starting in 2012

The next Health & Safety Induction course is in Glasgow, 16th & 17th January 2012. The tutor is Maureen Watson for Stevenson College. To enrol on the course, contact training@ucu.org.uk or complete and post the form on the course list at http://www.ucu.org.uk/media/pdf/a/n/H_S_courses_all_regions_2011-12.pdf Accommodation is provided for those who need it.

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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