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1) Computer-generated "fit note" coming soon

The current medical certificate, known as the "fit note" is to be computer generated from this month, although some GP surgeries will not be using it until later this year or even early in 2013.

GPs use the "fit note" to provide information on whether a patient is too ill to work or if they can return to work if certain changes are made. It is then passed to the employer who usually uses it as confirmation of illness for SSP. None of this will change. In addition, none of the rules for the medical certificate, sick pay or benefits will change.

The only change will be that the GP will complete the sick note on their computer and print it, rather than give out a handwritten sick note. GPs will **not** be able to send the computer-generated sick note electronically (for example by email) to an employer.

The "fit note" also contains a system-generated barcode, which cannot be altered once it has been printed by the GP, and contains key information from the fit note that the employer can check.

The handwritten sick note will still be used by hospital doctors and on occasion by GPs, for example before the electronic version has been integrated into their practice's IT system or when they are on a home visit.

It would help if you ensure that employers are aware of the new procedures as early as possible. It is also important that they know about the virtual impossibility

of forging the new note so that they do not make accusations against employees who present a printed copy.

The DWP will be producing guidance for employers and employees later this month. Meanwhile the TUC guidance for health and safety representatives on the revised sick note has been updated. <http://www.tuc.org.uk/extras/fitnote.pdf>

2) Change at work, boiled frogs and the empty shell syndrome

Many workers feel it to be true and some recently published research has confirmed that employers really don't care how constant change affects their staff. According to expert HR researchers at the Portsmouth University Business School, while many employers have serious concerns about the impact change is having on their organisation very few were worried about the effect on their employees and their welfare.

The study, which involved senior human resources practitioners at companies employing more than 100 workers, found senior executives were embarrassed at high levels of employee stress within their organisations but many didn't care if employees were burning out.

Researchers commented that they were alarmed at some of the results. Employees are an organisation's most valuable asset (even though many UCU members don't see much evidence of corresponding care being exercised by their employers) and collectively have the power to help the organisation survive and thrive in bad times as well as in good, but managers appeared to think they have a licence to change, but only about a third of changes they've made are successful. Their advice to employers is that they need to stop foisting continual change upon their staff and not to ignore the fact change threatens workers, who then become exhausted, cynical or depressed, which in turn destabilises the organisation. Employers who overload their employees with continual change tend to see staff react by withdrawing and becoming less engaged, resulting in poorer performance, productivity and retention – they become less resilient, and HE particularly is obsessed with staff resilience.

Burnout in the workplace includes emotional exhaustion (loss of energy, feeling worn out and powerless), cynicism (negative attitude, distancing and irritability), and low personal accomplishment (feelings of incompetence, low assertiveness, low self-esteem, ineffectiveness and cognition focused on failure).

The research suggests organisations react to change in a variety of ways including the 'boiled frog syndrome': When a frog is placed in hot water it will instinctively jump out, but if it placed in cool water that is then slowly heated, the frog will stay in the water until it is boiled alive. In terms of organisational change 'boiled frog syndrome' is a state of denial that things are 'hotting up' and a complacent attitude to the effect it is having on employees and the organisation. How do we deal with this? We can start by refusing to be put into, or remain in the pot; or perhaps by more direct action we can sabotage the gas supply, or stop the employer lighting the gas. We need action to avoid UCU members becoming boiled frogs.

Other syndromes preventing organisations from dealing constructively with burnout include the 'empty shell syndrome' – where a wide range of policies and procedures exist but have little impact on stress and burnout – plenty of those about in tertiary education; and the 'survivor syndrome', where those who survive a round of redundancies or reorganisation are relieved, but go on to suffer low morale and higher stress levels.

The researchers conclude that employers need to manage change even more effectively as the pace and scope of change has become faster and greater, in order to reduce the risk to worker health; but are employers listening?

In the UK, the cost of sickness absence due to mental ill health alone is estimated by NICE to be £28bn a year. Nobody has yet been able to calculate the numbers of deaths from heart attacks and suicide directly related to workplace stress, but there is still little evidence that many employers are convinced by the so-called 'business case' for prevention that HSE, BIS, CIPD, Sainsbury Centre and others continually promote. We'll report any deviation from this refusal if and when it happens.

The International Journal of Knowledge, Culture and Change Management.
<http://ijm.cgpublisher.com/product/pub.28/prod.1360> for abstract.

3) HESA Magazine

The latest issue of *HesaMag*, the health and safety publication from the European Trade Union Institute carries an item on working time and its impact on workers' health. Aside from the revision of the Working Time directive, which the trade unions are currently trying to get back on track, the article looks at the trend towards increasingly flexible working times and its repercussions on health as well as social and family life. While no category of workers is immune, the least skilled and women seem to be hardest hit.

<http://www.etui.org/en/Outils/surveys/Individual-subscription>

4) Legionella – a killer that may hide in your workplace

At 15th June 2012 the number of new cases of Legionnaires Disease being reported appears to have slowed down, with a total of 41 confirmed cases and 47 suspected cases. BBC News reports that 11 of the victims are in intensive care, and 16 cases are being treated in the community. Two people have now died. Seven cases are being treated outside the area but are considered to be linked to the Edinburgh outbreak.

The last serious UK outbreak was in Barrow-in-Furness in 2002, when 172 cases were reported, and 7 people died. The source of that outbreak was steam produced by a badly maintained air conditioning unit in the council-run arts centre in Barrow town centre. The South Cumbria coroner criticised the council for its failings with regard to health and safety at the conclusion of an inquest into the seven deaths. In 2006, the council's senior architect Gillian Beckingham and her employer were cleared of seven charges of manslaughter, but both admitted breaching the Health and Safety at Work Act. Beckingham, who was ultimately responsible for health and

safety at the centre, was fined £15,000 and the authority £125,000. Barrow Council was the first public body in the country to have faced corporate manslaughter charges.

The source of this outbreak is being investigated by Edinburgh's Environmental Health Officers and the HSE. On the 8th June HSE served an Improvement Notice on North British Distillery Company Ltd for a failure to devise and implement a sustained and effective biocide control programme in one cooling tower at its site on Wheatfield Road, Edinburgh.

Two further Improvement Notices have since been issued at a second Edinburgh company, Macfarlan Smith Ltd, as part of the investigation. These require thorough cleaning of one of its cooling towers and provision of access for inspection and maintenance of that tower. They also require the company to take steps to improve its management systems. None of this action by HSE means that any of the cooling towers have been definitely identified as the source of the outbreak. In fact, HSE has said that based on previous experience, the source of the outbreak may never be conclusively identified.

Legionella bacteria are transmitted in water vapour aerosols and droplets, and can be found in cooling towers and evaporative condensers, hot and cold water systems, and other plant and systems containing water which is likely to exceed 20°C and which may release a spray or aerosol during operation or when being maintained, such as fire precaution sprinkler systems. An evaporative condenser is a heat exchanger in which a refrigerant is cooled by a combination of air movement and water spray. They usually incorporate a fan for forced air movement, a circulating water pump, a water spray system and a cooling coil; often seen on the top of tower buildings, they are the cooling system for water-based air-conditioning plants.

The requirements of the Control of Substances Hazardous to Health Regulations (COSHH) apply, and a suitable and sufficient risk assessment must be undertaken. The HSE has produced a specific Approved Code of Practice (ACoP) and guidance on Legionnaire's Disease linked to the requirements of the COSHH Regulations and duties under the Health & Safety at Work Act. Employers must do what they can to prevent the growth of the bacteria, and prevent any release of bacteria into the atmosphere.

Where there is a reasonably foreseeable risk of exposure, (and that is in every case where water vaporises or produces aerosol droplets in a system that is open to atmosphere) the employer must produce a written scheme for controlling the risk, which should be implemented and effectively managed. The scheme should specify measures to be taken to ensure that it remains effective, and include:

- an up-to-date plan showing layout of the plant or system, including parts temporarily out of use (a schematic plan would suffice);
- a description of the correct and safe operation of the system;
- the precautions to be taken;
- checks to be carried out to ensure efficacy of scheme and the frequency of such checks; and

- remedial action to be taken in the event that the scheme is shown not to be effective.

The risk from exposure will normally be controlled by measures which do not allow the proliferation of legionella bacteria in the system and reduce exposure to water droplets and aerosol. Precautions should include:

- controlling the release of water spray;
- avoidance of water temperatures and conditions that favour the proliferation of legionella bacteria and other micro-organisms;
- avoidance of water stagnation;
- avoidance of the use of materials that harbour bacteria and other micro-organisms, or provide nutrients for microbial growth;
- maintenance of the cleanliness of the system and the water in it;
- use of water treatment techniques; and
- ensuring the safe operation and maintenance of the water system.

The Legionnaires Disease ACoP requires employers to appoint someone to take managerial responsibility for supervising precautionary measures (Paragraph 39). The appointed person should ensure that precautions continue to be carried out, that adequate information is available, and that a record of the assessment and precautionary measures and treatments should be kept. All records should be signed by those people performing the various tasks assigned to them. The HSE guidance to record keeping suggests the following details:

- (a) names and position of people responsible for carrying out the various tasks under the written scheme;
- (b) a risk assessment and a written scheme of actions and control measures;
- (c) plans or schematic drawings of the systems;
- (d) details of precautionary measures that have been carried out, including sufficient detail to show that they were carried out correctly and the dates on which they were carried out;
- (e) remedial work required and carried out, and the date of completion;
- (f) a log detailing visits by contractors, consultants and other personnel;
- (g) cleaning and disinfection procedures and associated reports and certificates;
- (h) results of the chemical analysis of the water;
- (i) information on other hazards, eg treatment chemicals;
- (j) cooling tower notification;
- (k) training records of personnel;
- (l) the name and position of the people or persons who have responsibilities for implementing the scheme, their respective responsibilities and their lines of communication;
- (m) records showing the current state of operation of the system, eg when the system or plant is in use and, if not in use, whether it is drained down; and

(n) the signature of the person carrying out the work, or other form of authentication where appropriate.

Recommendation: We recommend that UCU safety representatives find out where potentially hazardous installations exist, and check the records the employer keeps. Start by asking where the potential risks are, and ask for a copy of the risk assessment. Some institutions may not have such complex installations, if not, that's your job done. Check the ACoP document for more information.

Free copy of the Legionnaire's Disease Approved Code of Practice and Guidance (L8) at <http://www.hse.gov.uk/pubns/priced/l8.pdf>

Legionnaire's disease: A brief guide for duty holders.
<http://www.hse.gov.uk/pubns/indg458.htm>

5) Open plan offices – more about noise

Many thanks to Tony Brown, UCU health & safety representative at University College London for this updated information on open-plan offices and noise.

This Wikipedia entry is sound (pause for a collective groan) and worth reading – it's only short. http://en.wikipedia.org/wiki/Open_plan

Julian Treasure has an entertaining and informative 5 minute presentation here: http://www.ted.com/talks/lang/en/julian_treasure_the_4_ways_sound_affects_us.html His estimate that productivity reduces by 66% where there is intrusive background noise should give most employers pause for thought.

A review of the literature in relation to healthcare by Oomman, Knowles and Zhao of the Queensland University of Technology concludes that "*Managers need to pay more attention to the complex systems that take place in the work environment. This involves understanding the association that occurs between employees and their physical environment*".

They further conclude that low job satisfaction and reduced productivity are likely to follow from an unsatisfactory working environment. The principles outlined in this article are as applicable to education as to health care. However heavily promoted by the bean counters (Oomman says it saves up to 20% on construction costs) and latter-day Corbusiers, open-plan appears not to be the panacea it is claimed to be.

See <http://lapa.co.nz/assets/NewsAttachments/openplanofficeszengine.pdf> and see <http://www.virtualmedicalcentre.com/news/office-life-is-bad-for-your-health/13179> for more on the Oomman, Knowles and Zhao paper – here Oomman says that 90% of research shows that open-plan offices cause high levels of stress, conflict, high blood pressure and high staff turnover. I think a lot of UCU members know that already.

6) UCU Congress

Good to see some of you at Congress. I think there was quite a bit more interest in the stand this year – I got rid of all my SRSC Regulations booklets, factsheets on on-line marking and other things, the bullying booklet, some safety rep badges, and loads of Hazards Campaign badges and Hazards magazines, and also lost a rat!

The factsheet on mouse infestation raised a few smiles, as did the two mice watching over it with their rat mate, until he was lifted. We had good attendances at the fringes, but think I might have done a bit better – I was expecting a dozen, so intended to run it as a small seminar. Stress fringe went really well, thanks to some sharp chaireing by Ann Blair, and good input from Stephen Court on the recent survey. I'll circulate a brief report on mine soon when I get my notes in order.

7) Anti-stress and Bullying Week



www.ucu.org.uk

This is the new poster for anti-stress and bullying week on 19th – 23rd November 2012. It will be circulated to Branches and on the website soon. There is some thought going into designating the Wednesday of that week as National Anti-stress and Bullying Day. Since the Andrea Adams Trust collapsed some 4 years ago no-one has really focussed on bullying from a workers point of view. At the time the Hazards Campaign was interested in picking-up the anti-bullying day, but AAT wanted them to purchase the logo and other things, and the Campaign didn't have resources available to do that, or enough people to focus on it.

Starting from scratch with a new campaigning focus, we'd want to ensure that, if such a day was designated, it would be clearly identified as a campaigning day focussed on bullying and stress caused by work, and was worker and trade union centred, to distinguish it from some of the other anti-bullying activities and promotions that have nothing to do with work and its effects on employees.

Meanwhile, we want to encourage all Branches and LA's to organise some activity during the week to raise the profile and our concern to deal with such issues. The earlier you start to think about this and start to organise, the better. Activities might be a lunchtime meeting, some leafleting, a workplace inspection focussed on talking to members, a stall with a short survey questionnaire for staff to complete (e.g. the TUC Stress MOT - <http://www.tuc.org.uk/workplace/tuc-5580-f0.cfm> - takes a few minutes and gives you chance to get into conversation) a half-day workshop, a march round the campus, or anything else likely to grab attention. Good to do something with other campus unions, which helps to promote joint union activity.

8) "Elf 'n Safety Gorn Mad" - another trivialising example

From the Independent, who should know better than to promote this rubbish, on 13th June 2012. First, the headline and a précis of the story.

Royal Mail 'to stop delivering post on rainy days'

A number of businesses have been told they will not have mail delivered on rainy days after a postman slipped and injured himself on a wet pavement.

Royal Mail said it had been forced to suspend deliveries during "adverse wet weather conditions" after a postman slipped on algae and moss on the pavement and broke his shoulder. Instead, customers in South Parade, Doncaster, have been told to collect their post from the town's main sorting office during bad weather.

A Royal Mail spokeswoman said the safety of staff was paramount.

Royal Mail told the press that a member of staff slipped on algae and moss on the pavement at South Parade during wet weather, and broke his shoulder. Following a risk assessment of the area, they notified Doncaster City Council of the danger posed by the poor condition of the pavement. They told customers in South Parade that deliveries to their address would be suspended during wet weather as a precautionary measure until the pavement surfaces are improved by the Council. Customers will be able to collect their mail from Doncaster Delivery Office

Acknowledging the inconvenience and apologising to customers, Royal Mail said the safety and welfare of their staff is paramount and deliveries are only suspended if the safety of postmen and women is at risk.

We say this: an utterly misleading and mendacious headline and not the case at all as the story soon makes clear. A responsible employer carries out a risk assessment after an employee has been injured and makes a complaint to those responsible for the hazard, asking them to remedy it, meanwhile suspending deliveries to one small area. A broken shoulder is not a minor injury and could easily have long term consequences for the health and employment of the person injured. UCU H&S isn't lavish in its praise for employer action, but this time - well done Royal Mail. If the council does its job and removes the moss and algae a bit sharpish, it will all be over.

So how is this news? Or is the Independent really saying - a la Daily Mail - that employers should knowingly put their staff at risk of injury just to deliver letters? The costs to the Royal Mail, the injured worker and his family, and to us all for health care are considerable and as always, prevention is better than cure.

So stop rubbishing good health and safety, because it protects workers and saves lives, and ultimately saves all of us money. I for one would not want my mail delivered if it meant a worker risked breaking a limb. Other pedestrians must also be at risk, so Royal Mail have done all of us a favour, and as soon as the council has removed the moss and algae, it will be safer for everyone. So stop the anti-health and safety spin Independent, it does not become you.

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>**